

RESOLUTION NO. 2022-0053

Adopted by the Sacramento City Council

February 15, 2022

Certifying the Environmental Impact Report and Adopting the Mitigation Monitoring Plan for the Innovation Park Planned Unit Development (PUD) and California Northstate University (CNU) Medical Center Project (P18-077)

BACKGROUND

- A. On January 13, 2022, the City Planning and Design Commission conducted a public hearing on, and forwarded to the City Council a recommendation to approve with conditions the Innovation Park PUD and CNU Medical Center project (P18-077).
- B. On February 15, 2022 the City Council conducted a public hearing, for which notice was given pursuant Sacramento City Code Section 17.812.030 and received and considered evidence concerning the Innovation Park PUD and CNU Medical Center project (P18-077).

BASED ON THE FACTS SET FORTH IN THE BACKGROUND, THE CITY COUNCIL RESOLVES AS FOLLOWS:

- Section 1. The City Council finds that the Environmental Impact Report for Innovation Park PUD and CNU Medical Center project (P18-077) (herein EIR) which consists of the Draft EIR and the Final EIR (Response to Comments) (collectively the "EIR") has been completed in accordance with the requirements of the California Environmental Quality Act (CEQA), the State CEQA Guidelines and the Sacramento Local Environmental Procedures.
- Section 2. The City Council certifies that the EIR was prepared, published, circulated and reviewed in accordance with the requirements of CEQA, the State CEQA Guidelines and the Sacramento Local Environmental Procedures, and constitutes an adequate, accurate, objective and complete Final Environmental Impact Report in full compliance with the requirements of CEQA, the State CEQA Guidelines and the Sacramento Local Environmental Procedures.
- Section 3. The City Council certifies that the EIR has been presented to it, that the City Council has reviewed the EIR and has considered the information contained in the EIR prior to acting on the proposed Project, and that the EIR reflects the City Council's independent judgment and analysis.

- Section 4. Pursuant to CEQA Guidelines Sections 15091 and 15093, and in support of its approval of the Project, the City Council adopts the attached Findings of Fact and Statement of Overriding Considerations in support of approval of the Project as set forth in the attached Exhibit A of this Resolution.
- Section 5. Pursuant to CEQA section 21081.6 and CEQA Guidelines section 15091, and in support of its approval of the Project, the City Council adopts the Mitigation Monitoring Plan to require all reasonably feasible mitigation measures be implemented by means of Project conditions, agreements, or other measures, as set forth in the Mitigation Monitoring Plan as set forth in Exhibit B of this Resolution.
- Section 6. The City Council directs that, upon approval of the Project, the City Manager shall file a notice of determination with the County Clerk of Sacramento County and, if the Project requires a discretionary approval from any state agency, with the State Office of Planning and Research, pursuant to the provisions of CEQA section 21152.
- Section 7. Pursuant to Guidelines section 15091(e), the documents and other materials that constitute the record of proceedings upon which the City Council has based its decision are located in and may be obtained from, the Office of the City Clerk at 915 I Street, Sacramento, California. The City Clerk is the custodian of records for all matters before the City Council.

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Adopted by the City of Sacramento City Council on February 15, 2022, by the following vote:

Ayes: Members Ashby, Guerra, Harris, Jennings, Loloee, Schenirer, Valenzuela, Vang, and Mayor Steinberg

Noes: None

Abstain: None

Absent: None

Attest: **Mindy Cuppy** Digitally signed by Mindy Cuppy
Date: 2022.02.25 15:30:16 -08'00'

Mindy Cuppy, City Clerk

The presence of an electronic signature certifies that the foregoing is a true and correct copy as approved by the Sacramento City Council.

Exhibit A

CEQA Findings of Fact and Statement of Overriding Considerations for the Innovation Park Planned Unit Development (PUD) Project

Description of the Project

The Innovation Park Planned Unit Development (PUD) project involves the development of an approximately 183-acre project site in North Natomas. The proposed project includes the following key elements:

- The Innovation Park PUD project requests entitlements necessary to replace a vacant arena, paved surface parking, and undeveloped land with a diverse mix of uses that are anticipated to include: employment uses, various market sector housing types, commercial, shopping, destination amenities, and a range of personal and professional services. Development of the 183-acre project site will be guided by a PUD document which provides a vision and standards for overall buildout of the project site.
- The Innovation Park PUD requires the redesignation of the site in the City's General Plan from Urban Center High to Urban Center Low, and the rezone of the site from SPX-PUD (Sports Complex/Planned Unit Development) to General Commercial Planned Unit Development (C-2 PUD).
- The Innovation Park PUD is anticipated to include approximately 3,071 housing units and 4,149,400 square feet of non-residential uses.
- The Innovation Park PUD includes development of the California Northstate University (CNU) Medical Center. The CNU Medical Center would be constructed on the southwest portion of the project site on approximately 35 acres. At build-out the CNU Medical Center would include at build out a 14-story hospital with 420 beds, medical clinics, ambulatory care, research and pharmaceutical buildings, laboratories, supporting retail uses, student and faculty dorms, an active senior living building, parking facilities, and publicly accessible open space.

Findings Required Under CEQA

1. Procedural Findings

The City Council of the City of Sacramento finds as follows:

Based on the nature of the proposed project, the City of Sacramento's Environmental Planning Services determined, on substantial evidence, that the project may have a significant effect on the environment. The Final Environmental Impact Report (EIR) for the Innovation Park PUD project (SCH # 2019039011, City project #P18-077) was prepared, noticed, published,

circulated, reviewed, and completed in full compliance with the California Environmental Quality Act (Public Resources Code Section 21000 *et seq.* (CEQA), the CEQA Guidelines (14 California Code of Regulations Section 15000 *et seq.*), and the City of Sacramento environmental guidelines, as follows:

a. A Notice of Preparation of the Draft EIR was filed with the Governor's Office of Planning and Research (OPR) and each responsible and trustee agency and was circulated for public comments beginning March 1, 2019. The official 30-day public review comment period for the NOP ended on April 2, 2019.

b. A public scoping meeting was held on March 21, 2019, at Sacramento City Hall, 915 I Street, Sacramento, California, 95814, to request the public's input on the scope and content of the environmental information that should be addressed in the EIR.

c. A Notice of Completion (NOC) and copies of the Draft EIR were distributed to the OPR on November 16, 2021, and to those public agencies that have jurisdiction by law with respect to the project, or which exercise authority over resources that may be affected by the project, and to other interested parties and agencies as required by law. The comments of such persons and agencies were sought.

d. An official 45-day public review and comment period for the Draft EIR was established by the OPR. The official OPR public comment period began on November 16, 2021, and ended on January 3, 2022.

e. A Notice of Availability (NOA) of the Draft EIR was mailed to all interested groups, organizations, and individuals who had previously requested notice in writing on November 16, 2021. The NOA stated that the City of Sacramento had completed the Draft EIR and that copies were available at the City of Sacramento, Community Development Department, 300 Richards Boulevard, Third Floor, Sacramento, California, 95811, and on the City's website. The letter also indicated that the official 45-day public review period for the Draft EIR would end on January 3, 2022.

f. A public notice was placed in the Sacramento Bulletin on November 16, 2021, which stated that the Draft EIR was available for public review and comment.

g. A public notice was posted in the office of the Sacramento County Clerk on November 16, 2021.

h. A public notice was mailed to all property owners within the project area, property owners within 1,000 feet of the project area, and occupants of contiguous property to the project area on November 16, 2021.

j. The NOA and Draft EIR were published on the City's website at <http://portal.cityofsacramento.org/Community-Development/Planning/Environmental/Impact-Reports.aspx>.

i. Copies of the Draft EIR were available for review at the following locations:

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

Sacramento Public Library
828 I Street
Sacramento, CA 95814

k. Following closure of the public comment period, all comments received on the Draft EIR during the comment period, the City's written responses to the significant environmental points raised in those comments, and additional information added by the City were added to the Draft EIR to produce the Final EIR.

l. The Final EIR was made available for public review and published on the City's website at <http://portal.cityofsacramento.org/Community-Development/Planning/Environmental/Impact-Reports.aspx> on February 4, 2022.

m. Notices were mailed on February 4, 2022, to all federal and state agencies that provided comments on the Draft EIR. The notice sent to each agency included that agency's comment letter and specific responses to its comment letter.

n. In certifying the Final EIR, the City Council finds that the Final EIR does not add significant new information to the Draft EIR that would require recirculation of the EIR under CEQA because the Final EIR contains no information revealing (1) any new significant environmental impact that would result from the Project or from a new or revised mitigation measure proposed to be implemented, (2) any substantial increase in the severity of a previously identified environmental impact, (3) any feasible project alternative or mitigation measures considerably different from others previously analyzed that would clearly lessen the environmental impacts of the Project but that was rejected by the Project Applicant, or (4) that the Draft EIR was so fundamentally and basically inadequate and conclusory in nature that meaningful public review and comment were precluded.

2. Record of Proceedings

The contents of the record of proceedings shall be as set forth in subdivision (e)

of Public Resources Code Section 21167.6. In particular, the following information is incorporated by reference and made part of the record supporting these findings:

- a. The Draft and Final EIR and all documents relied upon or incorporated by reference therein;
- b. The City of Sacramento 2035 General Plan adopted March 3, 2015, and all updates;
- c. The Master Environmental Impact Report for the City of Sacramento 2035 General Plan certified on March 3, 2015, and all updates;
- d. Findings of Fact and Statement of Overriding Considerations for the Adoption of the Sacramento 2035 General Plan adopted March 3, 2015, and all updates;
- e. Planning and Development Code of the City of Sacramento, as amended as of the date of this Resolution;
- f. The 2020 Metropolitan Transportation Plan/Sustainable Communities Strategy (MTP/SCS), Sacramento Area Council of Governments (SACOG), adopted November 18, 2019;
- g. The Innovation Park Planned Unit Development, February 2022;
- h. Innovation Park PUD Tentative Subdivision Map, February 2022;
- i. Innovation Park PUD Development Agreement, February 2022;
- j. The Mitigation Monitoring Plan for the project;
- k. All records of decision, staff reports, memoranda, maps, exhibits, letters, synopses of meetings, and other documents approved, reviewed, relied upon, or prepared by any City commissions, boards, officials, consultants, or staff relating to the project; and
- l. Any other materials required by Public Resources Code Section 21167.6, or other applicable law, to be included in the record of proceedings.

3. Findings

CEQA requires that the lead agency adopt mitigation measures or alternatives, where feasible, to substantially lessen or avoid significant environmental impacts that would otherwise occur. Mitigation measures or alternatives are not required, however, where such changes are infeasible or where the responsibility for the changes lies with some other agency. (CEQA Guidelines, Section 15091, subd. (a), (b).)

Public Resources Code Section 21061.1 defines “feasible” to mean “capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, social and technological factors.” CEQA Guidelines Section 15364 includes another factor: “legal” considerations. (See also *Citizens of Goleta Valley v. Board of Supervisors (Goleta II)* (1990) 52 Cal.3d 553, 565.)

The concept of “feasibility” also encompasses the question of whether a particular alternative or mitigation measure promotes the underlying goals and objectives of a project. (*City of Del Mar v. City of San Diego* (1982) 133 Cal.App.3d 410, 417 (*City of Del Mar*)). “[F]easibility” under CEQA encompasses ‘desirability’ to the extent that desirability is based on a reasonable balancing of the relevant economic, environmental, social, and technological factors.” (*Ibid.*; see also *Sequoyah Hills Homeowners Assn. v. City of Oakland* (1993) 23 Cal.App.4th 704, 715 (*Sequoyah Hills*); *California Native Plant Society v. City of Santa Cruz* (2009) 177 Cal.App.4th 957, 1001 [after weighing “‘economic, environmental, social, and technological factors’ ... ‘an alternative that is impracticable or undesirable from a policy standpoint may be rejected as infeasible’”].)

With respect to a project for which significant impacts are identified that are not avoided or substantially lessened, a public agency may nevertheless approve the project if the agency first adopts a statement of overriding considerations setting forth the specific reasons why the agency found that the project’s “benefits” rendered “acceptable” its “unavoidable adverse environmental effects.” (CEQA Guidelines, Sections 15093, 15043, subd. (b); see also Pub. Resources Code, Section 21081, subd. (b).)

In seeking to effectuate the substantive policy of CEQA to substantially lessen or avoid significant environmental effects to the extent feasible, an agency, in adopting findings, need not necessarily address the feasibility of *both* mitigation measures and environmentally superior alternatives when contemplating approval of a proposed project with significant impacts. Where a significant impact can be mitigated to an “acceptable” level solely by the adoption of feasible mitigation measures, the agency, in drafting its findings, has no obligation to consider the feasibility of any environmentally superior alternative that could also substantially lessen or avoid that same impact — even if the alternative would render the impact less severe than would the proposed project as mitigated. (*Laurel Hills Homeowners Association v. City Council* (1978) 83 Cal.App.3d 515, 521; see also *Kings County Farm Bureau v. City of Hanford* (1990) 221 Cal.App.3d 692, 730-731; and *Laurel Heights Improvement Association v. Regents of the University of California (“Laurel Heights I”)* (1988) 47 Cal.3d 376, 400-403.)

In these Findings, the City first addresses the extent to which each significant environmental effect can be substantially lessened or avoided through the adoption of feasible mitigation measures. Only after determining that, even with

the adoption of all feasible mitigation measures, an effect is significant and unavoidable does the City address the extent to which alternatives described in the EIR are (i) environmentally superior with respect to that effect and (ii) “feasible” within the meaning of CEQA.

In the Statement of Overriding Considerations found at the end of these Findings, the City identifies the specific economic, social, and other considerations that, in its judgment, outweigh the significant environmental effects that the project will cause.

The California Supreme Court has stated that “[t]he wisdom of approving ... any development project, a delicate task which requires a balancing of interests, is necessarily left to the sound discretion of the local officials and their constituents who are responsible for such decisions. The law as we interpret and apply it simply requires that those decisions be informed, and therefore balanced.” (*Goleta II*).

In support of its approval of the Project, the City Council’s findings are set forth below for each of the potentially significant environmental effects and alternatives of the Project identified in the EIR pursuant to Section 21081 of the Public Resources Code and Section 15091 of the CEQA Guidelines.

These findings do not attempt to reproduce the full analysis of each environmental impact contained in the EIR. Instead, a full explanation of these environmental findings and conclusions can be found in the EIR and these findings hereby incorporate by reference the discussion and analysis in the Draft and Final EIR supporting the determination regarding the impacts of the Project and mitigation measures designed to address those impacts. In making these findings, the City Council ratifies, adopts and incorporates in these findings the determinations and conclusions of the EIR relating to environmental impacts and mitigation measures except to the extent any such determinations and conclusions are specifically and expressly modified by these findings.

As set forth below, the City Council adopts and incorporates all of the mitigation measures set forth in the EIR and the attached Mitigation Monitoring Plan (MMP) to substantially lessen or avoid the potentially significant and significant impacts of the Project. The City Council intends to adopt each of the mitigation measures proposed in the EIR to reduce or eliminate significant impacts resulting from the Project. Accordingly, in the event a mitigation measure recommended in the EIR has inadvertently been omitted in these findings or the MMP, such mitigation measure is hereby adopted and incorporated in the findings below by reference. In addition, in the event the language describing a mitigation measure set forth in these findings or the MMP fails to accurately reflect the mitigation measures in the EIR due to a clerical error, the language of the policies and implementation measures, as set forth in the EIR shall control. The impact numbers and mitigation measure numbers used in these findings reflect the information contained in the EIR.

A. Impacts Found to be Less Than Significant and Thus Requiring No Mitigation.

Under CEQA, no mitigation measures are required for impacts that are less than significant. (Pub. Resources Code, Section 21002; CEQA Guidelines, Section 15126.4, subd. (a)(3), 15091.) Based on substantial evidence in the whole record of this proceeding, the City Council finds that implementation of the project will not result in any significant impacts in the following areas and that these impact areas, therefore, do not require mitigation.

Aesthetics, Light and Glare

4.1-1: Development allowed under the proposed project could substantially degrade the existing visual character or quality of public views of the site and its surroundings, or conflict with applicable zoning and other regulations governing scenic quality. (p. 4.1-16)

4.1-3: Development allowed under the proposed project could create a new source of glare. (p. 4.1-21)

4.1-4: Development allowed under the proposed project, in combination with other cumulative development, could contribute to substantial cumulative degradation of existing visual character or quality. (p. 4.1-22)

4.1-5: Development allowed under the proposed project, in combination with other cumulative development, could contribute to cumulative sources of substantial light in the area. (p. 4.1-23)

4.1-6: Development allowed under the proposed project, in combination with other cumulative development, could contribute to cumulative sources of glare. (p. 4.1-24)

Air Quality

4.2-1: Implementation of the proposed project could conflict with or obstruct implementation of the applicable air quality plan. (p. 4.2-24)

4.2-3: Operation of the development allowed under the proposed project (including the CNU Medical Center) could result in long-term emissions of

NO_x, ROG, PM₁₀, and PM_{2.5}, for which the project region is non-attainment under an applicable federal or state ambient air quality standard. (p. 4.2-38)

4.2-6: Operation of the development allowed under the proposed project (including the CNU Medical Center) could contribute to cumulative increases in long-term emissions of NO_x, ROG, PM₁₀, and PM_{2.5}. (p.4.2-45)

Biological Resources

4.3-7: Construction under the proposed Innovation Park PUD could interfere substantially with the movement of resident or migratory fish or wildlife species, migratory corridors, or impede the use of native wildlife nursery sites. (p. 4.3-56)

4.3-9: Construction under the proposed project could conflict with the provisions of an adopted habitat conservation plan, natural community conservation plan, or other approved local, regional, or state habitat conservation plan. (p. 4.3-60)

Energy Demand and Conservation

4.5-1: Construction activities for the proposed project would have the potential to result in significant environmental impacts due to wasteful, inefficient, and/ or unnecessary use of energy. (p. 4.5-18)

4.5-2: Operational activities for the proposed project would have the potential to result in significant environmental impacts due to wasteful, inefficient, and/ or unnecessary use of energy. (p. 4.5-21)

4.5-3: Construction and operation of the proposed project would have the potential to conflict with or obstruct adopted energy conservation plans or violate energy efficiency standards. (p. 4.5-26)

4.5-4: The proposed project, in combination with other cumulative development, would have the potential to contribute to cumulative increases in demand for energy. (p. 4.5-28)

Global Climate Change

4.6-3: Operation of the CNU Medical Center Central Plant stationary sources could generate direct GHG emissions that may have a significant impact on the environment. (p. 4.6-23)

Hazards and Hazardous Materials

4.7-2: The proposed project could emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school. (p. 4.7-20)

4.7-3: The proposed project is within the Airport Influence Area of Sacramento International Airport but would not result in a safety hazard for people residing or working in the area. (p. 4.7-22)

4.7-6: The proposed project, in combination with other cumulative development, could emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school. (p. 4.7-27)

4.7-7: The proposed project, in combination with other cumulative development within the Airport Influence Area of Sacramento International Airport, would not result in a safety hazard for people residing or working in the area. (p. 4.7-27)

Noise and Vibration

4.8-6: The proposed project could result in exposure of people residing or working in the project area to excessive noise levels from aircraft activity within an airport land use plan or, where such a plan has not been adopted, within 2 miles of a public or private use airport. (p. 4.8-45)

Public Services

4.9-1: Implementation of the proposed project could result in adverse environmental effects related to the construction of new or expansion of existing police facilities as a result of increased demand for police protection services within the city of Sacramento. (p. 4.9-5)

4.9-2: Implementation of the proposed project, in combination with other development, could result in the need for construction of additional or expansion of existing police facilities to accommodate a potential increase

in cumulative demand for police protection services within the city of Sacramento. (p. 4.9-8)

4.9-3: Implementation of the proposed project could result in adverse environmental effects related to the construction of new or expansion of existing fire protection facilities as a result of increased demand for fire protection services within the city of Sacramento. (p. 4.9-18)

4.9-4: Implementation of the proposed project, in combination with other development, could result in the need for construction of additional or expansion of existing fire protection facilities to accommodate a potential increase in cumulative demand for fire protection services within the City of Sacramento. (p. 4.9-21)

4.9-5: Implementation of the proposed project could result in adverse environmental effects related to the construction of new or expansion of existing public school facilities as a result of increased demand for public school services within the city of Sacramento. (p. 4.9-29)

4.9-6: Implementation of the proposed project, in conjunction with other development, could result in the provision of or need for increased demand for public school services within the city of Sacramento. (p. 4.9-31)

Transportation

4.10-1: The proposed project's VMT per capita (residents and employment) could exceed 85 percent of the existing average for the SACOG region. (p. 4.10-45)

4.10-2: Implementation of the proposed project could adversely affect the existing or planned bicycle or pedestrian facilities or could fail to adequately provide for access by bicycles or pedestrians. (p. 4.10-46)

4.10-4: Implementation of the proposed project could result either in off-ramp queuing at freeway facilities that is greater than the storage capacity or in on-ramp queuing for metered on-ramps that is greater than the storage capacity. (p. 4.10-49)

4.10-6: Implementation of the proposed project, in combination with other development, could contribute to cumulative conditions where VMT per capita or VMT per employee could exceed 85 percent of their existing corresponding averages for the SACOG region. (p. 4.10-50)

4.10-7: Implementation of the proposed project and cumulative development could adversely affect the existing or planned bicycle or pedestrian facilities or could fail to adequately provide for access by bicycles or pedestrians. (p. 4.10-51)

4.10-9: Implementation of the proposed project and cumulative development could result either in off-ramp queuing at freeway facilities that is greater than the storage capacity or in on-ramp queuing for metered on-ramps that is greater than the storage capacity. (p. 4.10-53)

Utilities

4.11-1: The City would have the potential to have insufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry, and multiple dry years. (p. 4.11-18)

4.11-2: Implementation of the proposed project would have the potential to require or result in the construction of new or expanded water facilities, the construction or relocation of which could cause significant environmental effects. (p. 4.11-20)

4.11-3: Under cumulative conditions, the City would have the potential to have insufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry, and multiple dry years. (p. 4.11-21)

4.11-4: Implementation of the proposed project, in combination with other development, would have the potential to require or result in the construction of new or expanded water facilities, the construction or relocation of which could cause significant environmental effects. (p. 4.11-22)

4.11-5: Implementation of the proposed project would have the potential to result in a determination by the local wastewater treatment provider that it does not have adequate capacity to serve the project's projected demand in addition to its existing commitments. (p. 4.11-27)

4.11-6: Implementation of the proposed project would have the potential to require or result in the construction of new or expanded wastewater conveyance facilities, the construction or relocation of which could cause significant environmental effects. (p. 4.11-28)

4.11-7: Implementation of the proposed project, in combination with other development, would have the potential to result in a determination by the

local wastewater treatment provider that it does not have adequate capacity to serve the cumulative demand in addition to the provider's existing commitments. (p. 4.11-29)

4.11-8: Implementation of the proposed project, in combination with other development, would have the potential to require or result in the construction of new or expanded wastewater conveyance facilities, the construction or relocation of which could cause significant environmental effects. (p.4.11-30)

4.11-9: Implementation of the proposed project would have the potential to require or result in the construction of new or expanded storm water drainage facilities, the construction or relocation of which could cause significant environmental effects. (p. 4.11-34)

4.11-10: Implementation of the proposed project, in combination with other development, would have the potential to require or result in the construction of new or expanded stormwater drainage facilities, the construction or relocation of which could cause significant environmental effects. (p. 4.11-35)

4.11-11: The proposed project would have the potential to generate solid waste in excess of state or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals. (p. 4.11-41)

4.11-12: Implementation of the proposed project, in combination with other development, would have the potential to generate solid waste in excess of state or local standards, or in excess of the capacity of local infrastructure, or to otherwise impair the attainment of solid waste reduction goals. (p. 4.11-43)

4.11-13: Implementation of the proposed project would have the potential to require or result in the construction of new or expanded energy transmission or distribution facilities, the construction or relocation of which could cause significant environmental effects. (p. 4.11-47)

4.11-14: Implementation of the proposed project would have the potential to require or result in the construction of new or expanded telecommunications facilities, the construction or relocation of which could cause significant environmental effects. (p. 4.11-48)

4.11-15: Implementation of the proposed project, in combination with other development, would have the potential to require or result in the construction of new or expanded energy transmission or distribution facilities, the construction or relocation of which could cause significant environmental effects. (p. 4.11-49)

4.11-16: Implementation of the proposed project, in combination with other development, would have the potential to require or result in the construction of new or expanded telecommunications facilities, the construction or relocation of which could cause significant environmental effects. (p. 4.11-49)

B. Significant or Potentially Significant Impacts Mitigated to a Less Than Significant Level.

The following significant and potentially significant environmental impacts of the project, including cumulative impacts, are being mitigated to a less-than-significant level and are set out below. Pursuant to Section 21081(a)(1) of CEQA and Section 15091(a)(1) of the CEQA Guidelines, as to each such impact, the City Council, based on the evidence in the record before it, finds that changes or alterations incorporated into the project by means of conditions or otherwise, mitigate, avoid or substantially lessen to a level of insignificance these significant or potentially significant environmental impacts of the project. The basis for the finding for each identified impact is set forth below.

Aesthetics, Light and Glare

4.1-2: Development allowed under the proposed project would create a new source of substantial light. (p. 4.1-19)

Mitigation Measure: The following mitigation measure(s) has been adopted to address this impact:

Mitigation Measure 4.1-2 (PUD, CNU): Implement Signage and Lighting Design Plan.

For each individual development project proposed within the project area, a signage and lighting design plan will be implemented, as approved in the City's Site Plan and Design Review process, to ensure that all outdoor lighting within the project area is designed to minimize lighting that is misdirected, excessive, or unnecessary by requiring light for development to be directed downward to minimize spill-over onto adjacent properties consistent with General Plan Policy ER 7.1.3.

Finding: Mitigation Measure 4.1-2 would ensure that new nighttime light from development within the project area would be sufficiently reduced to avoid disturbing adjacent properties through the implementation of a Signage and Lighting Design Plan for each project proposed in the project area. Implementation of Mitigation Measure 4.1-2 (PUD, CNU) would reduce this impact to a **less-than-significant** level.

With implementation of the mitigation measure(s), this impact is reduced to a less-than-significant level.

Air Quality

4.2-4: Development allowed under the proposed project (including the CNU Medical Center) would expose sensitive receptors to substantial pollutant concentrations. (p. 4.2-41)

Mitigation Measure: The following mitigation measure(s) has been adopted to address this impact:

Mitigation Measure 4.2-4 (PUD, CNU): Implement Measures to Reduce Health Risks from Diesel-Powered Construction Equipment.

Applicants for individual projects constructed under the proposed Innovation Park PUD, including the proposed CNU Medical Center, shall require construction contractors to implement the following measures to reduce health risks from diesel-powered fleets working at construction sites:

- 1. Implement Mitigation Measure 4.2-2(c), Implement Measures to Ensure the Use of Low-Emission Construction Equipment, for all project-related construction activities.*
- 2. Restrict construction activities to the daytime and evening hours between 7 a.m. and 10 p.m., except for limited circumstances requiring nighttime construction (e.g., elongated concrete pours, on-street movement of large construction equipment), which may be allowed in accordance with Sacramento City Code section 8.68.080.*

Finding: Implementation of Mitigation Measure 4.2-2(c) would reduce the exposure of existing residents to DPM emissions from construction under the proposed project by requiring the use of USEPA-Certified Tier 4F engines. Tier 4F engines are designed to have higher fuel efficiency, achieve significant reductions in emissions of both NO_x and DPM, and are now widely available and used for diesel-fueled heavy duty construction equipment throughout California. Restricting construction activities to the daytime and evening hours when there are better atmospheric conditions for dispersion of pollutants would also reduce exposure. Together, these two measures would reduce health risks to existing nearby sensitive receptors to below the established threshold, and the impact would be reduced to a **less-than-significant** level, as shown in Tables 4.2-16, 4.2-17, and 4.2-18.

With implementation of the mitigation measure(s), this impact is reduced to a less-than-significant level.

4.2-7: Development allowed under the proposed project (including the CNU Medical Center) could cumulatively expose sensitive receptors to substantial pollutant concentrations. (p. 4.2-47)

Mitigation Measure: The following mitigation measure(s) has been adopted to address this impact:

Implement Mitigation Measure 4.2-4 (PUD, CNU).

Finding: With implementation of Mitigation Measure 4.2-4 described under Impact 4.2-4, including Mitigation Measure 4.2-2(c), potential health risk impacts on existing nearby sensitive receptors would be reduced by the use of USEPA-Certified Tier 4F engines in construction equipment and by restrictions on the potential duration of construction activities with potential pollutant emissions. Under the requirements, the contribution of the proposed project (including the CNU Medical Center) to the cumulative health risk impact would be reduced to be less than cumulatively considerable, resulting in a **less-than-significant** cumulative impact.

With implementation of the mitigation measure(s), this impact is reduced to a less-than-significant level.

Biological Resources

4.3-1: Construction under the proposed Innovation Park PUD project, including the CNU Medical Center, could result in the loss of potential foraging habitat for Swainson's hawk. (p. 4.3-44)

Mitigation Measure: The following mitigation measure(s) has been adopted to address this impact:

Mitigation Measure 4.3-1: Compensate for Permanent Loss of Swainson's Hawk Foraging Habitat (PUD, CNU)

Construction of development under the Innovation Park PUD would affect 41.83 acres. To compensate for the permanent loss of 41.83 acres of Swainson's hawk foraging habitat, any future development project allowed under the Innovation Park PUD within suitable foraging habitat for Swainson's hawk shall preserve CDFW-approved foraging habitat for Swainson's hawk, or shall purchase Swainson's hawk foraging habitat mitigation credits at a CDFW-approved mitigation bank, at a minimum 1:1 ratio, which is double the mitigation ratio required by the NBHCP. Before purchase of credits at a mitigation bank and/or acquisition of mitigation land, the ratio and location of the mitigation shall be subject to approval by CDFW, USFWS, and/or the City's NBHCP Designee.

This mitigation shall be implemented by the project applicant before the City's issuance of grading permits or of wrecking permits, whichever comes first, for any work in suitable Swainson's hawk foraging habitat. In addition, because of the limited availability of mitigation lands in the Natomas Basin, mitigation of impacts on Swainson's hawk foraging habitat shall not reduce the availability of needed mitigation lands for development subject to the NBHCP.

Finding: Implementation of Mitigation Measure 4.3-1 would reduce impacts on Swainson's hawk foraging habitat to a **less-than-significant** level because applicants of future projects under the Innovation Park PUD would preserve suitable habitat off-site or purchase mitigation credits. Because the project area is not subject to the NBHCP, mitigation of impacts on Swainson's hawk foraging habitat can occur outside of the Natomas Basin.

With implementation of the mitigation measure(s), this impact is reduced to a less-than-significant level.

4.3-2: Construction under the proposed Innovation Park PUD project, including the CNU Medical Center, could result in the loss of potential nesting habitat for special-status bird species and other sensitive and/or protected bird species. (p. 4.3-45)

Mitigation Measure: The following mitigation measure(s) has been adopted to address this impact:

Mitigation Measure 4.3-2(a): Conduct Preconstruction Survey for Active Raptor and Migratory Bird Nests and Implement Avoidance Measures. (PUD, CNU)

Construction activities associated with clearing and grubbing, tree removal, demolition of buildings or other structures (including potential demolition by implosion), and removal of riparian woodland/filling of the pond shall occur outside of the nesting season that encompasses all birds (September 16 through January 31), unless the following measures are complied with. If vegetation removal begins during the nesting season (February 1 to September 15), the project applicant shall retain a qualified biologist to conduct a preconstruction survey for active nests in suitable nesting habitat within 500 feet of the construction area for nesting raptors and migratory birds. The preconstruction survey shall be conducted within five days before the start of ground-disturbing activities. If the preconstruction survey shows that there is no evidence of active nests, a letter report shall be submitted to the City for its records within 14 days of the survey and no additional measures are required. If construction activities do not begin within five days of the preconstruction survey, or if construction halts for more than five days, an additional preconstruction

survey is required within five days of the initiation or re-initiation of construction activities.

If active nests are found during the survey, the project applicant shall implement mitigation measures to ensure that the species will not be adversely affected, which will include establishing a no-work buffer zone, as approved by the City in consultation with the CDFW and/or USFWS, around the active nest.

Measures will include, but not be limited to:

- 1. The project applicant shall maintain a sufficient buffer around the active nest to ensure impacts to nests are avoided. The buffer size shall be determined in consultation with a qualified biologist based on site-specific conditions such as proximity to novel stimuli, natural shielding, etc. The minimum buffer size should be no less than a 500-foot buffer around each active raptor nest and a 100-foot buffer around the black-crowned night heron and cattle egret rookery (during nesting season), however, larger buffers may be needed depending on the sensitivity of any birds onsite. No construction activities shall be permitted within this buffer. For other nesting migratory and passerine birds, a no-work buffer zone shall be established around the active nest, as determined by the City in consultation with a qualified biologist, CDFW and/or USFWS. The no-work buffer may vary depending on species and site-specific conditions, as determined by the City in consultation with a qualified biologist, CDFW and USFWS.*
- 2. Depending on conditions specific to each nest, and the relative location and rate of construction activities, it may be feasible for construction to occur as planned within the buffer without affecting the breeding effort. In this case (to be determined on a case-by-case basis), a qualified biologist shall monitor the nest(s) during construction within the buffer. If, in the professional opinion of the monitor, the project would affect the nest, the biologist shall immediately inform the construction manager and the project applicant shall notify the City's Planning Director. The construction manager shall stop construction activities within the buffer until the nest is no longer active. Completion of the nesting cycle shall be determined by the qualified biologist. If construction begins outside of the migratory bird breeding season (February 1 through August 31), the applicant is permitted to continue construction activities in the existing active construction footprint. However, an additional nesting bird survey shall be conducted if construction is expected to extend outside of the active construction footprint and the applicant is required to comply with bird protection measures of the Migratory Bird Treaty Act and the California Fish and Game Code, regardless of the time of year.*

3. *Mitigation Measure 4.7-1(a), item viii (see Section 4.7, Noise and Vibration), which requires employment of noise-reducing pile installation techniques, shall be implemented for construction activities that include pile driving.*

If active rookery use is found outside the nesting season, the project proponent shall implement mitigation measures to ensure that the species will not be adversely affected, which will include establishing a no-work buffer zone, as approved by the City in consultation with a qualified biologist, CDFW and/or USFWS, around the active rookery.

In consultation with a qualified biologist, CDFW and/or USFWS, the project proponent shall develop a rookery impact reduction plan (Plan). The Plan shall detail the use of the rookery site outside of nesting season, propose strategies for reducing impacts to resident birds, and to ensure take of the species does not occur. Such strategies could include but are not limited to:

1. *Limiting any vegetation impacts to daylight hours or when birds are away from the rookery site.*
2. *Progressively limbing any actively used trees that are to be removed over the course of several days as to passively encourage use of other habitats.*
3. *“Soft-start” initiation of project activities as means to not immediately flush birds using the rookery. “Soft-start” techniques could be implemented by starting lower impact work in the area first or having a small crew walk the area before initiating heavy equipment use.*
4. *Establishing a no disturbance buffer around any onsite habitat to be protected (i.e., so birds could relocate from one side of the pond to another).*

Mitigation Measure 4.3-2(b): Conduct Preconstruction Surveys for Burrowing Owls and Implement Avoidance Measures. (PUD)

1. *Preconstruction surveys for burrowing owls shall be conducted by a qualified biologist (as approved by CDFW) prior to construction activities within 500 feet of the annual grassland. For the purposes of burrowing owl, construction activities include mobilization, vegetation clearing operations, grading, including in areas where disturbance has occurred from construction prior to development. Surveys shall be conducted no more than 30 days and no less than 14 days before the start of construction activities. If construction activities are delayed for more than 30 days after the initial preconstruction surveys, a new preconstruction survey shall be required. All surveys shall be conducted in accordance with the Staff Report on Burrowing Owl*

Mitigation.1 (Appendix D). This mitigation shall be implemented by the project applicant.

2. *If burrowing owls are discovered within 500 feet of the disturbance footprint while construction is actively occurring during the nesting season, the CDFW-approved project biologist shall be notified immediately. The biologist shall establish a 500-foot no-work buffer. The biologist shall conduct daily check-in site visits for the first week to monitor the nest. After the first week, the biologist shall conduct two site visits per week to monitor the nest until the biologist verifies through non-invasive methods that either: (1) the owls have not begun egg-laying and incubation; or (2) juveniles from the occupied burrows are foraging independently and are capable of independent survival.*

Mitigation Measure 4.3-2(c): Conduct Preconstruction Surveys for Swainson's Hawk and Implement Avoidance and Minimization Measures. (PUD, CNU)

1. *If construction activities are anticipated to begin during the Swainson's hawk nesting season (March 1 to September 15) in each year construction activities begin, a qualified biologist shall conduct a minimum of three preconstruction surveys during each of the two recommended survey periods in accordance with the 2000 Swainson's Hawk Technical Advisory Committee's (TAC's) Recommended Timing and Methodology for Swainson's Hawk Nesting Surveys in California's Central Valley² (Appendix D). Construction activities include clearing and grubbing, tree removal, initial grading, removal of riparian woodland/filling of the pond, and noise and vibration associated with construction equipment. The table below provides the Swainson's Hawk TAC's survey periods:*

¹ California Department of Fish and Wildlife. 2012. *Staff Report on Burrowing Owl Mitigation*. Sacramento, CA.

² Swainson's Hawk Technical Advisory Committee. 2000. *Recommended Timing and Methodology for Swainson's Hawk Nesting Surveys in California's Central Valley*. May 31, 2000.

Survey Period	Survey Time	Notes
I. January–March	All day	Optional
II. March 20–April 5	Sunrise–10 a.m.; 4 p.m.–sunset	
III. April 5–April 20	Sunrise–12 noon; 4:30 p.m.–sunset	
IV. April 21–June 10	Monitoring known nest sites only	Initiating surveys not recommended
V. June 10–July 30	Sunrise–12 noon; 4 p.m.–sunset	

For example, if construction is anticipated to begin in May, three surveys would be conducted in Survey Period II and three surveys would be conducted in Survey Period III. All potential nest trees within 0.50 mile of the project footprint shall be visually examined for potential Swainson’s hawk nests, as accessible. If no active Swainson’s hawk nests are identified in or within 0.50 mile of the project area, a letter report documenting the survey methodology and findings shall be submitted to the City for their files within 14 days of the final survey for each year of construction. This mitigation shall be implemented by the project applicant before any project-related work in suitable nesting habitat.

2. *If active Swainson’s hawk nests are found within 0.25 mile of construction activities, a survey report shall be submitted to CDFW, and an avoidance and minimization plan shall be developed for approval by CDFW before the start of construction. The avoidance plan shall identify measures to minimize impacts on the active Swainson’s hawk nest, depending on the exact location of the nest. These measures shall include but not be limited to:*
 - a. *All construction personnel shall receive a worker environmental awareness training program from a CDFW- and USFWS-approved biologist before the start of any construction activities.*
 - b. *A buffer zone and work schedule shall be established to avoid affecting the nest during critical periods. If possible, no work will occur within 0.25 mile of the nest while it is in active use. If work will occur within 0.25 mile of the nest, construction will be monitored by a qualified biologist on a daily basis to ensure that no work occurs which will result in take of Swainson’s hawk. In consultation with the qualified biologist, the project applicant shall preclude all project activities within a minimum of 500 feet of the nest during sensitive periods of the breeding season such as incubation or within 10 days after hatching. If during consultation it is determined that implementation of the project as proposed may result in take of Swainson’s hawk, the project may seek related take authorization as provided by the Fish and Game Code.*

- c. *A biological monitor shall conduct regular monitoring of the nest during construction activities.*
- d. *The biologist shall be allowed to halt construction activities if construction activities are disturbing the nest. The biologist will be able to halt construction until she/he has determined that the nest activity is resuming normal activity. Once the biologist determines that normal nesting behavior has resumed, construction activities may recommence.*
- e. *No plastic, monofilament, jute, or similar erosion control matting shall be placed within the project area when working within 200 feet of annual grassland or suitable nest sites. Possible substitutions include coconut coir matting, tackified hydroseeding compounds, or other material approved by CDFW and USFWS.*
- f. *Any trees containing an active Swainson's hawk nest shall be retained during project implementation. Retention of the nest tree includes prohibition of any project-related activity which may inadvertently damage the integrity of the nest tree or the nest structure, including any activities in the surrounding vicinity that occur outside the Swainson's hawk nesting season. If the nest tree cannot be retained, the project applicant and their qualified biologist shall consult with CDFW and demonstrate compliance with CESA. If during consultation it is determined that implementation of the project as proposed may result in take of Swainson's hawk, the project may seek related take authorization as provided by the Fish and Game Code.*
- g. *All staging and storage areas, including vehicle parking and employee break area shall be located at least 1,000 feet from an active Swainson's hawk nest.*
- h. *Any night lighting used during project activities shall be directed away from the active nest or shielded to avoid disturbance of nesting behavior.*

Finding: Implementation of Mitigation Measures 4.3-2(a) through 4.3-2(c) would reduce impacts on nesting burrowing owls, Swainson's hawks, or birds protected under the Migratory Bird Protection Treaty during construction under the proposed project to a **less-than-significant** level through the use of preemptive surveys and buffering of any identified sites as necessary.

With implementation of the mitigation measure(s), this impact is reduced to a less-than-significant level.

4.3-3: Construction under the proposed project could result in impacts on special-status bat species. (p. 4.3-50)

Mitigation Measure: The following mitigation measure(s) has been adopted to address this impact:

Mitigation Measure 4.3-3: Conduct Bat Habitat Assessment and Field Surveys and Avoid Disturbance of Maternity Roosts (PUD, CNU).

Construction activities associated with removal of landscape and riparian trees, demolition and potential implosion of the Sleep Train Arena building and associated infrastructure, and demolition of the foundation of the partially constructed baseball field and stadium shall occur between September 1 and April 30, which is outside of the breeding season for bat species, to the extent feasible.

If removal of landscape and riparian trees begin during the breeding period for bats (May 1 through August 31), a qualified biologist shall conduct a preconstruction survey within five days prior to the scheduled tree removal. The biological shall inspect all trees containing crevices and the bark or cavities for evidence of sign (i.e. guano). If no sign is observed, a letter report shall be submitted to the City for its records within 14 days of the survey and no additional measures associated with tree removal are required. If tree removal does not begin within five days of the preconstruction survey, or if the removal of previously inspected trees halts for more than five days, an additional preconstruction survey is required within five days of the initiation or re-initiation of tree removal. If a maternity colony is observed within a tree, that tree shall not be removed until the breeding season has been completed. Alternatively, a qualified bat biologist may exclude individual day-roosting bats in consultation with CDFW, thereby allowing tree removal to continue after successful exclusion activities.

If construction activities associated with the demolition and potential implosion of the Sleep Train Arena building and associated infrastructure within the CNU Medical Center and the demolition of the remnant baseball field foundation in the Innovation Park PUD are anticipated to occur during the breeding season (May 1 through August 31), a qualified biologist shall conduct a nighttime emergence survey no later than one-half hour before sunset and continue until at least 3 hours after sunset to allow for detection of both day- and night-roosting bats. The survey shall be conducted within five days of the scheduled implosion of the Sleep Train Arena building and associated infrastructure and the demolition of the remnant baseball field foundation. If any bats are observed emerging from any of the buildings or foundation, the building(s) or the foundation shall not be demolished until the breeding season has been completed.

Finding: Implementation of Mitigation Measure 4.3-3 would minimize potential direct and indirect impacts on maternity roosting bats in the project area because preconstruction surveys would be required to identify any maternity roosting sites; and, should any such sites be found, removal of trees or demolition of the building(s) or foundation would be delayed until the end of the breeding season. This would reduce impacts on maternity colonies during construction activities to a **less-than-significant** level.

With implementation of the mitigation measure(s), this impact is reduced to a less-than-significant level.

4.3-4: Vegetation clearing activities and initial grading under the proposed project could result in impacts on special-status plant species. (p. 4.3-51)

Mitigation Measure: The following mitigation measure(s) has been adopted to address this impact:

Mitigation Measure 4.3-4: Conduct Preconstruction Survey for Special-Status Plant Species and Prepare and Implement a Transplantation and Monitoring Plan if Necessary (PUD, CNU).

A qualified plant biologist approved by CDFW shall conduct a preconstruction survey in the annual grassland for stinkbells (blooms March-June) within the project area including the CNU Medical Center and within the riparian woodland for Stanford's arrowhead (blooms May-November) within Innovation Park PUD (excluding the CNU Medical Center) during their blooming periods prior to vegetation clearing activities and initial grading. The survey will be conducted following the Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Natural Communities.³ If special-status plant species are found, the project applicant shall prepare a transplantation and monitoring plan in consultation with CDFW. The transplantation and monitoring plan will be subject to review and approval by CDFW before the start of any construction activities in the special-status plant species area. This plan

³ California Department of Fish and Wildlife. 2018. *Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Sensitive Natural Communities*. Sacramento, CA.

will describe the intent and anticipated success of transplanting, and specify success criteria for transplanted plants and related long-term protection and management of transplanted plants. This mitigation shall be implemented by the project applicant.

Finding: Implementation of Mitigation Measure 4.3-4 would minimize potential impacts on special-status plant species in the project area by requiring preconstruction surveys that would identify any special-status plant populations, and should any such populations be found, requiring the implementation of a transplantation and monitoring plan. This would reduce impacts on special-status plant species during construction activities to a **less-than-significant** level.

With implementation of the mitigation measure(s), this impact is reduced to a less-than-significant level.

4.3-5: Impacts to the lacustrine/freshwater emergent wetland within the Innovation Park PUD would have the potential to result in a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means. (p. 4.3-52)

Mitigation Measure: The following mitigation measure(s) has been adopted to address this impact:

Mitigation Measure 4.3-5(a): Acquire Applicable Wetland Permits before Issuance of Grading or Wrecking Permits. (PUD)

Before the City issues a grading permit or demolition permit, whichever comes first, for any work in riparian and emergent wetlands or lacustrine habitats in the project area, the project applicant shall acquire all applicable permits. This includes acquiring a permit for dewatering activities in the event the pond needs to be dewatered before any impacts. These permits may include, but would not be limited to, a CWA Section 404 permit from USACE, a CWA Section 401 water quality certification from the Central Valley RWQCB, and/or a Section 1600 lake and streambed alteration agreement from CDFW.

Mitigation Measure 4.3-5(b): Implement Wetland Mitigation to Demonstrate No Net Loss of Wetlands and Other Waters. (PUD)

The project applicant shall demonstrate that there is no net loss of wetlands and other waters of the United States and state-protected waters/wetlands from project construction. To ensure this, wetland mitigation shall be developed as a part of the permitting process as described in Mitigation Measure 4.3-5(a) above. Mitigation shall be provided before construction-related impacts on the existing wetlands occur. The exact mitigation ratio will be determined in consultation with

USACE and/or CDFW, based on the type and value of the wetlands affected by the project, but the project shall compensate for affected wetlands at a ratio no less than 1:1.

Compensation shall take the form of wetland preservation or creation in accordance with USACE and/or CDFW mitigation requirements, as specified in project permits. Preservation and creation will occur off-site through the purchase of credits at a USACE- and/or CDFW-approved mitigation bank and/or the acquisition of mitigation land. Because the project area is not subject to the NBHCP, mitigation of impacts on wetlands and other waters of the United States and state-protected waters/wetlands can occur outside of the Natomas Basin. Alternatively, although exempt from the NBHCP, the project applicant may also pay NBHCP fees

Finding: Mitigation Measure 4.3-5(a) would ensure that the agency with jurisdiction over wetland impacts would require any changes necessary to mitigate the project's impacts. Further, Mitigation Measure 4.3-5(b) would ensure that no net loss of wetlands and other waters of the United States and state-protected waters/wetlands would result from the implementation of the proposed Innovation Park PUD. Thus, impacts on wetlands and other waters of the United States and state-protected waters/wetlands from implementation of the proposed project would be reduced to a **less-than-significant** level.

With implementation of the mitigation measure(s), this impact is reduced to a less-than-significant level.

4.3-6: Construction under the proposed Innovation Park PUD could result in a substantial adverse effect on riparian habitat or other sensitive natural communities identified in local or regional plans, policies, regulations or by CDFW or USFWS. (p. 4.3-55)

Mitigation Measure: The following mitigation measure(s) has been adopted to address this impact:

Mitigation Measure 4.3-6: Compensate for Removal of Riparian Woodland Habitat. (PUD)

The project applicant shall compensate for the removal of riparian woodland habitat at a minimum ratio of 3:1. Compensation shall take the form of preservation or creation in accordance with CDFW mitigation requirements, as required under project permits. Preservation and creation shall occur off-site through the purchase of credits at a USACE- and/or CDFW-approved mitigation bank, through the acquisition of mitigation land, or through the purchase of NBHCP fees.

Finding: With implementation of Mitigation Measure 4.3-6, there would be no net loss of riparian woodland vegetation through the purchase of mitigation credits at a CDFW-approved mitigation bank or through the purchase of NBHCP fees. Thus, impacts on riparian habitat from construction under the proposed project would be reduced to a **less-than-significant** level.

With implementation of the mitigation measure(s), this impact is reduced to a less-than-significant level.

4.3-8: Construction under the proposed Innovation Park PUD and CNU Medical Center could result in removal of protected trees and conflict with City of Sacramento policies protecting trees. (p. 4.3-59)

Mitigation Measure: The following mitigation measure(s) has been adopted to address this impact:

Mitigation Measure 4.3-8(a): Conduct Arborist Survey of Trees within the Project Footprint to Comply with the City's Tree Ordinance. (PUD)

Should trees occur within the project footprint associated with the Innovation Park PUD, the project applicant shall retain a certified arborist to conduct an arborist survey to inventory all trees within the footprint.

Mitigation Measure 4.3-8(b): Obtain Permit for Removal of Protected Trees within the Project Footprint. (PUD, CNU)

Before the start of construction activities in the Innovation Park PUD and the CNU Medical Center involving any work that would remove protected trees as defined by Sacramento City Code Chapter 12.56, the applicant shall obtain a permit for the removal of protected trees. The project applicant shall comply with all conditions of any issued permit during construction.

Finding: Implementation of Mitigation Measure 4.3-8 (a) and (b) would reduce this impact to a **less-than-significant** level because the project would comply with the City's established requirements to avoid or mitigate the loss of protected trees.

With implementation of the mitigation measure(s), this impact is reduced to a less-than-significant level.

4.3-10: Construction under the proposed project, in combination with other cumulative development, would contribute to the cumulative harm to, or loss of nesting habitat for, special-status bird species and other sensitive and/or protected bird species. (p. 4.3-61)

Mitigation Measure: The following mitigation measure(s) has been adopted to address this impact:

Implement Mitigation Measures 4.3-2(a) through 4.4-2(c).

Finding: With implementation of Mitigation Measures 4.3-2(a), 4.3-2(b), and 4.3-2(c) and compliance with applicable federal, State, and local policies and regulations, the contribution of construction under the proposed project to the cumulative impact on nesting birds and their habitat in the region would be reduced in magnitude. Project-related disturbance of special-status bird species and other sensitive and/or protected bird species would result in a less than considerable contribution to the cumulative loss of special-status bird species and other sensitive and/or protected bird species in the region, and this impact would be reduced to a **less-than-significant level**.

With implementation of the mitigation measure(s), this impact is reduced to a less-than-significant level.

4.3-11: Construction under the proposed project, in combination with other cumulative development, would contribute to the cumulative loss of habitat, or impacts on bat species. (p. 4.3-62)

Mitigation Measure: The following mitigation measure(s) has been adopted to address this impact:

Implement Mitigation Measure 4.3-3.

Finding: With implementation of Mitigation Measure 4.3-3, the contribution of construction under the proposed project to the cumulative impact on bat species in Sacramento County would be reduced in magnitude. Project-related disturbance to bat species would result in a less than considerable contribution to the cumulative loss of bats within Sacramento County, and this impact would be reduced to a **less-than-significant level**.

With implementation of the mitigation measure(s), this impact is reduced to a less-than-significant level.

4.3-12: Construction under the proposed Innovation Park PUD, in combination with other cumulative development, could contribute to the cumulative loss of special-status plant species. (p. 4.3-63)

Mitigation Measure: The following mitigation measure(s) has been adopted to address this impact:

Implement Mitigation Measure 4.3-4.

Finding: With implementation of Mitigation Measure 4.3-4, the contribution of construction under the proposed project to the cumulative impact on special-status plant species in Sacramento County would be reduced in magnitude. Project-related disturbance of special-status plant species would result in a less than considerable contribution to the cumulative loss of special-status plant species in Sacramento County, and this impact would be reduced to a **less-than-significant level**.

With implementation of the mitigation measure(s), this impact is reduced to a less-than-significant level.

4.3-13: Construction under the proposed project, in combination with other cumulative development, would contribute to the cumulative loss of sensitive habitats, including protected wetland habitat as defined in Section 404 of the Clean Water Act, riparian vegetation, and state-protected waters/wetlands. (p. 4.3-63)

Mitigation Measure: The following mitigation measure(s) has been adopted to address this impact:

Implement Mitigation Measures 4.3-5(a), 4.3-5(b), and 4.3-6.

Finding: Implementation of Mitigation Measures 4.3-5(a), 4.3-5(b), and 4.3-6 would mitigate impacts on wetlands, riparian vegetation, and state-protected waters/wetlands in the project area. This would occur through a combination of restoration/enhancement and/or purchase of restoration credits to ensure no net loss. Therefore, the contribution of construction under the proposed project to the overall cumulative impact on waters of the United States, riparian habitat, and state-protected waters/wetlands would be less than considerable, and this impact would be reduced to a **less-than-significant level**.

With implementation of the mitigation measure(s), this impact is reduced to a less-than-significant level.

4.3-14: Construction under the proposed project, in combination with other cumulative development, would contribute to the cumulative loss of locally protected trees. (p. 4.3-64)

Mitigation Measure: The following mitigation measure(s) has been adopted to address this impact:

Implement Mitigation Measures 4.3-8(a) and 4.3-8(b).

Finding: Implementation of Mitigation Measure 4.3-8 would reduce impacts on locally protected trees through compliance with established City requirements. Therefore, the contribution of construction under the proposed project to the

overall cumulative impact on locally protected trees would be less than cumulatively considerable, and thus, the impact would be reduced to a **less-than-significant** level.

With implementation of the mitigation measure(s), this impact is reduced to a less-than-significant level.

Cultural Resources

4.4-1: Construction of development allowed under the proposed project could affect previously unrecorded historical resources and unique archaeological resources. (p. 4.4-20)

Mitigation Measure: The following mitigation measure(s) has been adopted to address this impact:

Mitigation Measure 4.4-1(a) (PUD, CNU): Conduct Cultural Resources and Tribal Cultural Resources Sensitivity and Awareness Training Program Before Ground-Disturbing Activities.

A tribal cultural resources awareness brochure and training program for all personnel involved in project implementation shall be developed in coordination with interested Native American Tribes. The brochure shall be distributed and the training will be conducted by Native American representatives, or tribal monitors from culturally affiliated Native American Tribes, before any stages of project implementation and construction activities begin on the project site. The training may be done in coordination with the project archaeologist.

The program will include relevant information regarding sensitive tribal cultural resources, applicable regulations and protocols for avoidance, and consequences of violating state laws and regulations. The program will describe appropriate avoidance and minimization measures for resources that have the potential to be located on the project site and will outline what to do and whom to contact if any potential tribal cultural resources or archaeological resources are encountered. The program will underscore the requirement for confidentiality and culturally appropriate treatment of any find with cultural significance to Native Americans' tribal values. All operators of ground-disturbing equipment shall receive the training and sign a form that acknowledges receipt of the training.

Mitigation Measure 4.4-1(b) (PUD, CNU): Implement Avoidance and Minimization Measures to Avoid Significant Impacts and Procedures to Evaluate Resources.

If cultural resources or tribal cultural resources (such as structural features, unusual amounts of bone or shell, artifacts, or human remains) are encountered at the project site during construction, work shall be suspended within 100 feet of the find (based on the apparent distribution of cultural materials), and the construction contractor shall immediately notify the project's City representative. Avoidance and preservation in place is the preferred manner of mitigating impacts on cultural resources and tribal cultural resources. This may be accomplished, by several alternative means, including those listed below.

- *Construction will be planned to avoid tribal cultural resources, archaeological sites, and/or other cultural resources; cultural resources will be incorporated within parks, green space, or other open space; archaeological resources will be covered; a cultural resource will be deeded to a permanent conservation easement; or the project will use other preservation and protection methods agreeable to the consulting parties and regulatory authorities with jurisdiction over the activity.*
- *Recommendations for avoidance of cultural resources and tribal cultural resources will be reviewed by the City representative, interested culturally affiliated Native American Tribes, and other appropriate agencies in light of factors such as costs, logistics, feasibility, design, technology, and social, cultural, and environmental considerations, and the extent to which avoidance is consistent with project objectives. Avoidance and design alternatives may include realignment within the project site to avoid cultural resources or tribal cultural resources, modification of the design to eliminate or reduce impacts on cultural resources or tribal cultural resources, or modification or realignment to avoid highly significant features within a cultural resource or tribal cultural resource.*
- *Native American representatives from interested culturally affiliated Native American Tribes will be invited to review and comment on these analyses and shall have the opportunity to meet with the City representative and its representatives who have technical expertise to identify and recommend feasible avoidance and design alternatives, so that appropriate avoidance and design alternatives can be identified.*
- *If the discovered cultural resource or tribal cultural resource can be avoided, the construction contractor(s) will install protective fencing outside the site boundary, including a 100-foot buffer area, before construction restarts. The boundary of a cultural resource or a tribal cultural resource will be determined in consultation with interested culturally affiliated Native American tribes and tribes will be invited to monitor the installation of fencing. Use of temporary and permanent forms of protective fencing will be determined in consultation with Native American representatives from interested culturally affiliated Native American tribes.*

- *The construction contractor(s) will maintain the protective fencing throughout construction to avoid the site during all remaining phases of construction. The area will be demarcated as an “Environmentally Sensitive Area.”*

If a cultural resource or a tribal cultural resource cannot be avoided, the following performance standard shall be met before the continuance of construction and associated activities that may result in damage to or destruction of cultural resources or tribal cultural resources:

- *Each resource will be evaluated for California Register of Historical Resources eligibility through application of established eligibility criteria (California Code of Regulations Title 14, Section 15064.636), in consultation with consulting Native American Tribes, as applicable.*

If a cultural resource or a tribal cultural resource is determined to be eligible for listing in the California Register, the City will avoid damaging effects on the resource in accordance with PRC Section 21084.3. The City shall coordinate the investigation of the find with a qualified archaeologist (meeting the Secretary of the Interior’s Professional Qualifications Standards for Archeology) approved by the City and with interested culturally affiliated Native American tribes that respond to the City’s invitation. As part of the site investigation and resource assessment, the City and the archaeologist shall consult with interested culturally affiliated Native American tribes to assess the significance of the find, make recommendations for further evaluation and treatment as necessary, and provide proper management recommendations should potential impacts on the resources be determined by the City to be significant. A written report detailing the site assessment, coordination activities, and management recommendations shall be provided to the City representative by the qualified archaeologist. These recommendations will be documented in the project record. For any recommendations made by interested culturally affiliated Native American tribes that are not implemented, a justification for why the recommendation was not followed will be provided in the project record.

Native American representatives from interested culturally affiliated Native American tribes and the City representative will also consult to develop measures for long-term management of any discovered tribal cultural resources. Consultation will be limited to actions consistent with the jurisdiction of the City and taking into account ownership of the subject property. To the extent that the City has jurisdiction, routine operation and maintenance within tribal cultural resources retaining tribal cultural integrity shall be consistent with the avoidance and minimization standards identified in this mitigation measure.

If the City determines that the project may cause a significant impact on a tribal cultural resource, and measures are not otherwise identified in the consultation process, the following are examples of mitigation capable of

avoiding or substantially lessening potential significant impacts on a tribal cultural resource or alternatives that would avoid significant impacts on the resource. These measures may be considered to avoid or minimize significant adverse impacts and constitute the standard by which an impact conclusion of less than significant may be reached:

- *Avoid and preserve resources in place, including but not limited to planning construction to avoid the resources and protect the cultural and natural context, or planning green space, parks, or other open space to incorporate the resources with culturally appropriate protection and management criteria.*
- *Treat the resource with culturally appropriate dignity, taking into account the tribal cultural values and meaning of the resource, including but not limited to the following:*
 - *Protect the cultural character and integrity of the resource.*
 - *Protect the traditional use of the resource.*
 - *Protect the confidentiality of the resource.*
 - *Establish permanent conservation easements or other interests in real property, with culturally appropriate management criteria for the purposes of preserving or using the resources or places.*
 - *Protect the resource.*

Finding: Implementation of Mitigation Measures 4.4-1(a) and 4.4-1(b) (PUD, CNU) would reduce potential impacts of the proposed project on inadvertently discovered archaeological resources to a **less-than-significant** level by ensuring that any resources inadvertently discovered during construction would be evaluated for significance and treated appropriately in consultation with a culturally affiliated Native American tribe.

With implementation of the mitigation measure(s), this impact is reduced to a less-than-significant level.

4.4-2: Construction of development allowed under the proposed project could affect human remains. (p. 4.4-24)

Mitigation Measure: The following mitigation measure(s) has been adopted to address this impact:

Mitigation Measure 4.4-2 (PUD, CNU): Implement Procedures in the Event of Inadvertent Discovery of Human Remains.

If an inadvertent discovery of human remains is made at any time during project-related construction activities or project planning, the following performance standards shall be met before implementing or continuing actions such as construction that may result in damage to or destruction of

human remains. In accordance with the California Health and Safety Code (HSC), if human remains are encountered during ground-disturbing activities, the City shall immediately halt potentially damaging excavation in the area of the remains and notify the Sacramento County Coroner and a qualified archaeologist (meeting the Secretary of the Interior's Professional Qualifications Standards for Archeology) to determine the nature of the remains. The coroner is required to examine all discoveries of human remains within 48 hours of receiving notice of a discovery on private or state lands (HSC Section 7050.5[b]).

If the human remains are of historic age and are determined by the Sacramento County Coroner to be not of Native American origin, the City will follow the provisions of HSC Section 7000 et seq. regarding the disinterment and removal of non-Native American human remains.

If the coroner determines that the remains are those of a Native American, he or she must contact the Native American Heritage Commission (NAHC) by phone within 24 hours of making that determination (HSC Section 7050[c]). After the coroner's findings have been made, the archaeologist and the NAHC-designated Most Likely Descendant, in consultation with the landowner, shall determine the ultimate treatment and disposition of the remains. The responsibilities of the City for acting upon notification of a discovery of Native American human remains are identified in Public Resources Code Section 5097.9 et seq.

Finding: Implementation of Mitigation Measure 4.4-2 (PUD, CNU) would reduce the potential impacts of the proposed project on inadvertently discovered human remains to a **less-than-significant** level by determining if the remains are Native American in origin and, if determined to be Native American, a Most Likely Descendant is assigned to determine the treatment.

With implementation of the mitigation measure(s), this impact is reduced to a less-than-significant level.

4.4-3: Construction of development allowed under the proposed project could affect tribal cultural resources. (p. 4.4-25)

Mitigation Measure: The following mitigation measure(s) has been adopted to address this impact:

Mitigation Measure 4.4-3 (PUD, CNU)

Implement Mitigation Measures 4.2-1(a) and 4.2-1(b) and/or Mitigation Measure 4.4-2, as applicable.

Finding: Implementation of Mitigation Measure 4.4-3 (PUD, CNU) would reduce the potential impacts of the proposed project on inadvertently discovered

tribal cultural resources to a **less-than-significant** level by ensuring that any resources inadvertently discovered during construction would be evaluated for significance and treated appropriately in consultation with a culturally affiliated Native American tribe and/or determining if discovered remains are Native American in origin and, if determined to be Native American, ensuring a Most Likely Descendant is assigned to determine the treatment.

With implementation of the mitigation measure(s), this impact is reduced to a less-than-significant level.

4.4-4: Construction of development allowed under the proposed project, in combination with other development, could contribute to the cumulative loss or alteration of historic-era and indigenous archaeological resources and/or human remains in archaeological contexts. (p. 4.4-26)

Mitigation Measure: The following mitigation measure(s) has been adopted to address this impact:

Mitigation Measure 4.4-4 (PUD, CNU)

Implement Mitigation Measures 4.2-1(a) and 4.2-1(b) and/or Mitigation Measure 4.4-2, as applicable.

Finding: Implementation of Mitigation Measure 4.4-4 (PUD, CNU) would effectively avoid damage to or loss of cultural and tribal cultural resources, and little to no residual impact would remain after mitigation. With implementation of this mitigation measure, the contribution of development allowed under the proposed project to this cumulative impact would be less than considerable, and this impact would be reduced to a **less-than-significant** level by ensuring that any resources inadvertently discovered during construction would be evaluated for significance and treated appropriately in consultation with a culturally affiliated Native American tribe and/or determining if discovered remains are Native American in origin and, if determined to be Native American, ensuring a Most Likely Descendant is assigned to determine the treatment.

With implementation of the mitigation measure(s), this impact is reduced to a less-than-significant level.

Global Climate Change

4.6-1: Construction of the proposed project could generate GHG emissions, either directly or indirectly, that may have a significant impact on the environment. (p. 4.6-15)

Mitigation Measure: The following mitigation measure(s) has been adopted to address this impact:

Mitigation Measure 4.6-1a: Implement SMAQMD BMPs for Reducing Construction Emissions (PUD, CNU).

Based on guidance from SMAQMD, the project applicant(s) and/or construction contractors shall implement the following design features and on-site measures to reduce construction GHG emissions.

- i. Improve fuel efficiency from construction equipment:
 - 1. Limit idling time either by shutting equipment off when not in use or reducing the time of idling to no more than 3 minutes (5 minute limit is required by the state airborne toxics control measure [Title 13, sections 2449(d)(3) and 2485 of the California Code of Regulations]). Provide clear signage that posts this requirement for workers at the entrances to the site.*
 - 2. Maintain all construction equipment in proper working condition according to manufacturer's specifications. The equipment must be checked by a certified mechanic and determined to be running in proper condition before it is operated.*
 - 3. All equipment operators shall be trained in the proper use of equipment in accordance with the equipment manufacturer's specifications.*
 - 4. Use the proper size of equipment for the job based on the professional experience of the construction contractor foreman.*
 - 5. Use equipment with new technologies (e.g., repowered engines, electric drive trains) where commercially available. Prior to the commencement of construction, any lack of availability shall be demonstrated with documentation from at least two heavy equipment providers in the greater Sacramento area. Such documentation shall be submitted to the City and SMAQMD.**
- ii. The construction contractor shall retain a qualified expert to evaluate whether on-site material hauling with trucks equipped with on-road engines would be less emissive than trucks with off-road engines based on horsepower and emission factor. If it is determined to be less emissive, and confirmed by the City and SMAQMD, trucks with on-road engines shall be used for on-site material hauling.*
- iii. Use alternative fuels, such as propane or solar, for generators at construction sites, or use electrical power.*

- iv. *Use a California Air Resources Board approved low carbon fuel for construction equipment. (Oxides of nitrogen emissions from the use of low carbon fuel must not be allowed to increase due to this measure.)*
- v. *Provide carpools, shuttle vans, transit passes, and/or secure bicycle parking for construction worker commutes.*
- vi. *Reduce electricity use in the construction office(s) by using compact fluorescent bulbs, powering off computers every day, and replacing heating and cooling units with more efficient ones.*
- vii. *Recycle or salvage non-hazardous construction and demolition debris (goal of at least 75 percent by weight).*
- viii. *Use locally sourced or recycled materials for construction materials (goal of at least 20 percent based on costs for building materials, and based on volume for roadway, parking lot, sidewalk, and curb materials). Wood products utilized should be certified through a sustainable forestry program.*
- ix. *Utilize a low carbon concrete option.*
- x. *Use SmartWay certified trucks for deliveries and equipment transport.*

Mitigation Measure 4.6-1b: Purchase of Carbon Offsets for GHG Construction Emissions (PUD, CNU).

If full implementation of Mitigation Measure 4.6-1a is determined by a qualified expert retained by the project applicant(s) and verified by the City to not reduce construction emissions below the 1,100 metric tons CO₂e/year construction threshold, prior to the commencement of the construction activities for each calendar year, project applicant(s) shall provide the City documentation that verified carbon offset credits have been purchased and retired for their fair share of the metric tons CO₂e to offset project construction-related GHG emissions that would otherwise exceed the SMAQMD's construction significance threshold. Each project applicant's construction emissions calculations and estimates shall be prepared by a qualified expert and provided to the City for review and approval. The City will then determine each applicant's fair share of construction emissions within the Innovation Park PUD for that year based on the total City-approved project construction emissions estimates for the year. Each applicant will then be responsible for mitigating its fair share of construction emissions that exceed the significance threshold. Within 60 days of City approval of the estimated emissions, the project applicant(s) shall provide verification to the City that carbon offset credits have been purchased for the amount identified by the City-approved emissions estimates.

The carbon offset credits shall be from a registry approved by CARB,⁴ and be quantified and verified using protocols that are consistent with the criteria identified in the California Code of Regulations, title 17, section 95972 – namely that they be real; permanent; quantifiable; verifiable; additional as defined by Health and Safety Code section 38562, subdivisions(d)(1) and (d)(2) and California Code of Regulations, title 17, section 95802, subdivision (a); and enforceable. In addition, any offsets originating outside California must have GHG emissions programs equivalent to, or more stringent than, California's cap and trade program.

Mitigation Measure 4.6-1c: Compliance with Qualified Climate Action Plan (PUD, CNU).

As an alternative to implementation of Mitigation Measure 4.6-1b, if a demolition, grading, and/or building permit application for a project within the Innovation Park PUD area is submitted subsequent to the adoption of a City of Sacramento Climate Action Plan (CAP) that meets the requirements of CEQA Section 15183.5 (b), for tiering and streamlining the analysis of GHG emissions (i.e., CEQA-qualified GHG reduction plan), that project shall be designed, constructed, and operated in compliance with the CAP. The City shall document such compliance in written findings prior to the issuance of the building permit. To substantiate that the project construction complies with the requirements of the CAP, the applicant(s) shall provide the City with an analysis prepared by a qualified expert that identifies the requirements specified in the CAP that apply to construction of the project and, if those requirements are not otherwise binding and enforceable, the applicant(s) shall commit to incorporating those requirements as part of the project. Documentation of incorporation of requirements shall be submitted to the City and approved by the City prior to the commencement of construction activities and no additional mitigation shall be required.

Finding: By requiring compliance with BMPs established by SMAQMD for reducing construction emissions, the use of carbon offset credits, and/or compliance with a CAP, implementation of Mitigation Measures 4.6-1a, 4.6-1b,

⁴ Currently, CARB-approved GHG offset registries include the Climate Action Reserve, the American Carbon Registry, and Verra (previously, Verified Carbon Standard)

and/or 4.6-1c, as appropriate, would reduce/offset project-related construction GHG emissions to a level that would be **less than significant**.

With implementation of the mitigation measure(s), this impact is reduced to a less-than-significant level.

4.6-2: Operation of the proposed project could generate GHG emissions, either directly or indirectly, that may have a significant impact on the environment. (p. 4.6-18)

Mitigation Measure: The following mitigation measure(s) has been adopted to address this impact:

Mitigation Measure 4.6-2a: Implement SMAQMD's Tier 1 BMPs (PUD, CNU).

Following guidance from SMAQMD, the project shall include the following design features and on-site measures to reduce operational energy emissions:

- i. Building electrification: Consistent with the Tier 1 BMPs and the City of Sacramento's recently adopted ordinance significantly limiting natural gas infrastructure in all new construction, all buildings other than the CNU Medical Center shall be designed to be 100 percent electric and to not include any natural gas appliances, including water heaters, clothes washers and dryers, HVAC systems, and stoves.*
- ii. On-site measures to offset CNU Medical Center Natural Gas Combustion GHG Emissions:*
 - a. Install on-site roof-top solar PV panels or other on-site renewable energy on all buildings including the CNU Medical Center, subject to space availability.*
 - b. Implement an all-electric food service facility where feasible.*
 - c. Use electric process equipment for pharmaceutical manufacturing where feasible.*
 - d. The CNU Medical Center hospital building shall be constructed to achieve Leadership in Energy and Environmental Design (LEED) Gold certification.*
- iii. Electric vehicle ready: Consistent with the SMAQMD Tier 1 BMPs and the City's recently adopted EV charging ordinance, the project shall meet the CALGreen Tier 2 standards for EV charging*

infrastructure, except all EV capable spaces shall instead be EV ready.⁵

- a. At least 20 percent of residential parking spaces and 10 percent of non-residential parking spaces will be EV ready.*
- b. At least 22 percent of parking spaces will be dedicated to any combination of low-emitting, fuel-efficient, and carpool/van pool vehicles.*

Mitigation Measure 4.6-2b: Purchase of Carbon Offsets for Natural Gas Combustion GHG Emissions (PUD, CNU).

If full implementation of Mitigation Measure 4.6-2a is determined by the project applicant(s) and verified by the City as infeasible, prior to the commencement of the project operations, the project applicant(s) shall provide documentation that includes a licensed engineer's estimate of the average annual natural gas combustion CO₂e emissions that have been deemed to be essential to operations due to infeasibility of electrification for certain components of the project for City review and approval. The documentation shall include criteria for the determination of infeasibility, including a demonstration of how project components will be designed to allow for future transition from fossil fuel combustion, such as pre-wiring for conversion to electric energy and ensuring ample accommodation for battery back-up or hydrogen storage. The documentation shall also include verification of purchase and retirement of credits to offset the natural gas combustion GHG emissions to net zero for each year of operations for the duration of the project's natural gas use using verified carbon offset credits.

The carbon offset credits shall be from a registry approved by CARB, and be quantified and verified using protocols that are consistent with the criteria identified in the California Code of Regulations, title 17, section 95972 – namely that they be real; permanent; quantifiable; verifiable; additional as defined by Health and Safety Code section 38562, subdivisions(d)(1) and (d)(2) and California Code of Regulations, title 17,

⁵ For the purposes of this Draft EIR, "EV ready" shall mean installation of parking spaces as defined by CALGreen Section 5.106.5.3.2, plus the installation of an electrical junction box or charging outlet at charging site.

section 95802, subdivision (a); and enforceable. In addition, any offsets originating outside California must have GHG emissions programs equivalent to, or more stringent than, California's cap and trade program. Within 120 days of City approval of the documented emissions estimates, the project applicant(s) shall provide evidence to the City that carbon offset credits have been purchased and retired for the purpose of offsetting the City-approved emissions estimates for the 40-year life of the project.

Mitigation Measure 4.6-2c: Compliance with Qualified Climate Action Plan (PUD, CNU).

As an alternative to implementation of Mitigation Measures 4.6-2a and/or 4.6-2b, if an occupancy permit application for a project within the Innovation Park PUD area is submitted subsequent to the adoption of a City of Sacramento Climate Action Plan (CAP), which meets the requirements of CEQA Section 15183.5 (b), for tiering and streamlining the analysis of GHG emissions (i.e., CEQA-qualified GHG reduction plan), that project shall be designed, constructed, and operated in compliance with the CAP. The City shall document such compliance in written findings prior to the issuance of the building permit. To substantiate that the project construction complies with the requirements of the CAP, the applicant(s) shall provide the City with an analysis prepared by a qualified expert that identifies the requirements specified in the CAP that apply to construction of the project and, if those requirements are not otherwise binding and enforceable, the applicant(s) shall commit to incorporating those requirements as part of the project. Documentation of incorporation of requirements shall be submitted to the City and approved by the City prior to the commencement of operations.

Finding: By requiring compliance with BMPs established by SMAQMD for reducing operational emissions, the use of carbon offset credits, and/or compliance with a CAP, implementation of Mitigation Measures 4.6-2a, 4.6-2b, and/or 4.6-2c would reduce the project-related land use operational GHG emissions impact to a level that would be **less than significant**.

With implementation of the mitigation measure(s), this impact is reduced to a less-than-significant level.

4.6-4: Implementation of the proposed project could conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gas emissions. (p. 4.6-23)

Mitigation Measure: The following mitigation measure(s) has been adopted to address this impact:

Implement Mitigation Measures 4.6-1a through 4.6-1c and 4.6-2a through 4.6-2c

Finding: Implementation of Mitigation Measures 4.6-1a, 4.6-1b, 4.6-1c, 4.6-2a, 4.6-2b, and 4.6-2c would ensure that the proposed project would not conflict with the 2017 Scoping Plan Update or any other applicable plan, policy, or regulation adopted for the purpose of reducing GHG emissions. Such impacts would be reduced to a **less-than-significant** level.

With implementation of the mitigation measure(s), this impact is reduced to a less-than-significant level.

Hazards and Hazardous Materials

4.7-1: The proposed project would not create a significant hazard to the public or the environment through the routine transport, use, disposal, or accidental release of hazardous materials. (p. 4.7-14)

Mitigation Measure: The following mitigation measure(s) has been adopted to address this impact:

Mitigation Measure 4.7-1(a) (PUD, CNU): Conduct Phase I Environmental Site Assessment.

Before the start of ground-disturbing activities, including grading, trenching, or excavation, the project applicant shall conduct a Phase I Environmental Site Assessment in accordance with American Society of Testing and Materials (ASTM) Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process (ASTM E1527), 40 Code of Federal Regulations (CFR) Section 312.1, Purpose, Applicability, Scope and Disclosure Obligations. The purpose of the Phase I assessment is to identify Recognized Environmental Conditions (RECs), as defined in the ASTM standard. The Phase I assessment shall include the following:

- A review of governmental records to check for hazardous materials spills, releases, or violations that could affect the use of the property.*
- A site inspection to visually check for RECs*
- An interview of key personnel with knowledge of the historical and current uses of the property*
- A report documenting the findings, identifying any data gaps that affect the identification of RECs, and recommendations for further actions, as needed (e.g., sampling of onsite soil)*

Mitigation Measure 4.7-1(b) (PUD, CNU): Prepare and Implement Health and Safety Plan.

Before the start of ground-disturbing activities, including grading, trenching, or excavation, the project applicant shall require that the construction contractor(s) retain a qualified professional to prepare a site-specific health and safety plan (HASP) in accordance with regulations of the U.S. Occupational Safety and Health Administration (OSHA) (Code of Federal Regulations [CFR] Title 29, Section 1910.120 [29 CFR 1910.120]) and the California Occupational Safety and Health Administration (Cal/OSHA) (8 CCR Section 5192).

The HASP shall be implemented by the construction contractor to protect construction workers, the public, and the environment during all ground-disturbing activities. HASPs shall be submitted to the Sacramento County Environmental Management Department (SCEMD) for review and approval, and any other applicable oversight regulatory agency for review before the start of construction activities and as a condition of the grading and/or construction permit(s). The HASP shall include, but not be limited to, the following elements:

- Designation of a trained, experienced site safety and health supervisor who has the responsibility and authority to implement the site HASP.*
- A summary of all potential risks to demolition and construction workers and maximum exposure limits for all known and reasonably foreseeable site chemicals. These would include the OSHA and Cal/OSHA Permissible Exposure Limits, available at Permissible Exposure Limits—Annotated Tables (<https://www.osha.gov/annotated-pels>).*
- Specified personal protective equipment and decontamination procedures according to OSHA standards, if needed.*
- The requirement to prepare documentation showing that HASP measures have been implemented during construction (e.g., tailgate safety meeting notes with a sign-up sheet for attendees).*
- A requirement specifying that any site worker who identifies hazardous materials has the authority to stop work and notify the site's safety and health supervisor.*
- Emergency procedures, including the route to the nearest hospital.*
- Procedures to follow if evidence of potential soil contamination is encountered (such as soil staining, noxious odors, debris, or buried storage containers). These procedures shall be followed in accordance with hazardous waste operations regulations and specifically include, but not be limited to, immediately stopping work in the vicinity of the*

unknown hazardous materials release; notifying SCEMD; and retaining a qualified environmental firm to perform sampling and remediation. The remediation (i.e., cleanup) would be to existing regulatory action levels (e.g., ESLs and RSLs; see Section 4.7.1 Environmental Setting, Hazardous Materials for summary of regulatory action levels) acceptable to the overseeing regulatory agency (DTSC, RWQCB, or SCEMD depending on which agency has jurisdiction).

Mitigation Measure 4.7-1(c) (PUD, CNU): Develop and Implement Site Management Plan.

In support of the health and safety plan described in Mitigation Measure 4.7-1(b), the project applicant for the specific work proposed shall develop and require that its contractor(s) develop and implement a site management plan (SMP) for the management of soil and groundwater before any ground-disturbing activity. The SMP may be prepared for the entire project area, for groups of parcels, or for individual parcels. In any case, all such parcels shall be covered by such a plan. Each SMP shall include the following, at a minimum:

- Site description, including the hazardous materials that may be encountered.*
- Roles and responsibilities of on-site workers, supervisors, and the regulatory agency.*
- Training for site workers focused on the recognition of and response to encountering hazardous materials (see Section 4.7.1 Environmental Setting, Hazardous Materials for summary of regulatory action levels).*
- Protocols for the testing, handling, removal, transport, and disposal of all excavated soil and dewatering effluent in a safe, appropriate, and lawful manner.*
- Reporting requirement to SCEMD, documenting that site activities were conducted in accordance with the SMP.*

SMPs for parcels with soil or groundwater containing chemicals above environmental screening levels for the proposed land use shall be submitted to the regulatory agency with jurisdiction (i.e., California Department of Toxic Substances Control, Central Valley Regional Water Quality Control Board, or SCEMD) for review as a condition of the grading and/or construction permit(s). The contract specifications shall mandate full compliance with all applicable federal, state, and local regulations related to the identification, transportation, and disposal of hazardous materials. Regulatory environmental screening levels include the ESLs and RSLs

For work that would encounter groundwater, contractors shall include a groundwater dewatering control and disposal plan in the SMP, specifying how groundwater (dewatering effluent) will be handled and disposed of in a safe, appropriate, and lawful manner, should any be encountered. The groundwater portion of the SMPs shall include the following information, at a minimum:

- *The locations at which groundwater dewatering is likely to be required.*
- *Testing methods to analyze groundwater for hazardous materials.*
- *Appropriate treatment and/or disposal methods.*
- *A discussion of discharge to a publicly owned treatment works or the stormwater system, in accordance with any regulatory requirements the treatment works may have, if this effluent disposal option is to be used.*

Finding: With implementation of Mitigation Measures 4.7-1(a), 4.7-1(b), and 4.7-1(c) (PUD, CNU), any soil and groundwater with chemicals at concentrations above regulatory action levels would be identified and removed and would no longer pose risks to construction workers, the public, and the environment. Therefore, implementation of these mitigation measures would reduce this construction-related impact of the proposed project to a **less-than-significant** level.

With implementation of the mitigation measure(s), this impact is reduced to a less-than-significant level.

4.7-4: The proposed project could impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan. (p. 4.7-22)

Mitigation Measure: The following mitigation measure(s) has been adopted to address this impact:

Mitigation Measure 4.7-4 (PUD, CNU): Implement Mitigation Measure 4.10-5.

Finding: With implementation with Mitigation Measure 4.7-4 (PUD, CNU), movements of construction vehicles would be effectively managed, and any potential impacts related to the transport of hazardous materials, substances, or waste would be reduced to a **less-than-significant** level.

With implementation of the mitigation measure(s), this impact is reduced to a less-than-significant level.

4.7-5: The proposed project, in combination with other cumulative development, would not create a significant hazard to the public or the environment through the routine transport, use, disposal, or accidental release of hazardous materials. (p. 4.7-25)

Mitigation Measure: The following mitigation measure(s) has been adopted to address this impact:

Implement Mitigation Measures 4.7-1(a) through 4.7-1(c).

Finding: With implementation of Mitigation Measures 4.7-1(a), 4.7-1(b), and 4.7-1(c), the proposed project would reduce impacts relative to contaminated soil and/or groundwater in the project area. With these measures, along with HASPs (as required by OSHA) and site management plans (as required by Health and Safety Code Section 25100 et seq) implemented for cumulative projects, the combined effects of the proposed project and cumulative projects relative to encountering contaminated soil or groundwater at concentrations above regulatory action levels would not be cumulatively considerable, and impacts would be reduced to a **less-than-significant** level.

With implementation of the mitigation measure(s), this impact is reduced to a less-than-significant level.

4.7-8: The proposed project could, in combination with other cumulative development, impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan. (p. 4.7-28)

Mitigation Measure: The following mitigation measure(s) has been adopted to address this impact:

Mitigation Measure 4.7-8: Implement Mitigation Measure 4.10-5.

Finding: With compliance with Mitigation Measure 4.7-8, and the requirement to prepare and adhere to a construction traffic plan, movements of construction vehicles would be effectively managed. The combined effects of the proposed project and cumulative projects relative to emergency access would not be cumulatively considerable, and any potential impacts would be reduced to a **less-than-significant** level.

With implementation of the mitigation measure(s), this impact is reduced to a less-than-significant level.

Noise and Vibration

4.8-1: Construction activities for the proposed project would result in substantial temporary or periodic increases in ambient noise levels in the area. (p. 4.8-21)

Mitigation Measure: The following mitigation measure(s) has been adopted to address this impact:

Mitigation Measure 4.8-1(a): Prepare and Implement Construction Noise Reduction Plan (PUD, CNU).

Applicants for individual projects proposed under the Innovation Park PUD shall require construction and demolition contractors to prepare and implement a construction noise reduction plan, to be included in all grading, demolition, and construction plans, that implements the following construction noise reduction measures during demolition, grading, and construction activities. These plans shall be submitted to the City of Sacramento Community Development Department to be included either as Conditions of Approval (COA) or in a Mitigation Monitoring and Reporting Program (MMRP):

- 1. Consistent with Section 8.68.080 of the City of Sacramento Noise Control Ordinance, demolition and construction activities shall occur only between 7:00 a.m. and 6:00 p.m. Monday through Saturday and between 9:00 a.m. and 6:00 p.m. on Sundays.*
- 2. Any demolition or construction activity proposed to occur outside of the designated hours listed above shall be evaluated on a case-by-case basis and shall only be allowed with the prior written authorization of the City's Building Services Division. Such activities shall not exceed a period of three days.*
- 3. All equipment and trucks used for demolition and construction shall be equipped with the best available noise control techniques (e.g., improved mufflers, redesigned equipment, intake silencers, ducts, engine enclosures, and acoustically attenuating shields or shrouds).*
- 4. Impact tools (e.g., jackhammers, pavement breakers, and rock drills) used for demolition and construction shall be hydraulically or electrically powered wherever possible to avoid noise associated with compressed air exhaust from pneumatically powered tools. Where the use of pneumatic tools is unavoidable, an exhaust muffler on the compressed air exhaust shall be used; this muffler can lower noise levels from the exhaust by up to about 10 dBA. External jackets on the tools themselves shall be used where feasible; this could achieve a reduction of 5 dBA.*

5. *Stationary noise sources shall be located as far from adjacent receptors as possible and shall be muffled and enclosed within temporary sheds, incorporate insulation barriers, or include other measures.*
6. *Temporary noise barriers or shielding shall be erected for construction work involving heavy-duty construction equipment if the other noise reduction methods are not effective or possible and if occurring within 300 feet of receptors for an extended period of time (more than two weeks).*
7. *Advance notice shall be provided to all noise sensitive receptors located within 300 feet of demolition and construction activities by mail at least fourteen days before the beginning of construction activity. Notice will include the approximate start date and duration of construction activities.*
8. *Noise-reducing pile installation techniques shall be employed during construction for projects requiring installation of piles. These techniques shall include:*
 - *Installing cast-in-place concrete piles. Noise from auger drilling is 17 dBA less than noise from an impact pile driver.*
 - *Vibrating piles into place and installing shrouds around the pile-driving hammer where feasible.*
 - *Installing intake and exhaust mufflers on pile-driving equipment.*
 - *Implementing “quiet” pile-driving technology (such as pre-drilling piles and using more than one pile driver to shorten the total duration of pile driving).*
 - *Using cushion blocks to dampen impact noise. Cushion blocks are blocks of material that are used with impact hammer pile drivers. They consist of blocks of material placed atop a piling during installation to minimize noise generated when driving the pile. Materials typically used for cushion blocks include wood, nylon, and micarta (a composite material).*

Mitigation Measure 4.8-1(b): Implement Measures to Reduce Noise Impacts from Arena Implosion (PUD, CNU).

If implosion is chosen as the method for demolishing the Sleep Train Arena building, the construction noise reduction plan discussed in Mitigation Measure 4.8-1(a) shall include measures to reduce noise impacts from implosion on receptors in the vicinity. Measures shall include but not be limited to the following:

1. *A detailed project-specific study shall be conducted that assesses the impacts of imploding the arena, including safety, air quality, noise, vibration, and seismic impacts, based on the size of the arena and the amount of explosives used. An independent third-party engineering*

consultant that specializes in seismic monitoring shall measure ground vibration levels on the day of the event to verify that the implosion goes as planned.

- 2. An adequate exclusion zone around the arena, as determined by the project-specific feasibility study mentioned above, shall be demarked and maintained for as long as safety requirements warrant before and after the implosion.*
- 3. All land uses within the exclusion zone shall be notified by mail 30 days in advance of the planned implosion, with reminders sent out a week before. Notifications shall include the date and time of the planned implosion, the extent of the exclusion zone, information on street closures, and the amount of time the exclusion zone and street closures will be maintained. Occupants of land uses within the exclusion zone shall be advised to stay indoors with windows and doors closed for the duration of the implosion.*
- 4. The same information shall also be posted as signs around the project area boundary, along with the name and telephone number of a complaint coordinator to contact with questions and complaints.*
- 5. Transportation and temporary relocation to a to-be-determined site shall be provided to sensitive receptors located within 0.25 miles of the arena building. Sensitive receptors will be returned to their original locations following completion of the planned implosion.*

Finding: Implementation of Mitigation Measure 4.8-1(a) would reduce noise impacts on existing nearby and future sensitive receptors because exposure would generally be limited to the less noise-sensitive daytime hours, noise control devices would be used on all construction equipment, and best management practices would be used to separate noise sources from receptors to allow for increased attenuation. This impact would be reduced to a **less-than-significant** level. No mitigation measures are available to reduce the noise generated by implosion. Because the event would be extremely short, typically lasting less than a minute, implementation of Mitigation Measure 4.8-1(b) focuses on reducing the exposure of receptors to the noise generated. Even though the noise generated by implosion would be markedly brief, maintenance of the exclusion zone where no receptors would be allowed would reduce exposure to noise levels to within the time duration limits established by OSHA for the protection of health and safety. Therefore, any residual impact beyond the exclusion zone would be reduced to a **less-than-significant** level.

With implementation of the mitigation measure(s), this impact is reduced to a less-than-significant level.

4.8-2: Construction activities for the proposed project could expose persons to or generate excessive groundborne noise or groundborne vibration levels. (p. 4.8-28)

Mitigation Measure: The following mitigation measure(s) has been adopted to address this impact:

Implement Mitigation Measure 4.8-1(b)

Mitigation Measure 4.8-2: Prepare and Implement Construction Vibration Management Plan (PUD, CNU).

Before any extreme vibration-generating construction activities (e.g., impact pile driving, vibratory pile driving, and other activities generating vibration greater than 90 VdB), CNU and future developers under the PUD shall submit a construction vibration management plan prepared by a qualified acoustical consultant for City review and approval by the City of Sacramento Community Development Department that contains a set of site-specific attenuation measures or engineering alternatives to reduce construction impacts associated with extreme vibration generating activities to 80 vdB or less at the nearest residences or sensitive receptors. CNU shall require its construction contractor(s) to implement the approved plan during construction. Potential measures include, but are not limited to, the following:

1. Implementing “alternative” pile installation technology that also reduces vibration (such as pre-drilling of piles), where feasible, in consideration of geotechnical and structural requirements and conditions.
2. Installing cast-in-place concrete piles.
3. Vibrating piles into place where feasible.
4. Notifying property owners and occupants located within 300 feet of the construction activities at least 14 calendar days before the start of extreme noise- and vibration-generating activities. Before providing the notice, CNU shall submit to the City of Sacramento Community Development Department for review and approval a list of the proposed type and duration of extreme noise- and vibration-generating activities and the proposed public notice. The public notice shall provide the estimated start and end dates of the extreme noise- and vibration-generating activities and describe the attenuation measures to be implemented.

Finding: Implementation of Mitigation Measure 4.8-1(b) would primarily reduce vibration impacts on nearby receptors during implosion by reducing exposure. Even though vibration generated by implosion would be markedly brief, maintenance of the exclusion zone would reduce vibration levels through attenuation with distance, such that exposure and any residual impact beyond

the exclusion zone would be reduced to a **less-than-significant** level. Implementation of Mitigation Measure 4.8-2 would reduce impacts on existing nearby and future sensitive receptors from extreme vibration-generating construction activities such as pile driving and drilling by requiring the use of alternative methods that reduce noise and vibration to achieve a performance standard of 80 VdB at the nearest residences or similar sensitive receptors., and by keeping the receptors notified of the time, duration, and location of these activities. This impact would be reduced to a **less-than-significant** level.

With implementation of the mitigation measure(s), this impact is reduced to a less-than-significant level.

4.8-8: Construction activities for the proposed project, in combination with the construction of other cumulative development, could expose persons to or generate excessive groundborne noise or groundborne vibration levels. (p. 4.8-47)

Mitigation Measure: The following mitigation measure(s) has been adopted to address this impact:

Implement Mitigation Measures 4.8-1(b) and 4.8-2.

Finding: Implementation of Mitigation Measures 4.8-1(b) and 4.8-2 would reduce the contribution of development allowed under the proposed Innovation Park PUD, including the CNU Medical Center, to cumulative vibration levels at on- and off-site noise-sensitive receptors, and the impact would be **less than significant**.

With implementation of the mitigation measure(s), this impact is reduced to a less-than-significant level.

4.8-10: Stationary sources and operational activities associated with the proposed project, in combination with operational noise from other cumulative development, could result in substantial permanent increases in cumulative noise levels in the area. (p. 4.8-53)

Mitigation Measure: The following mitigation measure(s) has been adopted to address this impact:

Implement Mitigation Measure 4.8-4.

Finding: Implementation of Mitigation Measure 4.8-4 would reduce noise impacts from HVAC equipment, generators, and loading docks. This measure requires that HVAC equipment, generators, and loading docks of individual projects proposed under the Innovation Park PUD be designed to operate so that noise levels generated would be consistent with City codes and standards. As a

result, the contribution of development allowed under the proposed project to the overall cumulative impact from non-transportation operational sources such as HVAC systems, generators, and loading docks would be less than considerable, and thus, the impact would be reduced to a **less-than-significant** level.

With implementation of the mitigation measure(s), this impact is reduced to a less-than-significant level.

Public Services

4.9-7: Implementation of the proposed project could cause or accelerate the physical deterioration of existing parks or recreational facilities or create a need for construction or expansion of recreational facilities beyond what was anticipated in the General Plan. (p. 4.9-40)

Mitigation Measure: The following mitigation measure(s) has been adopted to address this impact:

Mitigation Measure 4.9-7 (PUD): Comply with Quimby Act and Park Impact Fee Ordinances.

The proposed project shall comply with the City of Sacramento's Quimby Act and Park Impact Fee ordinances.

Finding: Mitigation Measure 4.9-7 would ensure that the park standards which reflect the City of Sacramento's residential and commercial needs are met through the dedication of parks and open space and the payment of in-lieu fees. This measure would ensure that the City has adequate funding to maintain parks in the vicinity of the project area and acquire new land to develop parks, as needed. The proposed project would seek credits toward Quimby parkland dedication through the Private Recreation Facilities Credit Agreement, and would also require the payment of in-lieu fees to be used by the City to develop additional park and recreation facilities in order to meet timing and service level goals for City park facilities. Dedicated land or the payment of in-lieu fees in such a manner is only to be used to develop new or refurbish existing neighborhood and community park or recreation facilities. PIF payments would be reflective of the types and intensity of development anticipated by the proposed project and would mitigate impacts caused by the need for construction or expansion of recreational facilities beyond what was anticipated in the 2035 General Plan.

Implementing this mitigation measure would reduce this impact to a **less-than-significant** level.

With implementation of the mitigation measure(s), this impact is reduced to a less-than-significant level.

4.9-8: Implementation of the proposed project, in conjunction with other development, could result in the provision of or need for increased demand for parks and recreational resources and facilities. (p. 4.9-43)

Mitigation Measure: The following mitigation measure(s) has been adopted to address this impact:

Mitigation Measure 4.9-8 (PUD): *Implement Mitigation Measure 4.9-7.*

Finding: Mitigation Measure 4.9-8 would ensure that the City’s park urban service level goals are met through the dedication of parks and open space and/or the payment of in-lieu fees. This mitigation measure allows the City to consider the urban nature of the project area, as well as the value of alternative recreational facilities that do not represent traditional parks, consistent with 2035 General Plan Policy ERC 2.2.6. With implementation of the proposed mitigation, the contribution of development allowed under the proposed project to this cumulative impact would be less than considerable, and this impact would be reduced to a **less-than-significant** level.

With implementation of the mitigation measure(s), this impact is reduced to a less-than-significant level.

Transportation

4.10-3: Implementation of the proposed project could adversely affect public transit operations and could fail to adequately provide access to transit. (p. 4.10-47)

Mitigation Measure: The following mitigation measure(s) has been adopted to address this impact:

Mitigation Measure 4.10-3 (PUD, CNU): Implement Measures to Provide Transit Access.

The applicants for individual projects proposed under the Innovation Park PUD shall coordinate with SacRT (or other transit operators) to plan, fund, and implement transit facilities that would support access to transit services provided by SacRT, or other transit agencies. Transit facilities shall be phased with the development of the project.

Finding: Mitigation Measure 4.10-3 (PUD, CNU) would ensure that the applicants for individual projects proposed under the Innovation Park PUD would coordinate with transit providers to facilitate the adequate expansion of transit services and facilities to serve the proposed Innovation Park PUD area, including the site of the proposed CNU Medical Center (e.g., right of way for transit stops, bus stops/shelters, pedestrian and bicycle network connections to stop

locations). Implementation of Mitigation Measure 4.10-3 would reduce this impact to a **less-than-significant** level.

4.10-5: Implementation of the proposed project could cause inconveniences to motorists as a result of prolonged road closures and could result in an increased frequency of potential conflicts between vehicles, pedestrians, and bicyclists due to construction-related traffic impacts. (p. 4.10-49)

Mitigation Measure: The following mitigation measure(s) has been adopted to address this impact:

Mitigation Measure 4.10-5 (PUD, CNU): Implement Construction Traffic Control Plan.

Before the beginning of construction, the applicants for individual projects proposed under the Innovation Park PUD shall prepare a construction traffic plan that complies with Sacramento City Codes § 12.20.020, § 12.20.030, and is prepared to the satisfaction of the city traffic engineer with the City's Department of Public Works and subject to review by all affected agencies as identified by the City. The plan shall ensure that acceptable operating conditions on roadways, bicycle and pedestrian facilities, and transit facilities are maintained. At a minimum, the plan shall include the following elements:

- *Description of trucks: Number and size of trucks per day, expected arrival/departure times, and truck circulation patterns which do not substantially conflict with Sacramento General Plan, Mobility Element Policies M 7.1.5 and M 7.1.6.*
- *Description of staging area: Location, maximum number of trucks simultaneously permitted in the staging area, use of traffic control personnel, and specific signage.*
- *Description of street closures and/or bicycle and pedestrian facility closures: Duration, advance warning and posted signage, safe and efficient access routes for emergency vehicles, and use of manual traffic control, subject to approval by the city traffic engineer per Sacramento City Code § 10.08.090.*
- *Description of access plan: Provisions for safe vehicular, pedestrian, and bicycle travel; minimum distance from any open trench; special signage; and private vehicle accesses.*
- *Provisions for parking for construction workers.*

Finding: Mitigation Measure 4.10-5 (PUD, CNU) would reduce the impact of the proposed project to a **less-than-significant** level by requiring the applicants

for individual projects proposed under the Innovation Park PUD to maintain multimodal circulation at acceptable operating levels and ensure the safety of vehicular, bicycle, and pedestrian travel throughout the project area during construction.

With implementation of the mitigation measure(s), this impact is reduced to a less-than-significant level.

4.10-8: Implementation of the proposed project and cumulative development could adversely affect public transit operations and could fail to adequately provide access to transit. (p. 4.10-52)

Mitigation Measure: The following mitigation measure(s) has been adopted to address this impact:

Implement Mitigation Measure 4.10-3.

Finding: Mitigation Measure 4.10-3 (PUD, CNU) would ensure that applicants for individual projects proposed under the Innovation Park PUD coordinate with transit providers to facilitate the adequate expansion of transit services and facilities to serve the project area, including the site of the proposed CNU Medical Center (e.g., right of way for transit stops, bus stops/shelters, pedestrian and bicycle network connections to stop locations). With implementation of Mitigation Measure 4.10-3, this contribution of the proposed project to this significant cumulative impact would be reduced to **less than cumulatively considerable**.

With implementation of the mitigation measure(s), this impact is reduced to a less-than-significant level.

4.10-10: Implementation of the proposed project along with cumulative development could cause inconveniences to motorists as a result of prolonged road closures and could result in an increased frequency of potential conflicts between vehicles, pedestrians, and bicyclists due to construction-related traffic impacts. (p. 4.10-54)

Mitigation Measure: The following mitigation measure(s) has been adopted to address this impact:

Implement Mitigation Measure 4.10-5.

Finding: Mitigation Measure 4.10-5 (PUD, CNU) would reduce the impact of the project to a **less than cumulatively considerable** level by requiring applicants for individual projects proposed under the Innovation Park PUD to maintain multimodal circulation and ensure for the safety of vehicular, bicycle,

and pedestrian travel, throughout the project area during construction through implementation of a construction traffic plan.

With implementation of the mitigation measure(s), this impact is reduced to a less-than-significant level.

D. Significant and Unavoidable Impacts.

The following significant and potentially significant environmental impacts of the project, including cumulative impacts, are unavoidable and cannot be mitigated in a manner that would lessen the significant impact to below the level of significance. Notwithstanding disclosure of these impacts, the City Council elects to approve the project due to overriding considerations as set forth below in Section F, the statement of overriding considerations.

Air Quality

4.2-2: Construction activities associated with development under the proposed project could result in a short-term emissions increase of NO_x, PM₁₀, and PM_{2.5}, for which the project region is non-attainment under an applicable federal or state ambient air quality standard. (p. 4.2-25)

Mitigation Measure: The following mitigation measure(s) has been adopted to address this impact:

Mitigation Measure 4.2-2(a) (PUD, CNU): Implement SMAQMD Basic Construction Emissions Control Practices.

SMAQMD considers the following Basic Construction Emissions Control Practices feasible for controlling fugitive dust from a construction site. The practices also serve as BMPs that can be incorporated as part of individual projects proposed under the proposed project, allowing the use of the non-zero particulate matter significance thresholds. These emissions control practices shall be included either as Conditions of Approval (COA) or in a Mitigation Monitoring and Reporting Program (MMRP) to require implementation during project construction:

- 1. Control of fugitive dust is required by District Rule 403 and enforced by District staff.*
- 2. 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.*
- 3. Cover or maintain at least 2 feet of free board space on haul trucks transporting soil, sand, or other loose material on the site. Any haul*

trucks that would be traveling along freeways or major roadways should be covered.

- 4. 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.*
- 5. Limit vehicle speeds on unpaved roads to 15 miles per hour (mph).*
- 6. All roadways, driveways, sidewalks, and parking lots to be paved should be completed as soon as possible. In addition, building pads should be laid as soon as possible after grading, unless seeding or soil binders are used.*

Mitigation Measure 4.2-2(b) (PUD, CNU): Implement SMAQMD Exhaust Control Practices.

Applicants for individual projects constructed under the proposed project shall require construction contractors to implement the following SMAQMD Exhaust Control Practices for diesel-powered fleets working at construction sites:

- 1. Minimize idling time either by shutting equipment off when not in use or reducing the time of idling to two minutes [California 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.*
- 2. Provide current certificate(s) of compliance for CARB's In-Use Off-Road Diesel-Fueled Fleets Regulation [California Code of Regulations, Title 13, sections 2449 and 2449.1].*
- 3. Maintain all construction equipment in proper working condition according to manufacturer's specifications. The equipment must be checked by a certified mechanic and determined to be running in proper condition before it is operated.*

Mitigation Measure 4.2-2(c) (PUD, CNU): Implement Measures to Ensure the Use of Low-Emission Construction Equipment.

The following measures related to the use of low-emission construction equipment shall be implemented for individual projects constructed under the Innovation Park PUD, including the CNU Medical Center:

- 1. Applicants for individual projects constructed under the Innovation Park PUD, including the CNU Medical Center, shall require construction contractors to provide a plan for approval by the SMAQMD that demonstrates that all heavy-duty off-road equipment used for construction activities shall be equipped with the most effective Verified Diesel Emissions Control Strategies (VDECS) available for the engine*

type. In this case, the best available VDECS would be implementation of Tier 4F engines as certified by CARB and USEPA. The equipment shall be properly maintained and tuned in accordance with manufacturers' specifications. This would be verified through an equipment inventory submittal and certification plan submitted to the SMAQMD.

- 2. The plan shall have two components: an initial report submitted before construction, and a final report submitted at the completion.*
- 3. The initial report shall be submitted at least four business days prior to construction activity using the SMAQMD's Construction Mitigation Tool (available at <http://www.airquality.org/businesses/ceqa-land-use-planning/mitigation>) and shall provide project information and construction company information and include the equipment type, horsepower rating, engine model year, projected hours of use, and the CARB equipment identification number for each piece of equipment to be used. All owned, leased, and subcontracted equipment to be used shall be included. The inventory shall be updated and submitted monthly throughout the duration of the project, except that an inventory shall not be required for any 30-day period in which no construction activity occurs.*
- 4. The final report shall be submitted at the end of the job, phase, or calendar year, as pre-arranged with SMAQMD staff and documented in the approval letter, to demonstrate continued project compliance.*
- 5. The SMAQMD and/or other officials may conduct periodic site inspections to determine compliance. Nothing in this measure shall supersede other SMAQMD or state rules or regulations.*
- 6. If at the time of granting of each building permit, the SMAQMD has adopted a regulation applicable to construction emissions, compliance with the regulation may completely or partially replace this mitigation. Consultation with the SMAQMD prior to construction will be necessary to make this determination.*

Mitigation Measure 4.2-2(d) (PUD, CNU): Implement SMAQMD Enhanced Fugitive Dust Control Practices.

City approval of any grading or improvement plans for individual projects proposed under the Innovation Park PUD (including the CNU Medical Center) shall include the following SMAQMD Enhanced Fugitive Dust Control Practices:

Soil Disturbance Areas

1. *Water exposed soil with adequate frequency for continued moist soil. However, do not overwater to the extent that sediment flows off the site.*
2. *Suspend excavation, grading, and/or demolition activity when wind speeds exceed 20 mph.*
3. *Install wind breaks (e.g., plant trees, solid fencing) on windward side(s) of construction areas.*
4. *Plant vegetative ground cover (fast-germinating native grass seed) in disturbed areas as soon as possible. Water appropriately until vegetation is established.*

Unpaved Roads (Entrained Road Dust)

1. *Install wheel washers for all exiting trucks, or wash off all trucks and equipment leaving the site.*
2. *Treat site accesses to a distance of 100 feet from the paved road with a 6- to 12-inch layer of wood chips, mulch, or gravel to reduce the generation of road dust and road dust carryout onto public roads.*
3. *Post a publicly visible sign with the telephone number and person to contact at the lead agency regarding dust complaints. This person shall respond and take corrective action within 48 hours. The phone number of the District shall also be visible to ensure compliance.*

Mitigation Measure 4.2-2(e) (PUD, CNU): Prepare and Implement Construction Air Quality Management Plan for Arena Implosion.

If implosion is chosen as the method of demolition for the arena, a Construction Air Quality Management Plan shall be submitted to SMAQMD which details the control measures that would be implemented to reduce impacts from implosion of the arena. The plan shall include but not be limited to the following measures:

1. *Demarcation and maintenance of an adequate exclusion zone around the arena for as long as safety requirements warrant before and after the implosion. The extent of the exclusion zone shall be informed by a project-specific study that takes into account the noise, air quality, vibration, safety, and seismic impacts of the planned implosion based on the size of the arena and the amount of explosives used.*
2. *All land uses within the exclusion zone shall be notified in advance of the planned implosion, with reminders sent out a week before. Notifications shall include the date and time of the planned implosion, the extent of the exclusion zone, information on street closures, and the duration for which the exclusion zone and street closures will be maintained. Occupants of all land uses within the exclusion zone shall*

be advised to stay indoors with HVAC systems, windows, and doors closed for the duration of the implosion.

- 3. The same information shall also be posted as signs around the project area boundary, along with the name and telephone number of a complaint coordinator to contact with questions and complaints.*
- 4. Transportation and temporary relocation shall be provided to sensitive receptors located within 0.25 mile of the arena.*
- 5. To prevent hazardous materials from getting airborne during demolition or debris removal, recyclable (plumbing and ventilation) and hazardous materials (including but not limited to asbestos, lead, mercury, radioactive materials and PCB) shall be removed from the structure before implosion.*
- 6. Implosion shall be timed with favorable meteorological conditions, such as light precipitation with winds in the direction of sparse population.*
- 7. Adequately wet the structure before, during, and after the implosion to reduce suspended dust. Settled dust shall be suppressed with water and vacuum street cleaners.*
- 8. Use barricades and berms at ground level to control debris and dust.*
- 9. Use dust controlling misters and street sweepers during cleanup of the debris.*

Finding: With the implementation of Mitigation Measure 4.2 2(c) that includes SMAQMD's Enhanced On-site Exhaust Controls by requiring Tier 4 engines in all construction equipment, maximum daily NOx emissions would be reduced by approximately 52 percent when compared to unmitigated emissions and would not exceed SMAQMD's NOx significance threshold of 85 pounds per day. Implementation of SMAQMD recommended control measures for control of fugitive dust and exhaust listed under Mitigation Measures 4.2-2(a), 4.2-2(b), and 4.2 2(d) would allow use of SMAQMD's non-zero thresholds for particulate matter (PM10 and PM2.5). PM10 and PM2.5 emissions generated by development allowed under the proposed project with implementation of these mitigation measures would be below these thresholds during each construction year.

As described above, implosion of the arena structure would generate airborne demolition debris that may include fine particles, including PM10, PM2.5, and airborne asbestos. Implementation of BMPs specific to the proposed project as required under Mitigation Measure 4.2-2(e) would reduce air quality impacts associated with implosion by instituting controls on airborne particulates to minimize their release. Thus, while the amount of particulates resulting from implosion of the arena structure cannot be quantified, implementation of Mitigation Measure 4.2-2(e) would ensure that the volume of airborne particulates would be substantially lessened to the extent feasible and would not

be substantial. However, because the volume of airborne particulates generated by implosion activities and the effectiveness of mitigation measures cannot be accurately predicted, even with mitigation, the impact from implosion activities could be **significant and unavoidable**. No feasible mitigation measures have been identified that would reduce this impact.

For these reasons, the impact remains significant and unavoidable.

4.2-5: Construction activities associated with development under the proposed project (including the CNU Medical Center) could contribute to cumulative increases in short-term emissions. (p. 4.2-44)

Mitigation Measure: The following mitigation measure(s) has been adopted to address this impact:

Implement Mitigation Measures 4.2-2(a) through 4.2-2(e)

Finding: With implementation of Mitigation Measures 4.2-2(a) through 4.2-2(e) detailed under Impact 4.2-2 for the project-level impacts, fugitive dust and exhaust emissions would be reduced on site to levels below SMAQMD thresholds. However, as described above, implosion of the arena structure would generate airborne demolition debris that may include fine particles, including PM₁₀, PM_{2.5}, and airborne asbestos. Implementation of BMPs specific to the proposed project as required under Mitigation Measure 4.2-2(e) would reduce air quality impacts associated with implosion by instituting controls on airborne particulates to minimize their release but the impact from implosion activities could be significant. Cumulative NO_x and PM emissions in the SVAB would be significant due to existing violations in the region, with implementation of Mitigation Measures 4.2-2(a) through 4.2-2(e), the proposed project's contributions would be reduced but implosion would result in a considerable contribution to the significant cumulative impact. Thus, even with all feasible mitigation, the impact from implosion activities could be **significant and unavoidable**.

For these reasons, the impact remains significant and unavoidable.

Noise and Vibration

4.8-3: The increase in traffic associated with development allowed under the proposed project would increase roadside noise levels in the area. (p. 4.8-31)

Mitigation Measure: The following mitigation measure(s) has been adopted to address this impact:

Mitigation Measure 4.8-3: Construct Noise Barriers, Incorporate Noise Reduction Measures at Residences, and Install Traffic Calming Measures (PUD, CNU).

Individual projects proposed under the proposed Innovation Park PUD and the proposed student housing of the CNU shall undergo further review as they are proposed for development. As stated in Section 2.4.3, the proposed Innovation Park PUD requires a site plan and design review process that would ensure that future development projects are consistent with the goals, policies, objectives, and other provisions of the Innovation Park PUD if future traffic noise levels at noise-sensitive land uses along roadway segments would be significantly affected by project traffic, one or more of the following measures shall be considered to maintain an exterior performance standard of 65 dBA for outdoor gathering spaces of multi-family uses:

- 1. Construct noise barriers (walls and/or berms) to reduce traffic noise levels at noise-sensitive land uses that are found to be significantly affected by traffic noise.*
- 2. For proposed dwelling units that would be exposed to traffic noise levels exceeding 65 dBA L_{dn} , prohibit outdoor living areas such as balconies or decks on the side of the buildings exposed to high traffic noise. Alternatively, noise mitigation measures, such as barrier walls with a minimum height of 5 feet with adequate materials (wood, Plexiglas) with no holes or gaps, along the perimeter of the outdoor living areas can provide necessary noise reductions.*
- 3. For proposed dwelling units that would be exposed to traffic noise levels exceeding 69 dBA CNEL, require building façade upgrades for windows associated with bedrooms and living/family rooms on the side of the buildings exposed to high traffic noise. Examples of such upgrades include using windows with Sound Transmission Class (STC) ratings higher than standard building practice (up to STC-28).*
- 4. Install traffic calming measures along affected low-volume roadways to reduce future traffic speeds.*

Finding: Implementation of Mitigation Measure 4.8-3 could reduce future traffic noise levels at noise-sensitive land uses located near roadways affected by project traffic. However, physical noise mitigation (i.e., installation of noise barriers) does not always represent a feasible mitigation measure for traffic noise impacts to existing residential uses. In most cases, these measures would likely be infeasible to implement, primarily for off-site receptors, because of factors associated with existing land use development such as driveway cutouts, which reduce the efficacy of noise barriers and therefore would not reduce future traffic noise levels to below the established significance threshold. Furthermore, traffic calming measures would only be feasible for neighborhood streets and could not be deployed along arterials and other larger streets and major intersections.

Although future development of a transit network would serve to reduce traffic levels and associated roadside noise, it is conservatively assumed that these traffic calming measures have not occurred at the project level (see cumulative Impact 4.8-9). Therefore, this impact would remain **significant and unavoidable**. No feasible mitigation measures have been identified that would further reduce this impact.

For these reasons, the impact remains significant and unavoidable.

4.8-4: Stationary sources and operational activities associated with development allowed under the proposed project would result in substantial permanent increases in ambient noise levels in the area. (p. 4.10-38)

Mitigation Measure: The following mitigation measure(s) has been adopted to address this impact:

Mitigation Measure 4.8-4: Implement Measures to Reduce Noise Levels from HVAC Units, Generators, and Loading Docks (PUD, CNU).

For development of new commercial or mixed-use buildings within the Innovation Park PUD area, applicants of individual projects allowed under the proposed project shall demonstrate that noise levels from HVAC units, generators, and/or loading docks would not exceed the stationary noise standards established in the Sacramento City Code: 60 dBA Ldn at the primary open space area of detached single-family homes, duplexes, or mobile homes, which is typically the backyard or fenced side yard or 65 dBA at the primary open space areas of townhomes and multi-family apartments or condominiums (private rear yards for townhomes; common courtyards, roof gardens, or gathering spaces for multi-family developments). . To demonstrate that a proposed development will meet the City's stationary noise standards, the developer must implement the following measures:

- 1. The proposed land uses shall be designed so that on-site mechanical equipment (e.g., HVAC units, compressors, generators) and area-source operations (e.g., loading docks, parking lots, and recreational-use areas) are located as far as possible, enclosed, or shielded from nearby noise-sensitive land uses to meet City noise standards.*
- 2. Noise-generating stationary equipment associated with proposed commercial and/or office uses, including portable generators, compressors, and compactors, shall be enclosed or acoustically shielded to reduce noise-related impacts on noise-sensitive residential*

uses. Acoustical enclosures around stationary equipment offer typical noise reductions of 20–35 dBA.⁶

3. *Before a building permit is issued for any individual project allowed under the Innovation Park PUD, the applicant for the project shall submit engineering and acoustical specifications for the project's mechanical HVAC equipment and the proposed locations of on-site loading docks to the City's Planning Division. The applicant shall retain a qualified acoustical engineer to demonstrate that the design of HVAC equipment and loading dock design (types, location, enclosure, specification) will ensure that noise from the equipment is consistent with the restrictions of Section 8.68.060 of the Sacramento City Code.*
4. *Truck deliveries in commercial uses shall be limited to 7:00 a.m. to 10:00 p.m. unless site-specific analysis identifies no impacts on sensitive receptors.*
5. *Commercial loading docks located within 300 feet of existing or proposed residences shall be positioned in areas shielded from view of adjacent noise-sensitive uses by intervening commercial buildings.*
6. *Solid noise barriers shall be constructed at the boundary of the commercial uses with loading docks of sufficient height to intercept line of sight between heavy trucks and the affected area of the noise-sensitive uses.*
7. *Signs shall be posted limiting the idling of delivery trucks to 10 minutes or less.*

Finding: With implementation of Mitigation Measure 4.8-4, noise impacts from stationary sources and operational activities associated with the proposed project (i.e., HVAC units, generators, and loading docks), would be reduced to less-than-significant levels. However, because no mitigation is available to address significant noise impacts related to increased noise from emergency ambulance trips, the overall operational noise impact would be **significant and unavoidable with mitigation**. No feasible mitigation measures have been identified that would further reduce this impact.

⁶ Kinetics Noise Control. 2021. Noiseblock Acoustical Enclosures. Available: https://kineticsnoise.com/noiseblock/acoustic_enclosures.html. Accessed August 13, 2021.

For these reasons the impact remains significant and unavoidable.

4.8-5: Noise generated by helicopter landings and takeoffs at the helipad on the roof of the proposed CNU Medical Center's hospital would expose off-site residential land uses to single-event noise exposure levels that would awaken more than 5 percent of people from sleep. (p. 4.8-44)

Mitigation Measure: The following mitigation measure(s) has been adopted to address this impact:

None available

Finding: There is no feasible mitigation to reduce this impact to a less than significant level.

For these reasons, the impact remains significant and unavoidable.

4.8-7: Construction activities for the proposed project, in combination with the construction of other cumulative development, could cause a substantial temporary or periodic increase in ambient noise levels in the area. (p. 4.8-46)

Mitigation Measure: The following mitigation measure(s) has been adopted to address this impact:

Implement Mitigation Measure 4.8-1(a).

Finding: Implementation of Mitigation Measure 4.8-1(a) would reduce the contribution of development allowed under the proposed Innovation Park PUD, including the CNU Medical Center, to cumulative noise levels at on- and off-site noise-sensitive receptors. However, even with implementation of this mitigation measure, it is possible that multiple construction activities would result in significant noise levels at the nearby residential land uses. Consequently, even with the implementation of Mitigation Measure 4.8-1(a), the contribution of development allowed under the proposed project to this cumulative impact would remain considerable, and the impact would be **significant and unavoidable**. No feasible mitigation measures have been identified that would further reduce this impact.

For these reasons, the impact remains significant and unavoidable.

4.8-9: Traffic associated with the proposed project, in combination with traffic from other cumulative development, would increase roadside noise levels in the area. (p. 4.8-48)

Mitigation Measure: The following mitigation measure(s) has been adopted to address this impact:

Implement Mitigation Measure 4.8-3.

Finding: No feasible mitigation strategies have been identified to reduce the on-road transportation noise impacts to less than significant. Alternative modes of transportation (i.e., walking, biking, and transit) are already accounted for in the above traffic noise estimates. The reduction in vehicular use needed to mitigate these roadway noise impacts is not feasible for the proposed project. In addition, typical measures to reduce roadway noise impacts, such as noise walls and setbacks, are not considered feasible mitigation because they would require the retrofitting of existing privately owned structures in the vicinity of the project area. Therefore, the contribution of development allowed under the proposed project to this cumulative impact would remain considerable, and the impact would be **significant and unavoidable**. No feasible mitigation measures have been identified that would further reduce this impact.

For these reasons, the impact remains significant and unavoidable.

Alternatives Considered and Dismissed from Further Consideration

In identifying alternatives to the proposed Innovation Park PUD, including the proposed CNU Medical Center, primary consideration was given to alternatives that could reduce significant unavoidable impacts resulting from development that would be allowed under the proposed Innovation Park PUD while still achieving the basic objectives of the proposed project. Certain impacts that are identified as being significant and unavoidable under the proposed project (e.g., increase in noise levels from project construction and operation) would be due primarily to redeveloping an underdeveloped and now-vacant site. These impacts would not be eliminated, but could be reduced, for example, by limiting the scale of development allowed under the proposed Innovation Park PUD, reconfiguring uses, or implementing specific measures. Alternatives that would reduce the intensity of development allowed under the proposed project are addressed later in these findings.

The Innovation Park PUD EIR considered a number of alternatives that were dismissed from further analysis because they would not meet most of the basic project objectives and/or would not substantially reduce identified significant impacts. The Innovation Park PUD EIR discusses those alternatives that were dismissed from further consideration on pages 6-4 through 6-5. The alternatives that were considered but dismissed in the Innovation Park PUD EIR are summarized below.

- **Alternate Land Uses Alternative:** Development of a special-events center, amusement park, or major visitor-serving use, such as a zoo,

would not meet the basic objectives of the proposed project. Several project objectives point to the development of a medical center and surrounding medical-supportive uses. Further, development of these types of uses would not support the creation of an urban-core adjacent environment that prioritizes, promotes, and facilitates multimodal transportation including pedestrians, bicycles, and vehicles. Such a use would not provide a natural connection between uses on the project site. Further, other impacts such as odors, crowd noise, traffic queueing, or other effects could occur as a result of an alternate land use. Therefore, development of a special-events center, amusement park, or major tourist attraction was rejected and was not considered further.

- **Full Preservation of Freshwater Emergent Wetland Alternative:** There is a 6.8-acre freshwater emergent wetland in the northeast portion of the Innovation Park PUD area. In the late 1980s, during initial development of the previously planned baseball field and stadium in the Innovation Park PUD area, an area intended to be the baseball field was excavated. Before the site was excavated, the area supported annual grassland habitat. A dewatering system was constructed to ensure that the excavated site remained dry, and based on review of historic aerial photographs, was operated consistently through 2011. Since that time, this excavated area has filled with water, resulting in the creation of a variety of habitat types, including valley-foothill riparian woodland, pond (lacustrine), and freshwater emergent wetland. As described in Section 4.3, *Biological Resources*, freshwater emergent wetland vegetation occurs scattered throughout the excavated area, predominantly along the lower banks. Broad-leaved cattail (*Typha latifolia*) is the dominant species in the freshwater emergent wetland. Because of the mosaic nature of this habitat, the valley-foothill riparian woodland, lacustrine, and freshwater emergent wetlands are mapped collectively in Figures 4.3-1 and 4.3-2 in Section 4.3.

Preserving all of the freshwater emergent wetland habitat within the Innovation Park PUD area would require a redesign of the proposed project to avoid not only the wetland, but a buffer surrounding the wetland. As a result, the proposed roadway network would need to be significantly realigned to avoid the resource. B Street would need to be shifted to the south to avoid the wetland. This change to the backbone roadway infrastructure within the Innovation Park PUD area would result in a change to how B Street could connect to East Entrance Road, resulting in a staggered intersection, or in not forming an intersection at all. A disconnected roadway infrastructure could result in unsafe roadway conditions, and would not allow for the orderly extension of other utility infrastructure such as water and sewer lines.

Further, preservation of the wetland in its current condition would require that the existing, partially constructed baseball stadium foundation be left

in place. This is a potentially hazardous situation, as the area could be accessible to the public. Removal of the existing baseball stadium foundation would result in the demolition and removal of concrete, rebar, pilings, and other structural elements that form substantial portions of the west and south edges of the wetland feature. Removing the foundation would disturb the freshwater emergent wetland habitat, and could result in the potential dewatering of the area for demolition and materials removal, potential significant disturbance or removal of habitat and/or species, and potential detrimental effects on the remaining ecological quality of the site.

For these reasons, full preservation of the existing freshwater emergent wetland was rejected and was not considered further.

Summary of Alternatives Considered

CEQA mandates that an EIR evaluate a reasonable range of alternatives to the project or project locations that generally reduce or avoid potentially significant impacts of the project. CEQA requires that every EIR also evaluate a “No Project” alternative. Alternatives provide a basis of comparison to the project in terms of their significant impacts and their ability to meet project objectives. This comparative analysis is used to consider reasonable, potentially feasible options for minimizing environmental consequences of the project. The alternatives to the Innovation Park PUD are the (1) No Project/No Development Alternative; (2) No Project/Existing General Plan Alternative; (3) Smaller Footprint Alternative; and (4) Different Land Use Mix Alternative.

The City Council rejects the Alternatives set forth in the Final EIR and summarized below because the City Council finds that there is substantial evidence, including evidence of economic, legal, social, technological, and other considerations described in this Section E in addition to those described below under CEQA Guidelines 15091(a)(3), that make infeasible such alternatives. In making these determinations, the City Council is aware that CEQA defines “feasibility” to mean “capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, social, legal, and technological factors.” The Council is also aware that under CEQA case law the concept of “feasibility” encompasses (i) the question of whether a particular alternative promotes the underlying goals and objectives of a project and (ii) the question of whether an alternative is “desirable” from a policy standpoint to the extent that desirability is based on a reasonable balancing of the relevant economic, environmental, social, legal, and technological factors.

Innovation Park PUD Alternatives

Alternative 1: No Project/No Development Alternative

Description

Under Alternative 1, the No Project/No Development Alternative, the City would not approve any project within the Innovation Park PUD area. Development allowed under the proposed Innovation Park PUD would not be developed, and the Innovation Park PUD area, including the CNU Medical Center site, would remain in its current condition. The existing Sleep Train Arena building and adjacent former Sacramento Kings practice facility would remain on the site subject to the same use restrictions that exist today. The asphalt parking lot surrounding the arena would remain, and existing landscaping and open areas would remain in their current condition.

Relationship to Plan Objectives

Under the No Project/No Development Alternative, none of the project objectives for the proposed Innovation Park PUD or the CNU Medical Center would be achieved.

Facts in Support of Finding of Infeasibility

Because the Innovation Park PUD would accommodate growth that would inevitably occur within the Sacramento region, the No Project/No Development Alternative would result in development occurring in other locations in the region. Because of the lack of development capacity in the Natomas region, it is reasonable to assume that the development would be further distant from the Natomas Region. There could be significant effects related to such development elsewhere in the region, and some effects could be more severe. To the extent that such development were more dispersed and less dense than the proposed Innovation Park PUD, some impacts might be more significant. For example, VMT would increase, and as a result impacts on air quality and greenhouse gasses would be more severe. Depending on location and the acreage that is disturbed, impacts on biological and cultural resources could increase if development is located on undeveloped land on the urban edge. However, it is not known where or what type of development would occur if the Innovation Park PUD is not approved, so it would be speculative to provide a more definitive discussion of potential impacts.

While the No Project/ No Development Alternative would avoid impacts associated with the project, this alternative would not further any of the project objectives or provide any of the benefits contemplated by the project. Additionally, this alternative would result in different and greater significant impacts than the proposed Innovation Park PUD. Therefore, Alternative 1 is infeasible.

Alternative 2: No Project/ Existing General Plan Alternative

Description

Under Alternative 2, the No Project/Existing General Plan Alternative, the Innovation Park PUD area, including the CNU Medical Center site, would be developed under the General Plan's existing Urban Center High land use designation, which permits a residential density of 24–250 units per acre, and a development intensity of 0.5 to 8.0 floor area ratio (FAR). However, under the current zoning designation of SPX Zone – Sports Complex Zone, no residential development would be permitted on the project site. Therefore, a rezone for the project site would be required in order for this alternative to be implemented.

Under this alternative, the density and intensity of development within the Innovation Park PUD area would be doubled compared to the proposed project, with densities ranging from 40 to 100 units per acre and intensities ranging from 0.8 to 1.4 FAR. The CNU Medical Center would not be constructed under this alternative, as it is not an anticipated or allowable use under the existing project site zoning (SPX Zone). The existing freshwater emergent wetland would be removed and developed, in contrast with the partial retention of that area under the proposed project. Alternative 2 would provide up to approximately 4,031 dwelling units and about 2.3 million square feet (sf) of nonresidential space at buildout (see Table 6-1). This buildout is compared to the proposed project, which would result in approximately 3,071 residential units and approximately 4,149,400 sf of nonresidential square footage (see Table 2-1).

Relationship to Project Objectives

Development under the No Project/Existing General Plan Alternative could achieve nearly all of the project objectives for the Innovation Park PUD. Alternative 2 would develop the PUD area from an underutilized sports complex into a high-density, mixed-use development which would combine commercial, employment, and residential uses (Objectives 1, 2, 4 and 5). Next, the mix of uses allowed under Alternative 2 would allow more future residents with the Innovation Park PUD area to live and work in North Natomas than under the proposed Innovation Park PUD (Objective 3). This greater population in turn would better support proposed future anticipated SacRT Green Line light rail line in Truxel Road that would serve the area (Objective 8). Finally, similar types of land uses would be allowed under Alternative 2, thus allowing the owner to respond to future market conditions (Objective 9), and buildings within the Innovation Park PUD area under this alternative would be constructed in accordance with Title 24 energy standards (Objective 10).

Under Alternative 2 none of the objectives for the CNU Medical Center would be achieved because a medical center would not be constructed under this alternative.

Facts in Support of Finding of Infeasibility

Because the No Project/Existing General Plan Alternative would develop the same total area, impacts determined by the development footprint of future projects would be substantially the same as the proposed project. As the development area would be similar, none of the impacts under this alternative would be anticipated to be less severe than impacts that would occur under the proposed project.

With respect to impacts that could be more severe than those of the proposed project, the No Project/Existing General Plan Alternative could hypothetically increase the number of dwelling units by approximately 1,000 units compared to the proposed project, but this would require high rise development which is cost prohibitive and contrary to market demand for this area. Development under this scenario is thus infeasible. Therefore, the residential density of housing under this alternative is so high that development in the current and anticipated housing markets would not occur. The nonresidential square footage under this alternative would be approximately 2,000,000 sf less. This would result in more intense construction impacts. However, insofar as these impacts would result from implosion or demolition of the Sleep Train Arena, they would remain the same. Because the entire existing on-site freshwater emergent wetland would be filled, the loss of wetlands or other waters of the United States and riparian habitat and interference with the movement of resident or migratory fish or wildlife species or impediment to the use of native wildlife nursery sites would be greater than under the proposed project. Operational impacts would also be more intense because Alternative 2 would result in more commuting employees and a higher density of buildings. This would increase the impacts associated with lighting, air quality and GHG emissions, noise, recreation, traffic and water supplies. Alternative 2 therefore is infeasible.

Alternative 3: Smaller Footprint Alternative

Description

Under the Smaller Footprint Alternative (Alternative 3), the entirety of Parcel B would be set aside as open space to preserve the water feature and riparian habitat, including the black-crowned night heron and cattle egret rookery, that has developed within the partially constructed baseball field and stadium. The foundation of the partially constructed baseball field and stadium would remain under this alternative and the land to the north/northeast of the water feature and riparian habitat would be converted to native grassland and available to serve as foraging habitat. As a result of the preservation of Parcel B as habitat and open space, the nonresidential uses planned for Parcel B under the proposed project would shift to Parcel E under Alternative 3. However, as Parcel E is approximately 20 percent smaller than Parcel B, not all of the nonresidential square footage planned for Parcel B under the proposed project could be

accommodated on Parcel E. The residential units planned on Parcel E under the proposed project would be eliminated under Alternative 3.

Under this alternative, approximately a quarter of the residential units anticipated under the proposed project would be constructed (see Table 2-1). Approximately 78 percent of the nonresidential square footage anticipated under the proposed project would be constructed under Alternative 3. Alternative 3 would provide up to approximately 821 dwelling units and about 3,234,543 sf of nonresidential space at buildout, as compared to approximately 3,071 residential units and approximately 4,149,400 sf of nonresidential square footage under the proposed project (see Table 6-2).

Under Alternative 3, a smaller version of the CNU Medical Center would be constructed on Parcels D and D-1. The height of the hospital building would be reduced to approximately 165 feet (eight stories) and would consist of 280 patient beds at buildout (the project proposes 420 beds). The reduction in building height would result in a reduction in hospital building square footage. The on-site helistop would be eliminated from the CNU Medical Center, and helicopter service would be provided at Sacramento International Airport, approximately 5 miles northwest of the Innovation Park PUD area. All other proposed CNU Medical Center features, facilities, and infrastructure improvements would remain the same under this alternative.

Relationship to Project Objectives

Development under Alternative 3 could achieve some of the project objectives for the Innovation Park PUD. Alternative 3 would develop the Sleep Train Arena site from an underutilized sports complex into a mixed-use development which would combine commercial, employment, and residential uses (Objectives 1, 4 and 6 5). This would integrate the Innovation Park PUD area into the fabric of existing development in North Natomas (Objectives 1). However, it would not result in a higher density of land uses compared to the proposed Innovation Park PUD (Objective 5). This reduction in population would in turn would provide fewer riders to support the proposed SacRT Green Line light rail line that would serve the area (Objective 8). Finally, similar types of land uses would be allowed under Alternative 3, thus allowing the owner to respond to future market conditions (Objective 9), and buildings within the Innovation Park PUD area under this alternative would be constructed in accordance with Title 24 energy standards (Objective 10).

Alternative 3 would still construct the CNU Medical Center, and provide a hospital and university services in northern Sacramento County and incorporate advanced medical techniques for diagnosis and treatment (Objectives 1 and 3); however, with fewer beds, a teaching hospital is not viable (Objective 2). The alternative would also allow the development of clinical laboratory and pharmaceutical research and development facilities and student, faculty, and senior housing (Objectives 6 and 7). A campus setting would be established,

allowing all CNU services to be co-located (Objectives 5 and 10). However, Alternative 3 would not include an on-site helistop (Objective 8) and would jeopardize the ability of the CNU Medical Center to be certified as a Trauma Level II facility (Objective 4).

Facts in Support of Finding of Infeasibility

Generally, impacts under Alternative 3 would be anticipated to be the same or similar to the impacts that would occur under the proposed Innovation Park PUD. However, because the CNU Medical Center would still be constructed on Parcels D and D-1, this alternative would still require demolition or implosion of the Sleep Train Arena. As such, insofar as this activity is expected to contribute to the impacts proposed project, that contribution would remain the same under Alternative 3, and Impacts 4.2-2 and 4.2-5, would remain significant and unavoidable.

Under Alternative 3, several impacts would be less severe than those associated with the proposed project. Under this Alternative, Parcel B would be set aside as open space to preserve the water feature and riparian habitat, and 78 percent of the planned residential units and approximately 27 percent of the planned nonresidential space would be eliminated compared to the proposed project. This would substantially reduce impacts on biological resources.

The shorter duration of residential and commercial construction under the Alternative 3 would result in lesser severity of those impacts influenced by intensity or duration of construction. These include air quality, energy, noise and vibration, and transportation. However, insofar as demolition of the Sleep Train Arena contributes to these impacts, that contribution would remain the same under Alternative 3

Because approximately 78 percent of the planned residential units and approximately 27 percent of the planned nonresidential space would be eliminated compared to the proposed Innovation Park PUD, the Smaller Footprint Alternative would result in fewer operational impacts, including lighting, air quality, GHG, noise, recreation, traffic and transit and water supply. In addition, impacts related to operational traffic, including roadside noise, emissions of toxic air contaminants, and greenhouse gas emissions from mobile sources, under cumulative conditions would be further reduced as light rail service is planned to be extended either adjacent to or within the Innovation Park PUD area in the future, which would further reduce the amount of vehicle trips to and from the PUD area.

Several impacts under Alternative 3 would be more severe than the proposed project. Noise impacts could be higher due to the relocation of a helistop from the CNU Medical Center site to Sacramento International Airport, which could result in higher numbers of ambulance trips between the airport and the hospital, increasing noise. Under Alternative 3, less housing would be provided than would

be anticipated under the proposed project as Alternative 3 would provide for lower density development than the proposed project. In addition, if Parcel B were to be left undeveloped, an important opportunity for residential infill development in close proximity to the core of the Sacramento region would be forgone. In order for the region to achieve its Regional Housing Needs Allocation additional housing would need to be constructed, potentially at locations further from the core with corresponding increases in VMT and associated emissions of criteria air pollutants and GHG emissions. Although difficult to quantify, these secondary environmental impacts could be significant and would be more severe than the impacts of the proposed project. Alternative 3 therefore is infeasible.

Alternative 4: Different Land Use Mix Alternative

Description

Under Alternative 4, the Different Land Use Mix Alternative, half of the nonresidential space planned for Parcel B under the proposed project would be eliminated and replaced with residential uses. The purpose of this adjustment is to reduce the amount of vehicle-related noise generated within the Innovation Park PUD area, as commercial uses typically housed in nonresidential space generate more trips than residential uses on a per acre basis, therefore resulting in higher noise impacts. Under this alternative, the number of residential units within the Innovation Park PUD area would increase by approximately 25 percent compared to the proposed project while the amount of nonresidential space under Alternative 4 would decrease by about 35 percent compared to the proposed project.

The existing freshwater emergent wetland on Parcel B would be partially preserved (approximately 4 acres) and treated as open space and as a passive recreational amenity, the same as the proposed project.

The CNU Medical Center would be developed the same as under the proposed project, with 3,679,400 sf of nonresidential uses, 420 hospital beds, and 600 residential units.

Alternative 4 would provide up to approximately 2,545 dwelling units and about 784,700 sf of commercial space at buildout, as compared to approximately 3,071 residential units and approximately 4,149,400 sf of nonresidential square footage under the proposed project.

Relationship to Project Objectives

Development under the Different Land Use Mix Alternative could achieve some of the project objectives for the proposed Innovation Park PUD. Alternative 4 would develop the Sleep Train Arena site from an underutilized sports complex into a development with a mix of uses which would combine commercial, employment, and residential uses (Objectives 1 and 5). This would integrate the

Innovation Park PUD area into the fabric of existing development in North Natomas (Objectives 1 and 2). However, while this alternative would have a higher residential density, it would not provide as many employment opportunities and therefore would not maximize the mixed-use potential (Objectives 3, 4, and 7). With respect to providing riders to support the proposed SacRT Green Line light rail line that would serve the area, Alternative 2 would provide a similar number of riders as the proposed Innovation Park PUD (Objective 8). Finally, similar types of land uses would be allowed under Alternative 4, thus allowing the owner to respond to future market conditions (Objective 9), and buildings within the Innovation Park PUD area under this alternative would be constructed in accordance with Title 24 energy standards (Objective 10).

Under Alternative 4, all of the CNU Medical Center objectives would be met, as the CNU Medical Center site would be developed identical to the proposed project.

Facts in Support of Finding of Infeasibility

Because Alternative 4 would develop the same total area, impacts for which project footprints would determine potential impacts, would be the same. These would include biological and cultural resources. Helicopter-related impacts, the number of ambulance trips, and the proximity of CNU-related housing to the medical center would be the same as under the proposed project. Under Alternative 4, the same amount of land disturbance would occur as under the proposed project, resulting in a similar duration of construction. Therefore, Alternative 4 would result in similar impacts related to impacts influenced by intensity or duration of construction, including air quality, noise and vibration, energy, and transportation.

Several impacts would be less severe under Alternative 4 as compared to the proposed project. The purpose of Alternative 4 is to reduce the number of vehicle trips generated within the Innovation Park PUD area as commercial uses generate more trips than residential uses. This would result in a reduction of impacts related to operational traffic, noise, air quality, GHG and traffic. In addition, impacts related to operational traffic, including roadside noise, emissions of toxic air contaminants, and greenhouse gas emissions from mobile sources, under cumulative conditions would be further reduced as light rail service is planned to be extended either adjacent to or within the Innovation Park PUD area in the future, which would further reduce the amount of vehicle trips to and from the PUD area.

Under Alternative 4, the number of residential units within the Innovation Park PUD area would increase while the amount of commercial space would decrease compared to the proposed Innovation Park PUD. This increased number of residents would result in several impacts being more severe than the proposed project, including lighting in the project area, noise, recreation, transit and pedestrian and the demand for water supplies. A vibrant mix of residential and

non-residential uses are needed to support the project site and the greater North Natomas area. This alternative would be housing heavy, and would not have a jobs-housing ratio that is supportive to the overall community. Alternative 4 therefore is rejected.

F. Statement of Overriding Considerations:

The City of Sacramento has considered the information contained in and related to the Final EIR (the Draft EIR, Comments and Responses to those documents, text changes and other revisions to the EIR, and all other public comments, responses to comments, accompanying technical memoranda and staff reports, and findings included in the public record for the project). Pursuant to CEQA Guidelines Section 15092, the City Council finds that in approving the Innovation Park PUD, it has eliminated or substantially lessened all significant and potentially significant effects of the project on the environment where feasible as shown in the findings. The City Council further finds that it has balanced the economic, social, technological and other benefits of the project against the remaining unavoidable environmental risks in determining whether to approve the project and has determined that those benefits outweigh the unavoidable risks and that those risks are acceptable. The City Council makes this statement of overriding considerations in accordance with CEQA Guidelines Section 15093 in support of approval of the project. Specifically, in the City Council's judgment, each of the benefits of the project as proposed separately and independently outweigh all of the unmitigated adverse impacts and the proposed project should be approved.

The overall goal of the proposed project is to implement the Innovation Park PUD. Based on the objectives identified in the Final EIR and administrative record, and through extensive public participation, the City Council has determined that the proposed Innovation Park PUD should be approved, and any remaining significant environmental impacts attributable to the proposed Innovation Park PUD are outweighed by the following specific environmental economic, fiscal, social, housing and other overriding considerations. Each benefit set forth below is supported by substantial evidence in the record and constitutes an overriding consideration warranting approval of the proposed project, independent of the other benefits, despite each and every unavoidable impact.

The primary considerations that have been taken into account by the City Council in making this decision are summarized below.

Land Use. The project will redevelop the vacant Sleep Train Arena site in North Natomas in a way that meets the City's existing goals for infill development. Redevelopment of the Innovation Park PUD area will incorporate many of the best principles of smart growth and quality urban design and will advance the City's land use goals and policies. Key land use-related benefits include the following:

- Creation of mixed-use, pedestrian-friendly, multi-modal urban infill development, including residential, hospital, medical education campus, recreation, retail, office, open space, and other related uses in close proximity to an array of modes of transportation consistent with 2035 General Plan goal LU 2.1; policies LU 2.1.3 and LU 2.1.6; goal LU 2.5; policy LU 2.5.1; goal LU 2.6; policies LU 2.6.1 and LU 2.6.2; goal LU 4.1, policies LU 4.1.1, LU 4.1.2, LU 4.1.3, LU 4.1.4, LU 4.1.6, LU 4.4.6; goal LU 5.1; policies LU 5.1.2, and 5.1.3; goal LU 5.5; policy LU 5.5.1; goal LU 5.6; policies LU 5.6.2 and LU 5.6.3; goal LU 8.1; policy LU 8.1.1, LU 8.1.2, and LU 8.1.13; goal LU 8.2; policies LU 8.2.1 and 8.2.5; goal LU 9.1; policies LU 9.1.1, LU 9.1.2, and LU 9.1.3.

Housing. The project will add approximately 3,000 housing units to the City’s housing stock. Key housing-related benefits include the following:

- Construction of housing as part of a development project with a mix of uses, consistent with 2035 General Plan goal LU 2.1; policy LU 2.1.6; goal LU 2.6; policy LU 2.6.2; goal LU 4.1; policy LU 4.1.1; goal LU 4.4; goal LU 5.1; policies LU 5.1.1, LU 5.1.2, LU 5.1.4, and LU 5.1.5; policy LU 5.6.3; policy M 1.3.1.
- Addition of approximately 3,000 units to the housing inventory, advancing the City’s ability to achieve its Regional Housing Needs Allocation established by SACOG and reflected in the 2021-2029 Housing Element, which requires 45,580 new units, including 20,266 above moderate income units (see 2021-2029 Housing Element, Table 3-1).
- The implementation of a mixed-income housing strategy to provide a range of housing types and affordability points.
- The project supports several of the goals and policies listed in the 2021-2029 City of Sacramento Housing Element Goals and Policies including policy H-1.4 Facilitate Infill Housing Development; policy H-1.7 Encourage Adaptive Reuse; policy H-4.1 Expand Housing Types Throughout the City; policy H-4.3 Promote Mixed Income Neighborhoods; and policy H-8.3 Encourage Accessible Housing Near Transit and Amenities.
- The project supports the North Natomas Community Plan by providing “[n]eighborhoods (that) will provide a balance of different housing densities with a variety of housing types, lot sizes, and affordability to serve a broad spectrum of residents.”

Sustainable Development. The project would implement a comprehensive sustainability strategy, including LEED Gold certification or equivalent of the CNU Medical Center hospital building. For the CNU Medical Center, CNU would implement many of its current green strategies, such as:

- Achievement of CALGreen Tier 1 water efficiency standards.
- Use of select materials, including PVC-free materials, low or VOC-free paints, CFC-free refrigerants, Formaldehyde-free casework, and use of recycled building materials.
- Installation of high-efficiency HVAC systems, including high-efficiency condensing heating hot water boilers and water heaters.
- Onsite energy generation, including solar power/photovoltaics.
- Water conservation measures and permeable paving to reduce stormwater runoff and evaporation, such as green roofs, turf-free and indigenous native planting.
- The project will comply with Title 24 (California Energy Efficiency Standards), and where feasible, will employ additional energy conservation measures. This would include implementing energy conservation measure in design and construction. Development of the Innovation Park PUD area would provide an opportunity to use innovative energy systems such as renewable power generation via photovoltaics. At this stage, it is unknown what exact energy conserving measures would be implemented. However, it is the goal for the proposed project to implement energy conserving measures wherever feasible. The Design Guidelines include sustainability requirements.
- The proposed project will limit greenhouse gas emissions by creating an urban area that encourages the use of alternative modes of transportation. The project will create a walkable, bikeable, transit-friendly community. This will reduce vehicle miles traveled per capita, and in turn, will decrease consumption of natural resources, particularly fossil fuels.

Economic Development. The project will provide opportunities to generate thousands of new annual construction jobs. Key benefits of the project's economic development plan include the following:

- Buildout of the Innovation Park PUD area would be consistent with the smart growth principals identified in the Sacramento Area Council of Governments' (SACOG) Blueprint Preferred Scenario. The project promotes the City's goal to develop within the city limits. The SACOG MTP/SCS calls for capturing a greater amount of regional employment, retail, and housing within, or contiguous to the existing urban footprint, to reduce urban sprawl and protect open space and agricultural land within the greater Sacramento region. The project meets this objective by providing compact development that maximizes existing land while encouraging a mix of land uses in close proximity to an existing urban center.

- Buildout of the Innovation Park PUD area would be consistent with the North Natomas Community Plan by creating a viable living, working, shopping and cultural environment. The project proposes to develop higher density development in close proximity regional travel corridors and shopping centers. This will capture a greater amount of regional employment, retail and housing within the existing urban footprint, thereby reducing urban sprawl while protecting open space and agricultural land within the greater Sacramento region. The project adds medical, residential, office and retail uses within close proximity to a major part of the City.
- The Innovation Park PUD, including the CNU Medical Center, will provide significant revenue to the City. The City will receive revenue from the following sources: the Property Tax in lieu of Vehicle License Fee, sales taxes generated by the commercial portions of the project, and utility taxes. The project will also generate revenues for the City through payment of building fees and development impact fees, as well as transient occupancy taxes from hotel developments.
- The buildings and other facilities constructed during each phase of the proposed CNU Medical Center would become operational upon completion of each phase and would continue to operate during construction of subsequent phases. These are estimates because the development of elements other than the hospital project are determined by factors of financing and anticipated activity. Phase 1 would provide jobs for approximately 2,994 permanent hospital employees who would fill a range of positions. Upon completion of Phase 2, the CNU Medical Center would provide jobs for approximately 3,350 full-time employees, associated with the hospital and related medical services. Upon completion of Phase 3, the CNU Medical Center would support approximately 3,620 jobs. Development within the other areas of the Health District is anticipated to produce 532 permanent jobs. In addition, land uses within the remainder of the PUD area are estimated to generate permanent employment totaling 1,272 jobs.
- Total permanent employment across the entire PUD area could reach approximately 5,424 jobs. These are direct effect jobs expected to be produced inside the PUD area. Indirect and induced jobs generated by the project throughout the City area would amount to another 3,426, bringing the total direct, indirect, and induced permanent jobs to 8,850.
- It is anticipated that 1,433 annual equivalent construction jobs within the City area will be generated during development of the Medical Center. Development of the remaining portion of the Health District as well as the other PUD areas is expected to create a total of 874 annual equivalent construction jobs. It is estimated that total annual Project-wide construction jobs will amount to 2,307 within the City area.

- Development of the project would increase economic and employment activity in the North Natomas area of Sacramento. The operation of the retail stores, offices, CNU Medical Center, restaurants, and food and beverage service will generate revenue. The creation of temporary construction jobs and permanent office and retail jobs will also financially benefit the City, as it will increase sales tax revenue from the purchase of goods by project residents and employees.
- Development of the Innovation Park PUD area is projected to contribute up to \$24.3 million in property taxes, \$2.9 million in property taxes in lieu of VLF, and \$3.9 million in sales taxes per year.

Social Considerations. The project will promote a dynamic 24-hour mixed-use urban village that provides a range of complementary uses – including cultural, office, hospitality, healthcare, entertainment, retail, residential, educational and open space – and a mixture of housing types, including affordable housing.

- The project will provide a network of usable green spaces. This includes parks, open spaces, and public plazas designed to enhance the urban experience of the North Natomas community, while providing opportunities for social interaction and civic activity. This will enhance and strengthen the civic and public realm.
- The project fulfills the obligations described in the Term Sheet agreed to between the Sacramento Kings and the City of Sacramento to redevelop the Sleep Train Arena site.

Transportation/Transit Considerations. The project will connect the North Natomas community with educational, medical, office, retail, and residential neighborhoods, using pedestrian and bicycle facilities, roadways, and public transportation.

- The project will reduce vehicle trips per capita and dependence on automobiles. The project' design is consistent with these smart growth principles. The high-density, mixed use development in an existing developed area will reduce vehicle miles traveled. Also, the project will encourage and support transit use as well as pedestrian and bicycle transportation. The project will shorten commute times and reduce traffic congestion.
- The project will develop approximately 3,000 residential units near the core employment center for the region, thereby providing substantial opportunities for reduced vehicle miles traveled.
- The project will provide neighborhood and community-serving retail near residential development. The project will also develop an extensive system of bicycle and walking paths, resulting in better, more realistic

alternative transportation options. The retail and restaurant uses will allow residents to avoid having to drive to access common neighborhood-serving retail uses.

Medical Center. The CNU Medical Center project will provide a number of benefits relating to health care facilities and services.

- The CNU Medical Center would expand medical services and hospital facilities in the City and the Sacramento region to meet the medical needs of the current population and anticipated population growth.
- The CNU Medical Center would locate hospital facilities along the I-5 and I-80 corridors in the Sacramento region where none currently exist.
- The CNU Medical Center would provide the opportunity to increase the number of lives saved in the City through improved local availability of hospital facilities.
- The CNU Medical Center would expand educational opportunities for the City in the medical industry through use of an onsite teaching hospital for hands on experience.
- The CNU Medical Center's function as a teaching hospital would provide an opportunity to expand the number of medical health professionals that would address the anticipated shortage of medical professionals as documented in the Association of American Medical Colleges The Complexities of Physician Supply and Demand: Projections From 2018 to 2033.
- The CNU Medical Center would result in economic and job benefits to the City and the Sacramento region up to those identified in The Impact of California Northstate University Medical Center Report (Varshney & Associates, 2021).⁷.

⁷ Varshney & Associates, 2021. The Socio-Economic Impact of California Northstate University Medical Center. September 2021.

- The CNU Medical Center would capture “healthcare dollars” within the City that are currently being lost to other jurisdictions in the region.
- The CNU Medical Center would improve the competitiveness of the City compared to other communities in being a vibrant economic center.
- Implementation of the CNU Medical Center would create a synergy between the community, local businesses, and medical community.
- The proposed hospital would expand emergency medical facilities and beds in the region that would be beneficial during a pandemic or other medical emergencies. The hospital would be designed to separate critical departments to allow continued function during pandemic conditions as well as provide infectious control. The emergency department would be designed that it could be divided into two distinct areas with infection control. Operating rooms, support, and recovery areas would be provided in two distinct areas of the hospital. Imaging facilities would be provided in a manner that each portion of the hospital has available equipment.

Having considered the benefits outlined above, the City Council finds that each and every one of the benefits of approving the project separately and independently outweigh and override the unavoidable adverse environmental effects associated with the project, and therefore, the project’s unavoidable adverse environmental effects are acceptable.

CHAPTER 4

Mitigation Monitoring Plan

4.1 Introduction

Public Resources Code section 21081.6 and section 15097 of the California Environmental Quality Act (CEQA) Guidelines require public agencies to establish monitoring or reporting programs for projects approved by a public agency whenever approval involves the adoption of either a mitigated negative declaration or specified environmental findings related to environmental impact reports.

The following is the Mitigation Monitoring Plan (MMP) for the Innovation Park Planned Unit Development (PUD) project. The intent of the MMP is to track and successfully implement the Mitigation Measures identified within the Draft Environmental Impact Report (EIR) for this project.

4.2 Mitigation Measures

The Mitigation Measures are taken from the Innovation Park PUD EIR and are assigned the same number as in the Draft EIR. The MMP describes the actions that must take place to implement each Mitigation Measure, the timing of those actions, and the entities responsible for implementing and monitoring the actions.

4.3 MMP Components

The components of the attached table, which contains applicable Mitigation Measures, are addressed briefly, below.

Impact: This column identifies the impact stated in the Draft EIR.

Mitigation Measure: All Mitigation Measures that were identified in the Innovation Park PUD EIR are presented, as revised in the Final EIR, and numbered accordingly.

Action(s): For every Mitigation Measure, one or more actions are described. The actions delineate the means by which the Mitigation Measures will be implemented, and, in some instances, the criteria for determining whether a measure has been successfully implemented. Where Mitigation Measures are particularly detailed, the action may refer back to the measure.

Component: This column identifies the relevant component of the proposed project to which the Mitigation Measure applies. The Mitigation Measure may apply to the entire PUD area, or individually to the California Northstate University (CNU) Medical Center. If only the PUD is listed in this column, the measure does not apply to CNU (and vice versa). More than one project component may be identified.

Implementing Party: This item identifies the entity that will undertake the required action; this may be the project proponent or some other future project proponent.

Timing: Implementation of the action must occur prior to or during some part of project approval, project design or construction or on an ongoing basis. The timing for each measure is identified.

Monitoring Party: The City of Sacramento is primarily responsible for ensuring that Mitigation Measures are successfully implemented. Within the City, a number of departments and divisions would have responsibility for monitoring some aspect of the overall project. Other agencies, such as the Sacramento Metropolitan Air Quality Management District, may also be responsible for monitoring the implementation of Mitigation Measures. As a result, more than one monitoring party may be identified.

**TABLE 4-1
INNOVATION PARK PLANNED UNIT DEVELOPMENT MITIGATION MONITORING PLAN**

Impact	Mitigation Measure	Action(s)	Component	Implementing Party	Timing	Monitoring Party
4.1 Aesthetics, Light, and Glare	4.1-2 Development allowed under the proposed project would create a new source of substantial light.	4.1-2 For each individual development project proposed within the project area, a signage and lighting design plan will be implemented, as approved in the City's Site Plan and Design Review process, to ensure that all outdoor lighting within the project area is designed to minimize lighting that is misdirected, excessive, or unnecessary by requiring light for development to be directed downward to minimize spill-over onto adjacent properties consistent with General Plan Policy ER 7.1.3.	PUD, CNU	Project proponent	During construction following approval of site plan and design review.	City of Sacramento Community Development Department
4.2 Air Quality	4.2-2: Construction activities associated with development under the proposed project could result in a short-term emissions increase of NO _x , PM ₁₀ , and PM _{2.5} , for which the project region is non-attainment under an applicable federal or state ambient air quality standard.	4.2-2(a) SMAQMD considers the following Basic Construction Emissions Control Practices feasible for controlling fugitive dust from a construction site. The practices also serve as BMPs that can be incorporated as part of individual projects proposed under the proposed project, allowing the use of the non-zero particulate matter significance thresholds. These emissions control practices shall be included either as Conditions of Approval (COA) or in a Mitigation Monitoring and Reporting Program (MMRP) to require implementation during project construction: 1. Control of fugitive dust is required by District Rule 403 and enforced by District staff. 2. 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. 3. Cover or maintain at least 2 feet of free board space on haul trucks transporting soil, sand, or other loose material on the site. Any haul trucks that would be traveling along freeways or major roadways should be covered. 4. 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. 5. Limit vehicle speeds on unpaved roads to 15 miles per hour (mph). 6. All roadways, driveways, sidewalks, and parking lots to be paved should be completed as soon as possible. In addition, building pads should be laid as soon as possible after grading, unless seeding or soil binders are used.	PUD, CNU	Project proponent	During construction.	City of Sacramento Community Development Department, Sacramento Metropolitan Air Quality Management District (SMAQMD)
	4.2-2(b) Proponents for individual projects constructed under the proposed project shall require construction contractors to implement the following SMAQMD Exhaust Control Practices for diesel-powered fleets working at construction sites: 1. Minimize idling time either by shutting equipment off when not in use or reducing the time of idling to two minutes (California 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.	Include SMAQMD Exhaust Control Practices listed in Mitigation Measure 4.2-2(b) on Grading and Construction Plans.	PUD, CNU	Project proponent	Prior to issuance of demolition permit or grading permit.	City of Sacramento Community Development Department, Sacramento Metropolitan Air Quality Management District (SMAQMD)

**TABLE 4-1
INNOVATION PARK PLANNED UNIT DEVELOPMENT MITIGATION MONITORING PLAN**

Impact	Mitigation Measure	Action(s)	Component	Implementing Party	Timing	Monitoring Party
	<p>2. Provide current certificate(s) of compliance for CARB's In-Use Off-Road Diesel-Fueled Fleets Regulation (California Code of Regulations, Title 13, sections 2449 and 2449.1).</p> <p>3. Maintain all construction equipment in proper working condition according to manufacturer's specifications. The equipment must be checked by a certified mechanic and determined to be running in proper condition before it is operated.</p>		PUD, CNU	Project proponent	Prior to approval of grading or improvement plans and/or during and following construction, as applicable.	City of Sacramento Community Development Department, Sacramento Metropolitan Air Quality Management District (SMAQMD)
	<p>4.2-2(c)</p> <p>The following measures related to the use of low-emission construction equipment shall be implemented for individual projects constructed under the Innovation Park PUD, including the CNU Medical Center:</p>	<p>Implement the practices described in Mitigation Measure 4.2-2(c) for low-emission construction equipment.</p>				
	<p>1. Proponents for individual projects constructed under the Innovation Park PUD, including the CNU Medical Center, shall require construction contractors to provide a plan for approval by the SMAQMD that demonstrates that all heavy-duty on-road equipment used for construction activities shall be equipped with the most current Verified Diesel Emissions Control Strategies (VDECS) available for the engine type. In this case, the best available VDECS would be implementation of Tier 4F engines as defined by CARB and USEPA. The equipment shall be properly maintained and tuned in accordance with manufacturer specifications. This work will be verified through an equipment inventory submittal and certification plan submitted to the SMAQMD.</p>					
	<p>2. The plan shall have two components, an initial report submitted before construction, and a final report submitted at the completion.</p>					
	<p>3. The initial report shall be submitted at least four business days prior to construction activity using the SMAQMD's Construction Mitigation Tool (available at http://www.airquality.org/business/ceqa-land-use-planning/mitigation) and shall provide project information and construction company information and include the equipment type, horsepower rating, engine model/year, projected hours of use, and the CARB equipment identification number for each piece of equipment to be used. All owned, leased, and subcontracted equipment to be used shall be included. The inventory shall be updated and submitted monthly throughout the duration of the project, except that an inventory shall not be required for any 30-day period in which no construction activity occurs.</p>					
	<p>4. The final report shall be submitted at the end of the job phase, or calendar year, as pre-arranged with SMAQMD staff and documented in the approval letter, to demonstrate continued project compliance.</p>					
	<p>5. Emissions from all off-road diesel-powered equipment used within the project area shall not exceed 40 percent opacity for more than three minutes in any one hour. Any equipment found to exceed 40 percent opacity (or Paragraph 2.0) shall be repaired immediately, and the City and SMAQMD shall be notified within 48 hours of identification of non-compliant equipment. A visual survey of all in-operation equipment shall be made at least weekly, and a monthly summary of the visual</p>					

**TABLE 4-1
INNOVATION PARK PLANNED UNIT DEVELOPMENT MITIGATION MONITORING PLAN**

Impact	Mitigation Measure	Action(s)	Component	Implementing Party	Timing	Monitoring Party
	<p>survey results shall be submitted throughout the duration of the project, except that the monthly summary shall not be required for any 30-day period in which no construction activity occurs. The monthly summary shall include the quantity and type of vehicles surveyed, as well as the dates of each survey. The SMAQMD and/or other officials may conduct periodic site inspections to determine compliance. Nothing in this measure shall supersede other SMAQMD or state rules or regulations.</p> <p>6. If at the time of granting of each building permit, the SMAQMD has adopted a regulation applicable to construction emissions, compliance with the regulation may completely or partially replace this mitigation. Consultation with the SMAQMD prior to construction will be necessary to make this determination.</p>	<p>4.2-2(d) City approval of any grading or improvement plans for individual projects proposed under the Innovation Park PUD (including the CNU Medical Center) shall include the following SMAQMD Enhanced Fugitive Dust Control Practices:</p> <ol style="list-style-type: none"> 1. Water exposed soil with adequate frequency for continued moist soil. However, do not overwater to the extent that sediment flows off the site. 2. Suspend excavation, grading, and/or demolition activity when wind speeds exceed 20 mph. 3. Install wind breaks (e.g., plant trees, solid fencing) on windward side(s) of construction areas. 4. Plant vegetative ground cover (fast-germinating native grass seed) in disturbed areas as soon as possible. Water appropriately until vegetation is established. <p>Unpaved Roads (Entrained Road Dust)</p> <ol style="list-style-type: none"> 1. Install wheel washers for all exiting trucks, or wash off all trucks and equipment leaving the site. 2. Treat site accesses to a distance of 100 feet from the paved road with a 6- to 12-inch layer of wood chips, mulch, or gravel to reduce the generation of road dust and road dust carryout onto public roads. 3. Post a publicly visible sign with the telephone number and person to contact at the lead agency regarding dust complaints. This person shall respond and take corrective action within 48 hours. The phone number of the District shall also be visible to ensure compliance 	<p>PUD, CNU</p>	<p>Project proponent</p>	<p>Prior to approval of grading or improvement plans.</p>	<p>City of Sacramento Community Development Department, Sacramento Metropolitan Air Quality Management District (SMAQMD)</p>
	<p>4.2-2(e) If implosion is chosen as the method of demolition for the arena, a Construction Air Quality Management Plan shall be submitted to SMAQMD which details the control measures that would be implemented to reduce impacts from implosion of the arena. The plan shall include but not be limited to the following measures:</p> <ol style="list-style-type: none"> 1. Demarcation and maintenance of an adequate exclusion zone around the arena for as long as safety requirements warrant before and after the implosion. The extent of the exclusion zone shall be informed by a project-specific study that takes into account the noise, air quality, vibration, safety, and seismic impacts of the planned implosion based on the size of the arena and the amount of explosives used. 	<p>Include SMAQMD Enhanced Fugitive Dust Control Practices on grading or improvement plans as described in Mitigation Measure 4.2-2(d). Incorporate protocol described below for soil disturbance areas and unpaved roads.</p>	<p>PUD, CNU</p>	<p>Project Proponent</p>	<p>Prior to demolition if implosion is chosen.</p>	<p>City of Sacramento Community Development Department, Sacramento Metropolitan Air Quality Management District (SMAQMD)</p>

**TABLE 4-1
INNOVATION PARK PLANNED UNIT DEVELOPMENT MITIGATION MONITORING PLAN**

Impact	Mitigation Measure	Action(s)	Component	Implementing Party	Timing	Monitoring Party
	<p>2. All land uses within the exclusion zone shall be notified in advance of the planned implosion, with reminders sent out a week before. Notifications shall include the date and time of the planned implosion, the extent of the exclusion zone, information on street closures, and the duration for which the exclusion zone and street closures will be maintained. Occupants of all land uses within the exclusion zone shall be advised to stay indoors with HVAC systems, windows, and doors closed for the duration of the implosion.</p> <p>3. The same information shall also be posted as signs around the project area boundary, along with the name and telephone number of a complaint coordinator to contact with questions and complaints.</p> <p>4. Transportation and temporary relocation shall be provided to sensitive receptors located within 0.25 mile of the arena.</p> <p>5. To prevent hazardous materials from getting airborne during demolition or debris removal, recyclable (plumbing and ventilation) and hazardous materials (asbestos and lead) shall be removed from the structure before implosion.</p> <p>6. Implosion shall be timed with favorable meteorological conditions, such as light precipitation with winds in the direction of sparse population.</p> <p>7. Adequately wet the structure before, during, and after the implosion to reduce suspended dust. Settled dust shall be suppressed with water and vacuum street cleaners.</p> <p>8. Use barricades and berms at ground level to control debris and dust.</p> <p>9. Use dust controlling misters and street sweepers during cleanup of the debris following the implosion.</p>	<p>Provide advance notice of planned implosion with reminders sent out a week before. This information shall also be posted around the project area boundary.</p> <p>Provide transportation and temporary relocation for receptors within 0.25 miles.</p> <p>Incorporate the practices described in Mitigation Measure 4.2-2(e) on the project site.</p>	<p>PUD, CNU</p> <p>PUD, CNU</p> <p>PUD, CNU</p>	<p>Project proponent</p> <p>Project proponent</p> <p>Project proponent</p>	<p>One week prior to demolition if implosion is chosen.</p> <p>Prior to demolition if implosion is chosen.</p> <p>Prior to demolition if implosion is chosen, and cleanup after implosion.</p>	<p>City of Sacramento Community Development Department, Sacramento Metropolitan Air Quality Management District (SMAQMD)</p> <p>City of Sacramento Community Development Department, Sacramento Metropolitan Air Quality Management District (SMAQMD)</p>
<p>4.2-4: Development allowed under the proposed project (including the CNU Medical Center) would expose sensitive receptors to substantial pollutant concentrations.</p>	<p>4.2-4 Proponents for individual projects constructed under the proposed Innovation Park PUD, including the proposed CNU Medical Center, shall require construction contractors to implement the following measures to reduce health risks from diesel-powered fleets working at construction sites:</p> <ol style="list-style-type: none"> 1. Implement Mitigation Measure 4.2-2(G). Implement Measures to Ensure the Use of Low-Emission Construction Equipment for all project-related construction activities. 2. Restrict construction activities to the daytime and evening hours between 7 a.m. and 10 p.m., except for limited circumstances requiring nighttime construction (e.g., elongated concrete pours, on-street movement of large construction equipment), which may be allowed in accordance with Sacramento City Code section 8.68.080. 	<p>Incorporate the practices described in Mitigation Measure 4.2-4 when working on construction sites.</p>	<p>PUD, CNU</p>	<p>Project proponent</p>	<p>Prior to approval of grading or improvement plans and during construction.</p>	<p>City of Sacramento Community Development Department, Sacramento Metropolitan Air Quality Management District (SMAQMD)</p>
<p>4.2-5: Construction activities associated with development under the proposed project (including the CNU Medical Center) could contribute to cumulative increases in short-term emissions.</p>	<p>4.2-5 Implement Mitigation Measures 4.2-2(a) through 4.2-2(e).</p>	<p>See Mitigation Measures 4.2-2(a) through 4.2-2(e).</p>	<p>See Mitigation Measures 4.2-2(a) through 4.2-2(e).</p>	<p>See Mitigation Measures 4.2-2(a) through 4.2-2(e).</p>	<p>See Mitigation Measures 4.2-2(a) through 4.2-2(e).</p>	<p>See Mitigation Measures 4.2-2(a) through 4.2-2(e).</p>

**TABLE 4-1
INNOVATION PARK PLANNED UNIT DEVELOPMENT MITIGATION MONITORING PLAN**

Impact	Mitigation Measure	Action(s)	Component	Implementing Party	Timing	Monitoring Party
4.2-7: Development allowed under the proposed project (including the CNU Medical Center) could cumulatively expose sensitive receptors to substantial pollutant concentrations.	4.2-7 Implement Mitigation Measure 4.2-4.	See Mitigation Measure 4.2-4.	See Mitigation Measure 4.2-4.	See Mitigation Measure 4.2-4.	See Mitigation Measure 4.2-4.	See Mitigation Measure 4.2-4.
4.3 Biological Resources						
4.3-1: Construction under the proposed Innovation Park PUD project, including the CNU Medical Center, could result in the loss of potential foraging habitat for Swainson's hawk.	4.3-1 Construction of development under the Innovation Park PUD would affect 41.83 acres. To compensate for the permanent loss of 41.83 acres of Swainson's hawk foraging habitat, any future development project allowed under the Innovation Park PUD within suitable foraging habitat for Swainson's hawk shall preserve CDFW-approved foraging habitat for Swainson's hawk, or shall purchase Swainson's hawk foraging habitat mitigation credits at a CDFW-approved mitigation ratio required by the NBHCP. Before purchase of credits at a mitigation bank and/or acquisition of mitigation land, the ratio and location of the mitigation shall be subject to approval by CDFW, USFWS, and/or the City's NBHCP Designee.	Preserve CDFW-approved foraging habitat under future Innovation Park PUD projects or purchase habitat mitigation credits.	PUD, CNU	Project proponent	Prior to issuance of grading permits or wrecking permits, whichever comes first.	City of Sacramento Community Development Department, California Department of Fish and Wildlife (CDFW), U.S. Fish and Wildlife Service (USFWS)
4.3-2: Construction under the proposed Innovation Park PUD project, including the CNU Medical Center, could result in the loss of potential nesting habitat for special-status bird species and other sensitive and/or protected bird species.	4.3-2(a) Construction activities associated with clearing and grubbing, tree removal, demolition of buildings or other structures (including potential demolition by implosion), and removal of riparian woodland/filling of the pond shall occur outside of the nesting season that encompasses all birds (September 16 through January 31), unless the following measures are complied with. If vegetation removal begins during the nesting season (February 1 to September 15), the project proponent shall retain a qualified biologist to conduct a preconstruction survey for active nests in suitable nesting habitat within 500 feet of the construction area for nesting raptors and migratory birds. If removal of riparian woodland/filling of the pond begins during the non-nesting season (September 15 to January 31), the project applicant shall retain a qualified biologist to conduct a preconstruction survey for active rookery use within the riparian woodland/pond. The preconstruction survey shall be conducted within five days before the start of ground-disturbing activities. If the preconstruction survey shows that there is no evidence of active nests or active rookery use, a letter report shall be submitted to the City for its records within 14 days of the survey and no additional measures are required. If construction activities do not begin within five days of the preconstruction survey, or if construction halts for more than five days, an additional preconstruction survey is required within five days of the initiation or re-initiation of construction activities.	Conduct nesting and rookery surveys prior to tree removal. Conduct any tree removal and construction activities according to the protocol described in Mitigation Measure 4.3-2(a). Include tree removal and/or tree protection requirements on Grading and Construction Plans.	PUD, CNU	Project proponent	Between February 1 and September 15, conduct nesting surveys no more than five days before ground-disturbing activities. Between September 15 and February 1, conduct rookery use surveys no more than five days before ground-disturbing activities.	City of Sacramento Community Development Department, California Department of Fish and Wildlife (CDFW), US Fish and Wildlife Service (USFWS)

**TABLE 4-1
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Impact	Mitigation Measure	Action(s)	Component	Implementing Party	Timing	Monitoring Party
	<p>If active nests are found during the survey, the project proponent shall implement Mitigation Measures to ensure that the species will not be adversely affected, which will include establishing a no-work buffer zone, as approved by the City in consultation with the CDFW and/or USFWS, around the active nest.</p> <p>Measures will include, but not be limited to:</p> <ol style="list-style-type: none"> The project proponent shall maintain a sufficient buffer around the active nest to ensure impacts to nests are avoided. The buffer size shall be determined in consultation with a qualified biologist based on site-specific conditions such as proximity to novel stimuli, natural shielding, etc. The minimum buffer size should be no less than a 500-foot buffer around each active raptor nest and a 100-foot buffer around the black-crowned night heron and cattle egret rookery (during nesting season); however, larger buffers may be needed depending on the sensitivity of any birds onsite. No construction activities shall be permitted within this buffer. For other nesting migratory and passerine birds, a no-work buffer zone shall be established around the active nest, as determined by the City in consultation with a qualified biologist, CDFW and/or USFWS. The no-work buffer may vary depending on species and site-specific conditions, as determined by the City in consultation with a qualified biologist, CDFW and USFWS. Depending on conditions specific to each nest, and the relative location and rate of construction activities, it may be feasible for construction to occur as planned within the buffer without affecting the breeding effort. In this case (to be determined on a case-by-case basis), a qualified biologist shall monitor the nest(s) during construction within the buffer. If, in the professional opinion of the monitor, the project would affect the nest, the biologist shall immediately inform the construction manager and the project proponent shall notify the City's Planning Director. The construction manager shall stop construction activities within the buffer until the nest is no longer active. Completion of the nesting cycle shall be determined by the qualified biologist. If construction begins outside of the migratory bird breeding season (February 1 through August 31), the proponent is permitted to continue construction activities in the existing active construction footprint. However, an additional nesting bird survey shall be conducted if construction is expected to extend outside of the active construction footprint and the applicant is required to comply with bird protection measures of the Migratory Bird Treaty Act and the California Fish and Game Code, regardless of the time of year. Mitigation Measure 4.7-1(a), item viii (see Section 4.7, Noise and Vibration), which requires employment of noise-reducing pile installation techniques, shall be implemented for construction activities that include pile driving. 	<p>Establish minimum 500-foot buffer around active raptor nest. Establish minimum 100-foot buffer around black-crowned night heron (during nesting season). Establish minimum 100-foot buffer around cattle egret rookery (during nesting season). Establish no-work buffer depending on species and site-specific conditions as determined by the City for other active nests.</p>	PUD, CNU	Project proponent	Establish buffer no more than five days before construction activities.	City of Sacramento Community Development Department, California Department of Fish and Wildlife (CDFW), US Fish and Wildlife Service (USFWS)
		<p>Monitor nesting activity within the buffer.</p>	PUD, CNU	Project proponent	Monitor active nests through construction of each applicable development project.	City of Sacramento Community Development Department, California Department of Fish and Wildlife (CDFW)
		<p>Implement noise reduction techniques during pile driving</p>	PUD, CNU	Project proponent	Prior to the start of ground-disturbing activities.	City of Sacramento Community Development Department, California Department of Fish and Wildlife (CDFW)

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INNOVATION PARK PLANNED UNIT DEVELOPMENT MITIGATION MONITORING PLAN**

Impact	Mitigation Measure	Action(s)	Component	Implementing Party	Timing	Monitoring Party
	<p>If active rookery use is found outside the nesting season, the project proponent shall implement mitigation measures to ensure that the species will not be adversely affected, which will include establishing a no-work buffer zone, as approved by the City in consultation with a qualified biologist, CDFW and/or USFWS, around the active rookery. Measures will include, but not be limited to:</p> <ol style="list-style-type: none"> 1. In consultation with a qualified biologist, CDFW and/or USFWS, the project proponent shall develop a rookery impact reduction plan (Plan). The Plan shall detail the use of the rookery site outside of nesting season, propose strategies for reducing impacts to resident birds, and to ensure take of the species does not occur. Such strategies could include but are not limited to: <ol style="list-style-type: none"> a. Limiting any vegetation impacts to daylight hours or when birds are away from the rookery site. b. Progressively pruning any actively used trees that are to be removed over the course of several days as to passively encourage use of other habitats. c. "Soft-start" initiation of project activities as means to not immediately flush birds using the rookery. "Soft-start" techniques could be implemented by starting lower impact work in the area first or having a small crew walk the area before initiating heavy equipment use. d. Establishing a no disturbance buffer around any onsite habitat to be protected (i.e., so birds could relocate from one side of the pond to another) 	<p>Conduct any tree removal and construction activities according to the protocol described in Mitigation Measure 4.3-2(a). Prepare and implement a rookery impact reduction plan if required. Include tree removal timing and/or tree protection requirements on Grading and Construction Plans.</p>	PUD, CNU	Project proponent	Prior to activities that may impact the rookery.	City of Sacramento Community Development Department, California Department of Fish and Wildlife (CDFW), US Fish and Wildlife Service (USFWS)
	<p>4.3-2(b)</p> <ol style="list-style-type: none"> 1. Preconstruction surveys for burrowing owls shall be conducted by a qualified biologist (as approved by CDFW) prior to construction activities within 500 feet of the annual grassland. For the purposes of burrowing owl construction activities include mobilization, vegetation clearing operations, grading, including in areas where disturbance has occurred from construction prior to development. Surveys shall be conducted no more than 30 days and no less than 14 days before the start of construction activities. If construction activities are delayed for more than 30 days after the initial preconstruction surveys, a new preconstruction survey shall be required. All surveys shall be conducted in accordance with the Staff Report on Burrowing Owl Mitigation.' (Appendix D). This mitigation shall be implemented by the project proponent. 2. If burrowing owls are discovered within 500 feet of the disturbance footprint while construction is actively occurring during the nesting season, the CDFW-approved project biologist shall be notified immediately. The biologist shall establish a 500-foot no-work buffer. The biologist shall conduct daily check-in site visits for the first week to monitor the nest. After the first week, the biologist shall conduct two site visits per week to monitor the nest until the biologist verifies through non-invasive methods that either: (1) the owls have not begun egg-laying and incubation, or (2) juveniles from the occupied burrows are foraging independently and are capable of independent survival. 	<p>Conduct preconstruction surveys within 500 feet of annual grassland.</p>	PUD	Project proponent	Conduct survey no more than 30 days and no less than 14 days before the start of construction activities and any time construction activities are delayed for more than 30 days.	City of Sacramento Community Development Department, California Department of Fish and Wildlife (CDFW)
		<p>Upon discovery of burrowing owls within 500 feet during construction while in nesting season notify the CDFW approved project biologist. Establish 500-foot no work buffer and biologist will monitor going forward.</p>	PUD	Project proponent	If burrowing owls are discovered while construction is occurring during nesting season.	City of Sacramento Community Development Department, California Department of Fish and Wildlife (CDFW)

1 California Department of Fish and Wildlife. 2012. *Staff Report on Burrowing Owl Mitigation*. Sacramento, CA.

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Impact	Mitigation Measure	Action(s)	Component	Implementing Party	Timing	Monitoring Party																		
	<p>4.3-2(c)</p> <p>1. If construction activities are anticipated to begin during the Swainson's hawk nesting season (March 1 to September 15) in each year construction activities begin, a qualified biologist shall conduct a minimum of three preconstruction surveys during each of the two recommended survey periods in accordance with the 2000 Swainson's Hawk Technical Advisory Committee's (TAC's) Recommended Timing and Methodology for Swainson's Hawk Nesting Surveys in California's Central Valley? (Appendix D). Construction activities include clearing and grubbing, tree removal, initial grading, removal of riparian woodland/filling of the pond, and noise and vibration associated with construction equipment. The table below provides the Swainson's Hawk TAC's survey periods:</p> <table border="1"> <thead> <tr> <th>Survey Period</th> <th>Survey Time</th> <th>Notes</th> </tr> </thead> <tbody> <tr> <td>I. January–March</td> <td>All day</td> <td>Optional</td> </tr> <tr> <td>II. March 20–April 5</td> <td>Sunrise–10 a.m.; 4 p.m.–sunset</td> <td></td> </tr> <tr> <td>III. April 5–April 20</td> <td>Sunrise–12 noon; 4:30 p.m.–sunset</td> <td></td> </tr> <tr> <td>IV. April 21–June 10</td> <td>Marking known nest sites only</td> <td>Initiating surveys not recommended</td> </tr> <tr> <td>V. June 10–July 30</td> <td>Sunrise–12 noon; 4 p.m.–sunset</td> <td></td> </tr> </tbody> </table> <p>For example, if construction is anticipated to begin in May, three surveys would be conducted in Survey Period II and three surveys would be conducted in Survey Period III. All potential nest trees within 0.50 mile of the project footprint shall be visually examined for potential Swainson's hawk nests, as accessible. If no active Swainson's hawk nests are identified in or within 0.50 mile of the project area, a letter report documenting the survey methodology and findings shall be submitted to the City for their files within 14 days of the final survey for each year of construction. This mitigation shall be implemented by the project proponent before any project-related work in suitable nesting habitat.</p> <p>2. If active Swainson's hawk nests are found within 0.25 mile of construction activities, a survey report shall be submitted to CDFW and an avoidance and minimization plan shall be developed for approval by CDFW before the start of construction. The avoidance plan shall identify measures to minimize impacts on the active Swainson's hawk nest, depending on the exact location of the nest. These measures shall include but not be limited to:</p> <ol style="list-style-type: none"> All construction personnel shall receive a worker environmental awareness training program from a CDFW- and USFWS-approved biologist before the start of any construction activities. 	Survey Period	Survey Time	Notes	I. January–March	All day	Optional	II. March 20–April 5	Sunrise–10 a.m.; 4 p.m.–sunset		III. April 5–April 20	Sunrise–12 noon; 4:30 p.m.–sunset		IV. April 21–June 10	Marking known nest sites only	Initiating surveys not recommended	V. June 10–July 30	Sunrise–12 noon; 4 p.m.–sunset		<p>Conduct preconstruction surveys within 0.50-mile of the project footprint according to the protocol described in Mitigation Measure 4.3-2(c).</p>	PUD, CNU	Project proponent	Conduct surveys during each of the two recommended survey periods based on the start of construction activities in each year construction activities begin.	City of Sacramento Community Development Department, California Department of Fish and Wildlife (CDFW)
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	<p>2. Swainson's hawk nests are found within 0.25 mile of construction activities, follow the protocol described under Mitigation Measure 4.3-2(c).</p>	<p>If Swainson's hawk nests are found within 0.25 mile of construction activities, follow the protocol described under Mitigation Measure 4.3-2(c).</p>	PUD, CNU	Project proponent	Prior to construction if there is a discovery of Swainson's hawk nests within 0.25 mile of construction activities.	City of Sacramento Community Development Department, California Department of Fish and Wildlife (CDFW), US Fish and Wildlife Service (USFWS)																		

2 Swainson's Hawk Technical Advisory Committee. 2000. *Recommended Timing and Methodology for Swainson's Hawk Nesting Surveys in California's Central Valley*. May 31, 2000.

PUD = Planned Unit Development, CNU = California Northstate University

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	<p>b. A buffer zone and work schedule shall be established to avoid affecting the nest during critical periods. If possible, no work will occur within 0.25 mile of the nest while it is in active use. If work will occur within 0.25 mile of the nest, construction will be monitored by a qualified biologist on a daily basis to ensure that no work occurs which will result in take of Swainson's hawk. In consultation with the qualified biologist, the project applicant shall preclude all Project activities within a minimum of 500 feet of the nest during sensitive periods of the breeding season such as incubation or within 10 days after hatching. If during consultation it is determined that implementation of the project as proposed may result in take of Swainson's hawk, the project may seek related take authorization as provided by the Fish and Game Code.</p> <p>c. A biological monitor shall conduct regular monitoring of the nest during construction activities.</p> <p>d. The biologist shall be allowed to halt construction activities if construction activities are disturbing the nest. The biologist will be able to halt construction until she/he has determined that the nest activity is resuming a normal activity. Once the biologist determines that normal nesting behavior has resumed, construction activities may recommence.</p> <p>e. No plastic, monofilament, jute, or similar erosion control matting shall be placed within the project area when working within 200 feet of annual grassland or suitable nest sites. Possible substitutions include coconut coir matting, tackified hydroseeding compounds, or other material approved by CDFW and USFWS.</p> <p>f. Any trees containing an active Swainson's hawk nest shall be retained during project implementation. Retention of the nest tree includes prohibition of any project-related activity which may inadvertently damage the integrity of the nest tree or the nest structure, including any activities in the surrounding vicinity that occur outside the Swainson's hawk nesting season. If the nest tree cannot be retained, the project applicant and their qualified biologist shall consult with CDFW and demonstrate compliance with CESA. If during consultation it is determined that implementation of the project as proposed may result in take of Swainson's hawk, the project may seek related take authorization as provided by the Fish and Game Code.</p> <p>g. During construction activities and when feasible based on site conditions, all staging and storage areas, including vehicle parking and employee break area shall be located at least 1000 feet from an active Swainson's hawk nest.</p> <p>h. During construction activities, any night lighting used during project activities shall be directed away from the active nest or shielded to avoid disturbance or nesting behavior.</p>					

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INNOVATION PARK PLANNED UNIT DEVELOPMENT MITIGATION MONITORING PLAN**

Impact	Mitigation Measure	Action(s)	Component	Implementing Party	Timing	Monitoring Party
4.3-3: Construction under the proposed project could result in impacts on special-status bat species.	<p>4.3-3 Construction activities associated with removal of landscape and riparian trees, demolition and potential implosion of the Sleep Train Arena building and associated infrastructure, and demolition of the foundation of the partially constructed baseball field and stadium shall occur between September 1 and April 30, which is outside of the breeding season for bat species, to the extent feasible.</p> <p>If removal of landscape and riparian trees begin during the breeding period for bats (May 1 through August 31), a qualified biologist shall conduct a preconstruction survey within five days prior to the scheduled tree removal. The biologist shall inspect all trees containing crevices and the bark or cavities for evidence of sign (i.e. guano). If no sign is observed, a letter report shall be submitted to the City for its records within 14 days of the survey and no additional measures associated with tree removal are required. If tree removal does not begin within five days of the preconstruction survey, or if the removal of previously inspected trees halts for more than five days, an additional preconstruction survey is required within five days of the initiation or re-initiation of tree removal. If a maternity colony is observed within a tree, that tree shall not be removed until the breeding season has been completed. Alternatively, a qualified bat biologist may exclude individual day-roosting bats in consultation with CDFW, thereby allowing tree removal to continue after successful exclusion activities.</p> <p>If construction activities associated with the demolition and potential implosion of the Sleep Train Arena building and associated infrastructure within the CNU Medical Center and the demolition of the remnant baseball field foundation in the Innovation Park PUD are anticipated to occur during the breeding season (May 1 through August 31), a qualified biologist shall conduct a nighttime emergence survey no later than one-half hour before sunset and continue until at least 3 hours after sunset to allow for detection of both day- and night-roosting bats. The survey shall be conducted within five days of the scheduled implosion of the Sleep Train Arena building and associated infrastructure and the demolition of the remnant baseball field foundation. If any bats are observed emerging from any of the buildings or foundation, the building(s) or the foundation shall not be demolished until the breeding season has been completed.</p>	<p>During bat breeding season, conduct preconstruction surveys prior to removal of landscape and riparian trees.</p>	PUD, CNU	Project proponent	<p>Conduct survey if removal of landscape and riparian trees begins during May 1 through August 31, within five days prior to the scheduled tree removal.</p>	<p>City of Sacramento Community Development Department, California Department of Fish and Wildlife (CDFW)</p>
		<p>During bat breeding season, conduct nighttime emergence survey.</p>	PUD, CNU	Project proponent	<p>Conduct survey if construction activities occur during breeding season, no later than one-half hour before sunset and continue for at least 3 hours after sunset.</p> <p>Conduct survey within five days of scheduled implosion and demolition.</p>	<p>City of Sacramento Community Development Department, California Department of Fish and Wildlife (CDFW)</p>

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Impact	Mitigation Measure	Action(s)	Component	Implementing Party	Timing	Monitoring Party
4.3-4: Vegetation clearing activities and initial grading under the proposed project could result in impacts on special-status plant species.	<p>4.3-4</p> <p>A qualified plant biologist approved by CDFW shall conduct a preconstruction survey in the annual grassland for sninkbells (blooms March-June) within the project area including the CNU Medical Center and within the riparian woodland for Stanford's arrowhead (blooms May-November) within Innovation Park PUD (excluding the CNU Medical Center) during their blooming periods prior to vegetation clearing activities and initial grading. The survey will be conducted following the Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Natural Communities.³ If special-status plant species are found, the project proponent shall prepare a transplanation and monitoring plan in consultation with CDFW. The transplanation and monitoring plan will be subject to review and approval by CDFW before the start of any construction activities in the special-status plant species area. This plan will describe the intent and anticipated success of transplanting, and specify success criteria for transplanted plants and related long-term protection and management of transplanted plants. This mitigation shall be implemented by the project proponent.</p>	<p>Retain a qualified biologist to conduct preconstruction survey in the annual grassland for sninkbells and within the riparian woodland for Stanford's arrowhead following the protocol outlined in Mitigation Measure 4.3-4.</p>	PUD, CNU (slinkbell survey only)	Project proponent	Prior to vegetation clearing activities and initial grading.	City of Sacramento Community Development Department, California Department of Fish and Wildlife (CDFW)
4.3-5: Impacts to the lacustrine/freshwater emergent wetland within the Innovation Park PUD would have the potential to result in a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means.	<p>4.3-5(a)</p> <p>Before the City issues a grading permit or demolition permit, whichever comes first, for any work in riparian and emergent wetlands to enhance habitats in the project area, the project proponent shall acquire all applicable permits. This includes acquiring a permit for clearing activities, the exact permit needs to be determined based on the project. These permits include, but would not be limited to, CWA Section 404 permit from USACE, a CWA Section 401 water quality certification from the Central Valley RWQCB, and/or a Section 1600 lake and streambed alteration agreement from CDFW.</p> <p>4.3-5(b)</p> <p>The project proponent shall demonstrate that there is no net loss of wetlands and other waters of the United States and state-protected waters/wetlands from project construction. To ensure this, wetland mitigation shall be developed as a part of the permitting process as described in Mitigation Measure 4.3-5(a) above. Mitigation shall be provided before construction-related impacts on the existing wetlands occur. The exact mitigation ratio will be determined in consultation with USACE and/or CDFW, based on the type and value of the wetlands affected by the project, but the project shall compensate for affected wetlands at a ratio no less than 1:1. Compensation shall take the form of wetland preservation or creation in accordance with USACE and/or CDFW mitigation requirements, as specified in project permits. Preservation and creation will occur off-site through the purchase of credits at a USACE- and/or CDFW-approved mitigation bank and/or the acquisition of mitigation land. Because the project area is not subject to the NBHCP, mitigation of impacts on wetlands and other waters of the United States and state-protected waters/wetlands can occur outside of the Nabomas Basin. Alternatively, although exempt from the NBHCP, the project proponent may also pay NBHCP fees</p>	<p>Acquire all applicable permits necessary for any work in riparian and emergent wetlands or lacustrine habitats in the project area.</p>	PUD	Project proponent	Prior to issuance of a grading permit or demolition permit, whichever comes first.	City of Sacramento Community Development Department, United States Army Corps of Engineers (USACE), CVRWQCB and CDFW
		<p>Incorporate wetland mitigation into the permitting process as described in Mitigation Measure 4.3-5(b). Compensate for affected wetlands at a ratio no less than 1:1 via off-site wetland preservation or creation through the purchase of credits at a USACE and/or CDFW-approved mitigation bank and/or acquisition of mitigation land.</p>	PUD	Project proponent	Prior to when construction-related impacts on the existing wetlands occur.	City of Sacramento Community Development Department, California Department of Fish and Wildlife (CDFW), US Army Corps of Engineers (USACE)

3 California Department of Fish and Wildlife. 2018. *Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Sensitive Natural Communities*. Sacramento, CA.

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Impact	Mitigation Measure	Action(s)	Component	Implementing Party	Timing	Monitoring Party
4.3-6: Construction under the proposed Innovation Park PUD could result in a substantial adverse effect on riparian habitat or other sensitive natural communities identified in local or regional plans, policies, regulations or by CDFW or USFWS.	4.3-6 The project proponent shall compensate for the removal of riparian woodland habitat at a minimum ratio of 3:1. Compensation shall take the form of preservation or creation in accordance with CDFW mitigation requirements, as required under project permits. Preservation and creation shall occur off-site through the purchase of credits at a USACE- and/or CDFW-approved mitigation bank, through the acquisition of mitigation land, or through the purchase of NEHCP fees.	Compensate for removal of riparian woodland habitat at a minimum ratio of 3:1 via preservation or creation as outlined in Mitigation Measure 4.3-6.	PUD	Project proponent	Concurrent with what is required under project permits.	City of Sacramento Community Development Department, California Department of Fish and Wildlife (CDFW), US Army Corps of Engineers (USACE)
4.3-8: Construction under the proposed Innovation Park PUD and CNU Medical Center could result in removal of protected trees and conflict with City of Sacramento policies protecting trees.	4.3-8(a) Should trees occur within the project footprint associated with the Innovation Park PUD, the project proponent shall retain a certified arborist to conduct an arborist survey to inventory all trees within the footprint. 4.3-8(b) Before the start of construction activities in the Innovation Park PUD and the CNU Medical Center involving any work that would remove protected trees as defined by Sacramento City Code Chapter 12.56, the proponent shall obtain a permit for the removal of protected trees. The project proponent shall comply with all conditions of any issued permit during construction.	Retain a certified arborist who shall conduct an inventory survey of all trees within the footprint. Obtain a permit for the removal of protected trees and comply with all conditions of any issued permit during construction.	PUD PUD, CNU	Project proponent Project proponent	Prior to tree removing activities. Prior to the start of construction activities involving removal of protected trees.	City of Sacramento Community Development Department City of Sacramento Community Development Department
4.3-10: Construction under the proposed project, in combination with other cumulative development, would contribute to the cumulative loss of habitat, or impacts on bat species.	4.3-10 Implement Mitigation Measures 4.3-2(a) through 4.3-2(c).	See Mitigation Measures 4.3-2(a) through 4.3-2(c).	See Mitigation Measures 4.3-2(a) through 4.3-2(c).	See Mitigation Measures 4.3-2(a) through 4.3-2(c).	See Mitigation Measures 4.3-2(a) through 4.3-2(c).	See Mitigation Measures 4.3-2(a) through 4.3-2(c).
4.3-11: Construction under the proposed project, in combination with other cumulative development, would contribute to the cumulative loss of habitat, or impacts on bat species.	4.3-11 Implement Mitigation Measure 4.3-3.	See Mitigation Measure 4.3-3.	See Mitigation Measure 4.3-3.	See Mitigation Measure 4.3-3.	See Mitigation Measure 4.3-3.	See Mitigation Measure 4.3-3.
4.3-12: Construction under the proposed Innovation Park PUD, in combination with other cumulative development, could contribute to the cumulative loss of special-status plant species.	4.3-12 Implement Mitigation Measure 4.3-4.	See Mitigation Measure 4.3-4.	See Mitigation Measure 4.3-4.	See Mitigation Measure 4.3-4.	See Mitigation Measure 4.3-4.	See Mitigation Measure 4.3-4.
4.3-13: Construction under the proposed project, in combination with other cumulative development, would contribute to the cumulative loss of sensitive habitats, including protected wetland habitat as defined in Section 404 of the Clean Water Act, riparian vegetation, and state-protected waters/wetlands.	4.3-13 Implement Mitigation Measures 4.3-5(a), 4.3-5(b), and 4.3-7(b).	See Mitigation Measures 4.3-5(a), 4.3-5(b), and 4.3-7(b).	See Mitigation Measures 4.3-5(a), 4.3-5(b), and 4.3-7(b).	See Mitigation Measures 4.3-5(a), 4.3-5(b), and 4.3-7(b).	See Mitigation Measures 4.3-5(a), 4.3-5(b), and 4.3-7(b).	See Mitigation Measures 4.3-5(a), 4.3-5(b), and 4.3-7(b).
4.3-14: Construction under the proposed project, in combination with other cumulative development, would contribute to the cumulative loss of locally protected trees.	4.3-14 Implement Mitigation Measures 4.3-8(a) and 4.3-8(b).	See Mitigation Measures 4.3-8(a) and 4.3-8(b).	See Mitigation Measures 4.3-8(a) and 4.3-8(b).	See Mitigation Measures 4.3-8(a) and 4.3-8(b).	See Mitigation Measures 4.3-8(a) and 4.3-8(b).	See Mitigation Measures 4.3-8(a) and 4.3-8(b).

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<p>4.4 Cultural and Tribal Cultural Resources</p> <p>4.4-1: Construction of development allowed under the proposed project could affect previously unrecorded historical resources and unique archaeological resources.</p>	<p>4.4-1(a) A tribal cultural resources awareness brochure and training program for all personnel involved in project implementation shall be developed in coordination with interested Native American Tribes. The brochure shall be distributed and the training will be conducted by Native American representatives, or tribal monitors from culturally affiliated Native American Tribes, before any stages of project implementation and construction activities begin on the project site. The training may be done in coordination with the project archaeologist.</p> <p>The program will include relevant information regarding sensitive tribal cultural resources, applicable regulations and procedures for avoidance, and consequences of violating state laws and regulations. The program will describe appropriate avoidance and mitigation measures for resources that will occur adjacent to the located project site and will outline what to do and who to contact if any potential tribal cultural resources or archaeological resources are encountered. The program will underscore the requirement for confidentiality and culturally appropriate treatment of any find with cultural significance to Native Americans' tribal values. All operators of ground-disturbing equipment shall receive the training, and sign a form that acknowledges receipt of the training.</p> <p>4.4-1(b) If cultural resources or tribal cultural resources (such as structural features, unusual amounts of bone or shell artifacts or human remains) are encountered at the project site during construction, work shall be suspended within 100 feet of the find (based on the apparent distribution of cultural materials) and the construction contractor shall immediately notify the project's City representative. Avoidance and preservation in place is the preferred manner of mitigating impacts on cultural resources and tribal cultural resources. This may be accomplished, by several alternative means, including those listed below.</p> <ul style="list-style-type: none"> Construction will be planned to avoid tribal cultural resources, archaeological sites, and/or other cultural resources. Cultural resources will be incorporated within parks, green space, or other open space; archaeological resources will be covered; a cultural resource will be deemed to a permanent conservation easement; or the project will use other preservation and protection methods agreeable to the consulting parties and regulatory authorities with jurisdiction over the activity. Recommendations for avoidance of cultural resources and tribal cultural resources will be reviewed by the City representative, interested culturally affiliated Native American Tribes, and other appropriate agencies in light of factors such as costs, logistics, feasibility, design, technology, and social, cultural, and environmental considerations, and the extent to which avoidance is consistent with project objectives. Avoidance and design alternatives may include realignment within the project site to avoid cultural resources or tribal cultural resources, modification of the design to eliminate or reduce impacts on cultural resources or tribal cultural resources, or modification or realignment to avoid highly significant features within a cultural resource or tribal cultural resource. 	<p>Prepare a tribal cultural resources awareness brochure and training program, which all operators of ground-disturbing equipment shall receive.</p>	PUD, CNU	Project proponent	Prior to any stages of project implementation and construction activities begin on the project site.	City of Sacramento Community Development Department
	<p>4.4-1(b) Construction will be planned to avoid tribal cultural resources, archaeological sites, and/or other cultural resources. Cultural resources will be incorporated within parks, green space, or other open space; archaeological resources will be covered; a cultural resource will be deemed to a permanent conservation easement; or the project will use other preservation and protection methods agreeable to the consulting parties and regulatory authorities with jurisdiction over the activity.</p> <ul style="list-style-type: none"> Recommendations for avoidance of cultural resources and tribal cultural resources will be reviewed by the City representative, interested culturally affiliated Native American Tribes, and other appropriate agencies in light of factors such as costs, logistics, feasibility, design, technology, and social, cultural, and environmental considerations, and the extent to which avoidance is consistent with project objectives. Avoidance and design alternatives may include realignment within the project site to avoid cultural resources or tribal cultural resources, modification of the design to eliminate or reduce impacts on cultural resources or tribal cultural resources, or modification or realignment to avoid highly significant features within a cultural resource or tribal cultural resource. 	<p>Cease work within 100 feet if discovery is made and notify the project's City representative</p>	PUD, CNU	Project proponent	During ground-disturbing activities.	City of Sacramento Community Development Department
	<ul style="list-style-type: none"> Construction will be planned to avoid tribal cultural resources, archaeological sites, and/or other cultural resources. Cultural resources will be incorporated within parks, green space, or other open space; archaeological resources will be covered; a cultural resource will be deemed to a permanent conservation easement; or the project will use other preservation and protection methods agreeable to the consulting parties and regulatory authorities with jurisdiction over the activity. Recommendations for avoidance of cultural resources and tribal cultural resources will be reviewed by the City representative, interested culturally affiliated Native American Tribes, and other appropriate agencies in light of factors such as costs, logistics, feasibility, design, technology, and social, cultural, and environmental considerations, and the extent to which avoidance is consistent with project objectives. Avoidance and design alternatives may include realignment within the project site to avoid cultural resources or tribal cultural resources, modification of the design to eliminate or reduce impacts on cultural resources or tribal cultural resources, or modification or realignment to avoid highly significant features within a cultural resource or tribal cultural resource. 	<p>Plan construction to avoid tribal cultural resources, archaeological sites, and/or other cultural resources.</p>	PUD, CNU	Project proponent	Prior to construction.	City of Sacramento Community Development Department
	<ul style="list-style-type: none"> Recommendations for avoidance of cultural resources and tribal cultural resources will be reviewed by the City representative, interested culturally affiliated Native American Tribes, and other appropriate agencies in light of factors such as costs, logistics, feasibility, design, technology, and social, cultural, and environmental considerations, and the extent to which avoidance is consistent with project objectives. Avoidance and design alternatives may include realignment within the project site to avoid cultural resources or tribal cultural resources, modification of the design to eliminate or reduce impacts on cultural resources or tribal cultural resources, or modification or realignment to avoid highly significant features within a cultural resource or tribal cultural resource. 	<p>Review recommendations for avoidance of cultural resources and tribal cultural resources. Invite interested Native American representatives from interested culturally affiliated Native American tribes to review and comment.</p>	PUD, CNU	Project proponent	Prior to construction.	City of Sacramento Community Development Department

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INNOVATION PARK PLANNED UNIT DEVELOPMENT MITIGATION MONITORING PLAN**

Impact	Mitigation Measure	Action(s)	Component	Implementing Party	Timing	Monitoring Party
	<ul style="list-style-type: none"> Native American representatives from interested culturally affiliated Native American Tribes will be invited to review and comment on these analyses and shall have the opportunity to meet with the City representative and its representatives who have technical expertise to identify and recommend feasible avoidance and design alternatives, so that appropriate avoidance and design alternatives can be identified. If the discovered cultural resource or tribal cultural resource can be avoided, the construction contractor(s) will install protective fencing outside the site boundary, including a 100-foot buffer area, before construction starts. The boundary of a cultural resource or a tribal cultural resource will be determined in consultation with interested culturally affiliated Native American tribes and tribes will be invited to monitor the installation of fencing. Use of temporary and permanent forms of protective fencing will be determined in consultation with Native American representatives from interested culturally affiliated Native American tribes. The construction contractor(s) will maintain the protective fencing throughout construction to avoid the site during all remaining phases of construction. The area will be demarcated as an "Environmentally Sensitive Area." <p>If a cultural resource or a tribal cultural resource cannot be avoided, the following performance standard shall be met before the commencement of construction and associated activities that may result in damage to or destruction of cultural resources or tribal cultural resources:</p> <ul style="list-style-type: none"> Each resource will be evaluated for California Register of Historical Resources eligibility through application of established eligibility criteria (California Code of Regulations Title 14, Section 15064.636), in consultation with consulting Native American Tribes, as applicable. <p>If a cultural resource or a tribal cultural resource is determined to be eligible for listing in the California Register, the City will avoid damaging effects on the resource in accordance with PRC Section 21084.3. The City shall coordinate the investigation of the find with a qualified archaeologist (meeting the Secretary of the Interior's Professional Qualifications Standards for Archeology) approved by the City and with interested culturally affiliated Native American tribes that respond to the City's invitation. As part of the site investigation and resource assessment, the City and the archaeologist shall consult with interested culturally affiliated Native American tribes to assess the significance of the find, make recommendations for further evaluation and treatment as necessary, and provide proper management recommendations should potential impacts on the resources be determined by the City to be significant. A written report detailing the site assessment, coordination activities, and management recommendations shall be provided to the City representative by the qualified archaeologist. These recommendations will be documented in the project record. For any recommendations made by interested culturally affiliated Native American tribes that are not implemented, a justification for why the recommendation was not followed will be provided in the project record. </p>	<p>Install protective fencing outside the site boundary of discovered, avoidable cultural resource or tribal cultural resources. This will include a 100-foot buffer area. Protective fencing will be maintained throughout construction.</p>	PUD, CNU	Project proponent	During ground-disturbing activities for individual applicable development projects.	City of Sacramento Community Development Department
	<ul style="list-style-type: none"> Each resource will be evaluated for California Register of Historical Resources eligibility through application of established eligibility criteria (California Code of Regulations Title 14, Section 15064.636), in consultation with consulting Native American Tribes, as applicable. 	<p>Evaluate a cultural resource or a tribal cultural resource that cannot be avoided for eligibility.</p>	PUD, CNU	Project proponent	During ground-disturbing activities for individual applicable development projects.	City of Sacramento Community Development Department
	<ul style="list-style-type: none"> Each resource will be evaluated for California Register of Historical Resources eligibility through application of established eligibility criteria (California Code of Regulations Title 14, Section 15064.636), in consultation with consulting Native American Tribes, as applicable. 	<p>Coordinate investigation of an eligible cultural resource or an eligible tribal cultural resource with a qualified archaeologist and avoid damaging. Consult with interested culturally affiliated Native American tribes for recommendations. Submit a written report by the qualified archaeologist detailing site assessment, coordination activities, and management recommendations to the City representative.</p>	PUD, CNU	Project proponent	During ground-disturbing activities for individual applicable development projects.	City of Sacramento Community Development Department

**TABLE 4-1
INNOVATION PARK PLANNED UNIT DEVELOPMENT MITIGATION MONITORING PLAN**

Impact	Mitigation Measure	Action(s)	Component	Implementing Party	Timing	Monitoring Party
4.4-2: Construction of development allowed under the proposed project could affect human remains.	<p>Native American representatives from interested culturally affiliated Native American tribes and the City representative will also consult to develop measures for long-term management of any discovered tribal cultural resources. Consultation will be limited to actions consistent with the jurisdiction of the City and taking into account ownership of the subject property. To the extent that the City has jurisdiction, routine operation and maintenance within tribal cultural resources retaining tribal cultural integrity shall be consistent with the avoidance and minimization standards identified in this Mitigation Measure.</p> <p>If the City determines that the project may cause a significant impact on a tribal cultural resource, and measures are not otherwise identified in the consultation process, the following are examples of mitigation capable of avoiding or substantially lessening potential significant impacts on a tribal cultural resource or alternatives that would avoid significant impacts on the resource. These measures may be considered to avoid or minimize significant adverse impacts and constitute the standard by which an impact conclusion of less than significant may be reached.</p> <ul style="list-style-type: none"> Avoid and preserve resources in place, including but not limited to planning construction to avoid the resources and protect the cultural and natural context, or planning green space, parks, or other open space to incorporate the resources with culturally appropriate protection and management criteria. Treat the resource with culturally appropriate dignity, taking into account the tribal cultural values and meaning of the resource, including but not limited to the following: <ul style="list-style-type: none"> Protect the cultural character and integrity of the resource. Protect the traditional use of the resource. Protect the confidentiality of the resource. Establish permanent conservation easements or other interests in real property, with culturally appropriate management criteria for the purposes of preserving or using the resources or places. Protect the resource. 	Consider the protocol described in Mitigation Measure 4.4-1(b) if measures are not identified for a tribal cultural resource.	PUD, CNU	Project proponent	During ground-disturbing activities for individual applicable development projects.	City of Sacramento Community Development Department
4.4-2: Construction of development allowed under the proposed project could affect human remains.	<p>4.4-2 If an inadvertent discovery of human remains is made at any time during project-related construction activities or project planning, the following performance standards shall be met before implementing or continuing actions such as construction that may result in damage to or destruction of human remains. In accordance with the California Health and Safety Code (HSC), if human remains are encountered during ground-disturbing activities, the City shall immediately halt potentially damaging excavation in the area of the remains and notify the Sacramento County Coroner and a qualified archaeologist (meeting the Secretary of the Interior's Professional Qualifications Standards for Archeology) to determine the nature of the remains. The coroner is required to examine all discoveries of human remains within 48 hours of receiving notice of a discovery on private or state lands (HSC Section 7050.5(p)).</p>	Cease work and notify the Sacramento County Coroner and a qualified archaeologist. Follow protocol for further notification including to the NAHC, if applicable. Contact the Native American Heritage Commission to identify the Most Likely Descendant, if applicable.	PUD, CNU	Project proponent	During ground-disturbing activities for individual applicable development projects.	City of Sacramento Community Development Department

**TABLE 4-1
INNOVATION PARK PLANNED UNIT DEVELOPMENT MITIGATION MONITORING PLAN**

Impact	Mitigation Measure	Action(s)	Component	Implementing Party	Timing	Monitoring Party
	<p>If the human remains are of historic age and are determined by the Sacramento County Coroner to be not of Native American origin, the City will follow the provisions of HSC Section 7000 et seq. regarding the disinterment and removal of non-Native American human remains.</p> <p>If the coroner determines that the remains are those of a Native American, he or she must contact the Native American Heritage Commission (NAHC) by phone within 24 hours of making that determination (HSC Section 7050(c)). After the coroner's findings have been made, the archaeologist and the NAHC-designated Most Likely Descendant, in consultation with the landowner, shall determine the ultimate treatment and disposition of the remains. The responsibilities of the City for acting upon notification of a discovery of Native American human remains are identified in Public Resources Code Section 5097.9 et seq.</p>	See Mitigation Measures 4.2-1(a) and 4.2-1(b) and/or Mitigation Measure 4.4-2, as applicable.	See Mitigation Measures 4.2-1(a) and 4.2-1(b) and/or Mitigation Measure 4.4-2, as applicable.	See Mitigation Measures 4.2-1(a) and 4.2-1(b) and/or Mitigation Measure 4.4-2, as applicable.	See Mitigation Measures 4.2-1(a) and 4.2-1(b) and/or Mitigation Measure 4.4-2, as applicable.	See Mitigation Measures 4.2-1(a) and 4.2-1(b) and/or Mitigation Measure 4.4-2, as applicable.
4.4-3: Construction of development allowed under the proposed project could affect tribal cultural resources.	4.4-3 Implement Mitigation Measures 4.2-1(a) and 4.2-1(b) and/or Mitigation Measure 4.4-2, as applicable.	See Mitigation Measures 4.2-1(a) and 4.2-1(b) and/or Mitigation Measure 4.4-2, as applicable.	See Mitigation Measures 4.2-1(a) and 4.2-1(b) and/or Mitigation Measure 4.4-2, as applicable.	See Mitigation Measures 4.2-1(a) and 4.2-1(b) and/or Mitigation Measure 4.4-2, as applicable.	See Mitigation Measures 4.2-1(a) and 4.2-1(b) and/or Mitigation Measure 4.4-2, as applicable.	See Mitigation Measures 4.2-1(a) and 4.2-1(b) and/or Mitigation Measure 4.4-2, as applicable.
4.4-4: Construction of development allowed under the proposed project, in combination with other development, could contribute to the cumulative loss or alteration of historic-era and indigenous archaeological resources and/or human remains in archaeological contexts.	4.4-4 Implement Mitigation Measures 4.2-1(a) and 4.2-1(b) and/or Mitigation Measure 4.4-2, as applicable.	See Mitigation Measures 4.2-1(a) and 4.2-1(b) and/or Mitigation Measure 4.4-2, as applicable.	See Mitigation Measures 4.2-1(a) and 4.2-1(b) and/or Mitigation Measure 4.4-2, as applicable.	See Mitigation Measures 4.2-1(a) and 4.2-1(b) and/or Mitigation Measure 4.4-2, as applicable.	See Mitigation Measures 4.2-1(a) and 4.2-1(b) and/or Mitigation Measure 4.4-2, as applicable.	See Mitigation Measures 4.2-1(a) and 4.2-1(b) and/or Mitigation Measure 4.4-2, as applicable.
4.6 Global Climate Change						
4.6-1: Construction of the proposed project could generate GHG emissions, either directly or indirectly, that may have a significant impact on the environment.	<p>Based on guidance from SMAQMD, the project proponents and/or construction contractors shall implement the following design features and on-site measures to reduce construction GHG emissions.</p> <ol style="list-style-type: none"> i. Improve fuel efficiency from construction equipment: <ol style="list-style-type: none"> 1. Limit idling time either by shutting equipment off when not in use or reducing the time of idling to no more than 3 minutes (5 minute limit is required by the state airborne toxics control measure [Title 13, sections 2449(c)(3) and 2485 of the California Code of Regulations]). Provide clear signage that posts this requirement for workers at the entrances to the site. 2. Maintain all construction equipment in proper working condition according to manufacturer's specifications. The equipment must be checked by a certified mechanic and determined to be running in proper condition before it is operated. 3. All equipment operators shall be trained in the proper use of equipment in accordance with the equipment manufacturer's specifications. 4. Use the proper size of equipment for the job based on the professional experience of the construction contractor foreman. 	Implement design features and on-site measures outlined in Mitigation Measure 4.6-1a for reduction of GHG emissions.	PUD, CNU	Project proponent	During site plan and design, and during construction.	City of Sacramento Community Development Department

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INNOVATION PARK PLANNED UNIT DEVELOPMENT MITIGATION MONITORING PLAN**

Impact	Mitigation Measure	Action(s)	Component	Implementing Party	Timing	Monitoring Party
	<p>5. Use equipment with new technologies (e.g., repowered engines, electric drive trains) where commercially available. Prior to the commencement of construction, any lack of availability shall be demonstrated with documentation from at least two heavy equipment providers in the greater Sacramento area. Such documentation shall be submitted to the City and SMAQMD.</p> <p>The construction contractor shall retain a qualified expert to evaluate whether on-site material hauling with trucks equipped with on-road engines would be less emissive than trucks with off-road engines based on horsepower and emission factor. If it is determined to be less emissive, and confirmed by the City and SMAQMD, trucks with on-road engines shall be used for on-site material hauling.</p> <p>iii. Use alternative fuels, such as propane or solar, for generators at construction sites or use electrical power.</p> <p>iv. Use a California Air Resources Board approved low carbon fuel for construction equipment. (Oxides of nitrogen emissions from the use of low carbon fuel must not be allowed to increase due to this measure.)</p> <p>v. Provide carpools, shuttle vans, transit passes, and/or secure bicycle parking for construction worker commutes.</p> <p>vi. Reduce electricity use in the construction offices(s) by using compact fluorescent bulbs; powering off computers every day; and replacing heating and cooling units with more efficient ones.</p> <p>vii. Recycle or salvage non-hazardous construction and demolition debris (goal of at least 75 percent by weight).</p> <p>viii. Use locally sourced or recycled materials for construction materials (goal of at least 20 percent based on costs for building materials, and based on volume for roadway, parking lot, sidewalk, and curb materials). Wood products utilized should be certified through a sustainable forestry program.</p> <p>ix. Utilize a low carbon concrete option.</p> <p>x. Use SmartWay certified trucks for deliveries and equipment transport.</p>	<p>Retain a qualified expert to evaluate what engine would be less emissive.</p> <p>Implement design features and on-site measures outlined in Mitigation Measure 4.6-1a for reduction of GHG emissions.</p>	<p>PUD, CNU</p> <p>PUD, CNU</p>	<p>Project proponent</p> <p>Project proponent</p>	<p>During site plan and design and during construction.</p> <p>During site plan and design.</p>	<p>City of Sacramento Community Development Department</p> <p>City of Sacramento Community Development Department</p>
	<p>4.6-1b If full implementation of Mitigation Measure 4.6-1a is determined by a qualified expert retained by the project proponent(s) and verified by the City to not reduce construction emissions below the 1,100 metric tons CO₂-e/year construction threshold, prior to the commencement of the construction activities for each calendar year, project proponent(s) shall provide the City documentation that verified carbon offset credits have been purchased and retired for their fair share of this metric tons CO₂-e to offset project construction-related GHG emissions that would otherwise exceed the SMAQMD's construction significance threshold. Each project proponent's construction emissions calculations and estimates shall be prepared by a qualified expert and provided to the City for review and approval. The City will then determine each proponent's fair share of construction emissions with the Innovation Park PUD for that year based on the total City-approved project construction emissions estimates for the year. Each proponent will then be responsible for mitigating its fair share</p>	<p>Provide documentation of verified carbon offset credits being purchased to offset project construction related emissions that exceed SMAQMD's construction significance threshold. Retain a qualified expert to verify this.</p>	<p>PUD, CNU</p>	<p>Project proponent</p>	<p>Prior to the commencement of the construction activities for each calendar year, and within 60 days of the City's approval of estimated emissions.</p>	<p>City of Sacramento Community Development Department Sacramento Metropolitan Air Quality Management District (SMAQMD)</p>

PUD = Planned Unit Development, CNU = California Northstate University

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Impact	Mitigation Measure	Action(s)	Component	Implementing Party	Timing	Monitoring Party
	<p>of construction emissions that exceed the significance threshold. Within 60 days of City approval of the estimated emissions, the project proponent(s) shall provide verification to the City that carbon offset credits have been purchased for the amount identified by the City-approved emissions estimates.</p> <p>The carbon offset credits shall be from a registry approved by CARB, and be quantified and verified using protocols that are consistent with the criteria identified in the California Code of Regulations, title 17, section 95972 – namely that they be real, permanent, quantifiable, verifiable, additional as defined by Health and Safety Code section 38562, subdivisions (1) and (2) and California Code of Regulations, title 17, section 95602, subdivision (e), and enforceable. In addition, any offsets originating outside California must have GHG emissions programs equivalent to, or more stringent than, California's cap and trade program.</p>					
	<p>4.6-1c As an alternative to implementation of Mitigation Measures 4.6-1a and/or 4.6-1b, if a demolition, grading, and/or building permit application for a project within the Innovation Park PUD area is submitted subsequent to the adoption of a City of Sacramento Climate Action Plan (CAP) that meets the requirements of CEQA Section 15188.5 (b), for tiering and streamlining the analysis of GHG emissions (i.e., CEQA-qualified GHG reduction plan), that project shall be designed, constructed, and operated in compliance with the CAP. The City shall document such compliance in written findings prior to the issuance of the building permit. To substantiate that the project construction complies with the requirements of the CAP, the proponent(s) shall provide the City with an analysis prepared by a qualified expert that identifies the requirements specified in the CAP that apply to construction of the project and, if those requirements are not otherwise binding and enforceable, the proponent(s) shall commit to incorporating those requirements as part of the project. Documentation of incorporation of requirements shall be submitted to the City and approved by the City prior to the commencement of construction activities and no additional mitigation shall be required.</p>	<p>Incorporate requirements under the City of Sacramento Climate Action Plan into construction plans for the project with assistance from a qualified expert as outlined in Mitigation Measure 4.6-1c.</p>	<p>PUD, CNU</p>	<p>Project proponent</p>	<p>During project design and if the City of Sacramento Climate Action Plan is adopted before a demolition, grading and/or building permit application for a project is submitted.</p>	<p>City of Sacramento Community Development Department</p>
<p>4.6-2: Operation of the proposed project could generate GHG emissions, either directly or indirectly, that may have a significant impact on the environment.</p>	<p>4.6-2a Following guidance from SMAQMD, the project shall include the following design features and on-site measures to reduce operational energy emissions:</p> <ul style="list-style-type: none"> i. Building electrification: Consistent with the Tier 1 BMPs and the City of Sacramento's recently adopted ordinance significantly limiting natural gas infrastructure in all new construction, all buildings other than the CNU/Medical Center shall be designed to be 100 percent electric and to not include any natural gas appliances, including water heaters, clothes washers and dryers, HVAC systems, and stoves. ii. On-site measures to offset CNU Medical Center Natural Gas Combustion GHG Emissions: <ul style="list-style-type: none"> a. Install on-site rooftop solar PV panels or other on-site renewable energy on all buildings including the CNU Medical Center, subject to space availability. 	<p>Implement the design features and onsite measures for building electrification, on-site measures to offset CNU Medical Center Natural Gas Combustion GHG Emissions, and electric vehicles as described in Mitigation Measure 4.6-2a.</p>	<p>PUD, CNU</p>	<p>Project proponent</p>	<p>During site plan and design.</p>	<p>City of Sacramento Community Development Department</p>

4 Currently, CARB-approved GHG offset registries include the Climate Action Reserve, the American Carbon Registry, and Verra (previously, Verified Carbon Standard)

PUD = Planned Unit Development, CNU = California Northstate University

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Impact	Mitigation Measure	Action(s)	Component	Implementing Party	Timing	Monitoring Party
	<p>b. Implement an all-electric food service facility where feasible.</p> <p>c. Use electric process equipment for pharmaceutical manufacturing where feasible.</p> <p>d. The CNU Medical Center hospital building shall be constructed to achieve Leadership in Energy and Environmental Design (LEED) Gold certification.</p> <p>ii. Electric vehicle ready: Consistent with the SMAQMD Tier 1 BMPs and the City's recently adopted EV charging ordinance, the project shall meet the CALGreen Tier 2 standards for EV charging infrastructure, except all EV capable spaces shall instead be EV ready.⁵</p> <p>a. At least 20 percent of residential parking spaces and 10 percent of non-residential parking spaces will be EV ready.</p> <p>b. At least 22 percent of parking spaces will be dedicated to any combination of low-emitting, fuel-efficient, and carpool/van pool vehicles.</p>		PUD, CNU	Project proponent	Prior to the commencement of the project operations.	City of Sacramento Community Development Department
	<p>4.5-2b</p> <p>If full implementation of Mitigation Measure 4.5-2a is determined by the project proponent(s) and verified by the City as infeasible, prior to the commencement of the project operations, the project proponent(s) shall provide the following information to the City: (a) a detailed estimate of the average annual natural gas combustion emissions that will be generated by the project's operations that have been verified to be essential to the project; (b) a detailed estimate of the average annual natural gas combustion emissions that will be generated by the project's operations that have been verified to be essential to the project; (c) a detailed estimate of the average annual natural gas combustion emissions that will be generated by the project's operations that have been verified to be essential to the project; (d) a detailed estimate of the average annual natural gas combustion emissions that will be generated by the project's operations that have been verified to be essential to the project; (e) a detailed estimate of the average annual natural gas combustion emissions that will be generated by the project's operations that have been verified to be essential to the project; (f) a detailed estimate of the average annual natural gas combustion emissions that will be generated by the project's operations that have been verified to be essential to the project; (g) a detailed estimate of the average annual natural gas combustion emissions that will be generated by the project's operations that have been verified to be essential to the project; (h) a detailed estimate of the average annual natural gas combustion emissions that will be generated by the project's operations that have been verified to be essential to the project; (i) a detailed estimate of the average annual natural gas combustion emissions that will be generated by the project's operations that have been verified to be essential to the project; (j) a detailed estimate of the average annual natural gas combustion emissions that will be generated by the project's operations that have been verified to be essential to the project; (k) a detailed estimate of the average annual natural gas combustion emissions that will be generated by the project's operations that have been verified to be essential to the project; (l) a detailed estimate of the average annual natural gas combustion emissions that will be generated by the project's operations that have been verified to be essential to the project; (m) a detailed estimate of the average annual natural gas combustion emissions that will be generated by the project's operations that have been verified to be essential to the project; (n) a detailed estimate of the average annual natural gas combustion emissions that will be generated by the project's operations that have been verified to be essential to the project; (o) a detailed estimate of the average annual natural gas combustion emissions that will be generated by the project's operations that have been verified to be essential to the project; (p) a detailed estimate of the average annual natural gas combustion emissions that will be generated by the project's operations that have been verified to be essential to the project; (q) a detailed estimate of the average annual natural gas combustion emissions that will be generated by the project's operations that have been verified to be essential to the project; (r) a detailed estimate of the average annual natural gas combustion emissions that will be generated by the project's operations that have been verified to be essential to the project; (s) a detailed estimate of the average annual natural gas combustion emissions that will be generated by the project's operations that have been verified to be essential to the project; (t) a detailed estimate of the average annual natural gas combustion emissions that will be generated by the project's operations that have been verified to be essential to the project; (u) a detailed estimate of the average annual natural gas combustion emissions that will be generated by the project's operations that have been verified to be essential to the project; (v) a detailed estimate of the average annual natural gas combustion emissions that will be generated by the project's operations that have been verified to be essential to the project; (w) a detailed estimate of the average annual natural gas combustion emissions that will be generated by the project's operations that have been verified to be essential to the project; (x) a detailed estimate of the average annual natural gas combustion emissions that will be generated by the project's operations that have been verified to be essential to the project; (y) a detailed estimate of the average annual natural gas combustion emissions that will be generated by the project's operations that have been verified to be essential to the project; (z) a detailed estimate of the average annual natural gas combustion emissions that will be generated by the project's operations that have been verified to be essential to the project.</p>	<p>Provide estimate from a licensed engineer that average annual natural gas combustion emissions were essential to operations. Provide documentation for the purchase of credits to offset natural gas combustion GHG emissions to net zero for each year of operation.</p>	PUD, CNU	Project proponent	Prior to the commencement of the project operations.	City of Sacramento Community Development Department

⁵ For the purposes of this Draft EIR, "EV ready" shall mean installation of parking spaces as defined by CALGreen Section 5.106.5.3.2, plus the installation of an electrical junction box or charging outlet at charging site.

**TABLE 4-1
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Impact	Mitigation Measure	Action(s)	Component	Implementing Party	Timing	Monitoring Party
	<p>4.6-2c As an alternative to implementation of Mitigation Measures 4.6-2a and/or 4.6-2b, if an occupancy permit application for a project within the Innovation Park PUD area is submitted subsequent to the adoption of a City of Sacramento Climate Action Plan (CAP), which meets the requirements of CEQA Section 15183.5 (b), for tiering and streamlining the analysis of GHG emissions (i.e., CEQA-qualified GHG reduction plan), that project shall be designed, constructed, and operated in compliance with the CAP. The City shall document such compliance in written findings prior to the issuance of the building permit. To substantiate that the project construction complies with the requirements of the CAP, the proponent(s) shall provide the City with an analysis prepared by a qualified expert that identifies the requirements specified in the CAP that apply to construction of the project and, if those requirements are not otherwise binding and enforceable, the proponent(s) shall commit to incorporating those requirements as part of the project. Documentation of incorporation of requirements shall be submitted to the City and approved by the City prior to the commencement of operations.</p>	<p>Incorporate requirements under the City of Sacramento Climate Action Plan into construction plans for the project, with assistance from a qualified expert as outlined in Mitigation Measure 4.6-2c.</p>	PUD, CNU	Project proponent	During project design if the City of Sacramento Climate Action Plan has been adopted	City of Sacramento Community Development Department
<p>4.6-4: Implementation of the proposed project could conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gas emissions.</p>	<p>4.6-4 Implement Mitigation Measures 4.6-1a through 4.6-1c and Mitigation Measures 4.6-2a through 4.6-2c.</p>	<p>See Mitigation Measures 4.6-1a through 4.6-1c and Mitigation Measures 4.6-2a through 4.6-2c.</p>	See Mitigation Measures 4.6-1a through 4.6-1c and Mitigation Measures 4.6-2a through 4.6-2c.	See Mitigation Measures 4.6-1a through 4.6-1c and Mitigation Measures 4.6-2a through 4.6-2c.	See Mitigation Measures 4.6-1a through 4.6-1c and Mitigation Measures 4.6-2a through 4.6-2c.	See Mitigation Measures 4.6-1c and Mitigation Measures 4.6-2a through 4.6-2c.
<p>4.7 Hazards and Hazardous Materials</p> <p>4.7-1: The proposed project would not create a significant hazard to the public or the environment through the routine transport, use, disposal, or accidental release of hazardous materials.</p>	<p>4.7-1(a) Before the start of ground-disturbing activities, including grading, trenching, or excavation, the project proponent shall conduct a Phase I Environmental Site Assessment in accordance with American Society of Testing and Materials (ASTM) Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process (ASTM E1527), 40 Code of Federal Regulations (CFR) Section 312.1, Purpose, Applicability, Scope and Disclosure Obligations. The purpose of the Phase I assessment is to identify Recognized Environmental Conditions (RECs), as defined in the ASTM standard. The Phase I assessment shall include the following:</p> <ul style="list-style-type: none"> A review of governmental records to check for hazardous materials spills, releases, or violations that could affect the use of the property. A site inspection to visually check for RECs An interview of key personnel with knowledge of the historical and current uses of the property A report documenting the findings, identifying any data gaps that affect the identification of RECs, and recommendations for further actions, as needed (e.g., sampling of onsite soil) 	<p>Conduct a Phase I Environmental Site Assessment as described in Mitigation Measure 4.7-1(a).</p>	PUD, CNU	Project proponent	Prior to the start of ground-disturbing activities.	City of Sacramento Community Development Department

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INNOVATION PARK PLANNED UNIT DEVELOPMENT MITIGATION MONITORING PLAN**

Impact	Mitigation Measure	Action(s)	Component	Implementing Party	Timing	Monitoring Party
	<p>4.7-1(b) Before the start of ground-disturbing activities, including grading, trenching, or excavation, the project proponent shall require that the construction contractor(s) retain a qualified professional to prepare a site-specific health and safety plan (HASP) in accordance with regulations of the U.S. Occupational Safety and Health Administration (OSHA) (Code of Federal Regulations (CFR) Title 29, Section 1910.120 (29 CFR 1910.120)) and the California Occupational Safety and Health Administration (Cal/OSHA) (8 CCR Section 5192).</p> <p>The HASP shall be implemented by the construction contractor to protect construction workers, the public, and the environment during all ground-disturbing activities. HASPs shall be submitted to the Sacramento County Environmental Management Department (SCEMD) for review and approval, and any other applicable oversight regulatory agency for review before the start of construction activities and as a condition of the grading and/or construction permit(s). The HASP shall include, but not be limited to, the following elements:</p> <ul style="list-style-type: none"> • Designation of a trained, experienced site safety and health supervisor who has the responsibility and authority to implement the site HASP. • A summary of all potential risks to demolition and construction workers and maximum exposure limits for all known and reasonably foreseeable site chemicals, these would include the OSHA and Cal/OSHA Permissible Exposure Limits, available at Permissible Exposure Limits—Annotated Tables (https://www.osha.gov/annotated-peels). • Specified personal protective equipment and decontamination procedures according to OSHA standards, if needed. • The requirement to prepare documentation showing that HASP measures have been implemented during construction (e.g., taggate safety meeting notes with a sign-up sheet for attendees). • A requirement specifying that any site worker who identifies hazardous materials has the authority to stop work and notify the site's safety and health supervisor. • Emergency procedures, including the route to the nearest hospital. • Procedures to follow if evidence of potential soil contamination is encountered (such as soil staining, noxious odors, debris, or buried storage containers). These procedures shall be followed in accordance with hazardous waste operations regulations and specifically include, but not be limited to, immediately stopping work in the vicinity of the unknown hazardous materials release; notifying SCEMD; and retaining a qualified environmental firm to perform sampling and remediation. The remediation (i.e., cleanup) would be to existing regulatory action levels (e.g., ESLs and RSLs; see Section 4.7.1 Environmental Setting, Hazardous Materials for summary of regulatory action levels) acceptable to the overseeing regulatory agency (DTSC, RWQCB, or SCEMD depending on which agency has jurisdiction). 	<p>Retain a qualified professional to prepare a site-specific health and safety plan that includes the elements described in Mitigation Measure 4.7-1(b). The Health and Safety Plan will be implemented by the construction contractor during all ground disturbing activities.</p>	PUD, CNU	Project proponent	Prior to the start of ground-disturbing activities.	City of Sacramento Community Development Department, US Occupational Safety and Health Administration (OSHA)

**TABLE 4-1
INNOVATION PARK PLANNED UNIT DEVELOPMENT MITIGATION MONITORING PLAN**

Impact	Mitigation Measure	Action(s)	Component	Implementing Party	Timing	Monitoring Party
	<p>4.7-1(c) In support of the health and safety plan described in Mitigation Measure 4.7-1(b), the project proponent for the specific work proposed shall develop and require that its contractor(s) develop and implement a site management plan (SMP) for the management of soil and groundwater before any ground-disturbing activity. The SMP may be prepared for the entire project area, for groups of parcels, or for individual parcels. In any case, all such parcels shall be covered by such a plan. Each SMP shall include the following, at a minimum:</p> <ul style="list-style-type: none"> • Site description, including the hazardous materials that may be encountered. • Roles and responsibilities of on-site workers, supervisors, and the regulatory agency. • Training for site workers focused on the recognition of and response to encountering hazardous materials (see Section 4.7.1 Environmental Setting, Hazardous Materials for summary of regulatory action levels). • Protocols for the testing, handling, removal, transport, and disposal of all excavated soil and dewatering effluent in a safe, appropriate, and lawful manner. • Reporting requirement to SCEMD, documenting that site activities were conducted in accordance with the SMP. <p>SMPs for parcels with soil or groundwater containing chemicals above environmental screening levels for the proposed land use shall be submitted to the regulatory agency with jurisdiction (i.e., California Department of Toxic Substances Control, Central Valley Regional Water Quality Control Board, or SCEMD) for review as a condition of the grading and/or construction permit(s). The contract specifications shall mandate full compliance with all applicable federal, state, and local regulations related to the identification, transportation, and disposal of hazardous materials. Regulatory environmental screening levels include the ESLs and RSLs</p> <p>For work that would encounter groundwater, contractors shall include a groundwater dewatering control and disposal plan in the SMP, specifying how groundwater (dewatering effluent) will be handled and disposed of in a safe, appropriate, and lawful manner; should any be encountered. The groundwater portion of the SMPs shall include the following information, at a minimum:</p> <ul style="list-style-type: none"> • The locations at which groundwater dewatering is likely to be required. • Testing methods to analyze groundwater for hazardous materials. • Appropriate treatment and/or disposal methods. • A discussion of discharge to a publicly owned treatment works or the stormwater system, in accordance with any regulatory requirements the treatment works may have, if this effluent disposal option is to be used. 	Develop and require contractor(s) to implement a site management plan for the management of soil and groundwater which includes the details described in Mitigation Measure 4.7-1(c).	PUD, CNU	Project proponent	Prior to any ground-disturbing activity.	City of Sacramento Community Development Department
		Submit soil or groundwater containing chemicals above environmental screening levels to the appropriate regulatory agency for review.	PUD, CNU	Project proponent	Prior to any ground-disturbing activity.	City of Sacramento Community Development Department, CDTSC, CVRWQCB and SCEMD
		Include a groundwater dewatering control and disposal plan for safe, appropriate handling of groundwater as described in Mitigation Measure 4.7-1(c).	PUD, CNU	Project proponent	Prior to any ground-disturbing activity.	City of Sacramento Community Development Department

**TABLE 4-1
INNOVATION PARK PLANNED UNIT DEVELOPMENT MITIGATION MONITORING PLAN**

Impact	Mitigation Measure	Action(s)	Component	Implementing Party	Timing	Monitoring Party
4.7-4: The proposed project could impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan.	4.10-5 See Section 4.10, Transportation and Circulation, Impact 4.10-5, for the text of this Mitigation Measure. This measure, which would be required as a condition of permitting, would manage the movement of vehicles. The construction traffic plan would include measures to ensure that traffic, including emergency vehicles, would be able to reach the residential and commercial properties that surround the project area.	Include a construction traffic plan as described in Section 4.10, Transportation and Circulation, Impact 4.10-5.	PUD, CNU	Project proponent	Prior to construction.	City of Sacramento Community Development Department
4.7-5: The proposed project, in combination with other cumulative development, would not create a significant hazard to the public or the environment through the routine transport, use, disposal, or accidental release of hazardous materials.	4.7-5 Implement Mitigation Measures 4.7-1(a) through 4.7-1(c).	See Mitigation Measures 4.7-1(a) through 4.7-1(c).	See Mitigation Measures 4.7-1(a) through 4.7-1(c).	See Mitigation Measures 4.7-1(a) through 4.7-1(c).	See Mitigation Measures 4.7-1(a) through 4.7-1(c).	See Mitigation Measures 4.7-1(a) through 4.7-1(c).
4.7-8: The proposed project, could, in combination with other cumulative development, impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan.	4.7-8 Implement Mitigation Measure 4.10-5 (under impact 4.7-4).	See Mitigation Measure 4.10-5 (under impact 4.7-4).	See Mitigation Measure 4.10-5 (under impact 4.7-4).	See Mitigation Measure 4.10-5 (under impact 4.7-4).	See Mitigation Measure 4.10-5 (under impact 4.7-4).	See Mitigation Measure 4.10-5 (under impact 4.7-4).
4.8 Noise and Vibration						
4.8-1: Construction activities for the proposed project would result in substantial temporary or periodic increases in ambient noise levels in the area.	4.8-1(a) Proponents for individual projects proposed under the Innovation Park PUD shall require construction and demolition contractors to prepare and implement a construction noise reduction plan, to be included in all grading, demolition, and construction plans, that implements the following construction noise reduction measures during demolition, grading, and construction activities. These plans shall be submitted to the City of Sacramento Community Development Department to be included either as Conditions of Approval (COA) or in a Mitigation Monitoring and Reporting Program (MMRP):	Implement a construction noise reduction plan that includes the details described under Mitigation Measure 4.8-1(b).	PUD, CNU	Project proponent	Prior to issuance of demolition or grading permit.	City of Sacramento Community Development Department
	1. Consistent with Section 8.68.080 of the City of Sacramento Noise Control Ordinance, demolition and construction activities shall occur only between 7:00 a.m. and 6:00 p.m. Monday through Saturday and between 9:00 a.m. and 6:00 p.m. on Sundays.	Construction activities shall only occur during the hours specified or be evaluated on a case-by-case approval basis.	PUD, CNU	Project proponent	Prior to issuance of demolition or grading permit.	City of Sacramento Community Development Department
	2. Any demolition or construction activity proposed to occur outside of the designated hours listed above shall be evaluated on a case-by-case basis and shall only be allowed with the prior written authorization of the City's Building Services Division. Such activities shall not exceed a period of three days.					
	3. All equipment and trucks used for demolition and construction shall be equipped with the best available noise control techniques (e.g., improved mufflers, redesigned equipment, intake silencers, ducts, engine enclosures, and acoustically attenuating shields or shrouds).	Implement best available noise control techniques for all equipment and trucks.	PUD, CNU	Project proponent	Prior to issuance of demolition or grading permit.	City of Sacramento Community Development Department

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INNOVATION PARK PLANNED UNIT DEVELOPMENT MITIGATION MONITORING PLAN**

Impact	Mitigation Measure	Action(s)	Component	Implementing Party	Timing	Monitoring Party
	<p>4. Impact tools (e.g., jackhammers, pavement breakers, and rock drills) used for demolition and construction shall be hydraulically or electrically powered wherever possible to avoid noise associated with compressed air exhaust from pneumatically powered tools. Where the use of pneumatic tools is unavoidable, an exhaust muffler on the compressed air exhaust shall be used; this muffler can lower noise levels from the exhaust by up to about 10 dBA. External jackets on the tools themselves shall be used where feasible; this could achieve a reduction of 5 dBA.</p> <p>5. Stationary noise sources shall be located as far from adjacent receptors as possible and shall be muffled and enclosed within temporary sheds, incorporate insulation barriers, or include other measures.</p> <p>6. Temporary noise barriers or shielding shall be erected for construction work involving heavy-duty construction equipment if the other noise reduction methods are not effective or possible and if occurring within 300 feet of receptors for an extended period of time (more than two weeks).</p> <p>7. Advance notice shall be provided to all noise sensitive receptors located within 300 feet of demolition and construction activities by mail at least fourteen days before the beginning of construction activity. Notice will include the approximate start date and duration of construction activities.</p> <p>8. Noise-reducing pile installation techniques shall be employed during construction for projects requiring installation of piles. These techniques shall include:</p> <ul style="list-style-type: none"> - Installing cast-in-place concrete piles. Noise from auger drilling is 17 dBA less than noise from an impact pile driver. - Vibrating piles into place and installing shrouds around the pile-driving hammer where feasible. - Installing intake and exhaust mufflers on pile-driving equipment. - Implementing "quiet" pile-driving technology (such as pre-drilling piles and using more than one pile driver to shorten the total duration of pile driving). - Using cushion blocks to dampen impact noise. Cushion blocks are blocks of material that are used with impact hammer pile drivers. They consist of blocks of material placed atop a piling during installation to minimize noise generated when driving the pile. Materials typically used for cushion blocks include wood, nylon, and mica (a composite material). <p>4.8-1(b) If Implosion is chosen as the method for demolishing the Sleep Train Arena building, the construction noise reduction plan discussed in Mitigation Measure 4.8-1(a) shall include measures to reduce noise impacts from implosion on receptors in the vicinity. Measures shall include but not be limited to the following:</p>	<p>Stationary noise sources should be located as far away from receptors.</p> <p>Implement temporary noise barriers to shield construction sites from sensitive uses.</p> <p>Provide advance notice to all noise sensitive receptors within 300 feet of demolition.</p> <p>Implement noise reduction pile installation techniques during installation of piles.</p>	<p>PUD, CNU</p> <p>PUD, CNU</p> <p>PUD, CNU</p> <p>PUD, CNU</p>	<p>Project proponent</p> <p>Project proponent</p> <p>Project proponent</p> <p>Project proponent</p>	<p>Prior to issuance of demolition or grading permit.</p> <p>Prior to issuance of demolition or grading permit.</p> <p>At least 14 days prior to beginning of construction activity.</p> <p>Prior to issuance of demolition or grading permit.</p>	<p>City of Sacramento Community Development Department</p> <p>City of Sacramento Community Development Department</p> <p>City of Sacramento Community Development Department</p> <p>City of Sacramento Community Development Department</p>
	<p>4.8-1(b) If Implosion is chosen as the method for demolishing the Sleep Train Arena building, the construction noise reduction plan discussed in Mitigation Measure 4.8-1(a) shall include measures to reduce noise impacts from implosion on receptors in the vicinity. Measures shall include but not be limited to the following:</p>	<p>Implement protocol outlined in mitigation Measure 4.8-1(b) if Implosion is chosen.</p>	<p>PUD, CNU</p>	<p>Project proponent</p>	<p>Prior to issuance of demolition or grading permit, if Implosion is chosen for demolition of the Sleep Train Arena building.</p>	<p>City of Sacramento Community Development Department</p>

**TABLE 4-1
INNOVATION PARK PLANNED UNIT DEVELOPMENT MITIGATION MONITORING PLAN**

Impact	Mitigation Measure	Action(s)	Component	Implementing Party	Timing	Monitoring Party
4.8-2: Construction activities for the proposed project could expose persons to or generate excessive groundborne noise or groundborne vibration levels.	<p>1. A detailed project-specific study shall be conducted that assesses the impacts of imploding the arena, including safety, air quality, noise, vibration, and seismic impacts, based on the size of the arena and the amount of explosives used. An independent third-party engineering consultant that specializes in seismic monitoring shall measure ground vibration levels on the day of the event to verify that the implosion goes as planned.</p> <p>2. An adequate exclusion zone around the arena, as determined by the project-specific feasibility study mentioned above, shall be demarked and maintained for as long as safety requirements warrant before and after the implosion.</p> <p>3. All land uses within the exclusion zone shall be notified by mail 30 days in advance of the planned implosion, with reminders sent out a week before. Notifications shall include the date and time of the planned implosion, the extent of the exclusion zone, information on street closures, and the amount of time the exclusion zone and street closures will be maintained. Occupants of land uses within the exclusion zone shall be advised to stay indoors with windows and doors closed for the duration of the implosion.</p> <p>4. The same information shall also be posted as signs around the project area boundary, along with the name and telephone number of a complaint coordinator to contact with questions and complaints.</p> <p>5. Transportation and temporary relocation to a to-be-determined site shall be provided to sensitive receptors located within 0.25 miles of the arena building. Sensitive receptors will be returned to their original locations following completion of the planned implosion.</p>	Conduct a detailed project-specific study, including monitoring by an independent third-party engineering consultant.	PUD, CNU	Project proponent	Prior to issuance of demolition or grading permit, if implosion is chosen for demolition of the Sleep Train Arena building.	City of Sacramento Community Development Department
		Implement an exclusion zone around the area in accordance with the project-specific study.	PUD, CNU	Project proponent	Prior to issuance of demolition or grading permit, if implosion is chosen for demolition of the Sleep Train Arena building.	City of Sacramento Community Development Department
		Provide notification to land uses within the exclusion zone and provide information around the project area boundary.	PUD, CNU	Project proponent	30 days prior to planned implosion, with reminders sent out a week before.	City of Sacramento Community Development Department
		Provide transportation and temporary relocation to sensitive receptors within 0.25 miles.	PUD, CNU	Project proponent	Prior to issuance of demolition or grading permit, if implosion is chosen for demolition of the Sleep Train Arena building.	City of Sacramento Community Development Department
		Implement a construction vibration management plan prepared by a qualified acoustical consultant for the City to review and approve. Incorporate the potential measures outlined in Mitigation Measure 4.8-2.	PUD, CNU	Project proponent	Prior to any extreme vibration generating activities.	City of Sacramento Community Development Department

**TABLE 4-1
INNOVATION PARK PLANNED UNIT DEVELOPMENT MITIGATION MONITORING PLAN**

Impact	Mitigation Measure	Action(s)	Component	Implementing Party	Timing	Monitoring Party
	<p>4. Notifying property owners and occupants located within 300 feet of the construction activities at least 14 calendar days before the start of extreme noise- and vibration-generating activities. Before providing the notice, CNU shall submit to the City of Sacramento Community Development Department for review and approval a list of the proposed type and duration of extreme noise- and vibration-generating activities and the proposed public notice. The public notice shall provide the estimated start and end dates of the extreme noise- and vibration-generating activities and describe the attenuation measures to be implemented.</p> <p>Implement Mitigation Measure 4.8-1(b)</p>	<p>Provide notice to property owners and occupants within 300 feet of the construction.</p>	PUD, CNU	Project proponent	At least 14 days prior to the start of extreme noise and vibration generating activities.	City of Sacramento Community Development Department
	<p>4.8-3 The increase in traffic associated with development allowed under the proposed project would increase roadside noise levels in the area.</p> <p>Individual projects proposed under the proposed Innovation Park PUD and the proposed student housing of the CNU shall undergo turnover review as they are proposed for development. As stated in Section 2.4.3, the proposed Innovation Park PUD requires a site plan and design review process that would ensure that future development projects are consistent with the goals, policies, objectives, and other provisions of the Innovation Park PUD. If future traffic noise levels at noise-sensitive land uses along roadway segments would be significantly affected by project traffic, one or more of the following measures shall be considered to maintain an exterior performance standard of 65 dBA for outdoor gathering spaces or multi-family uses.</p> <ol style="list-style-type: none"> Construct noise barriers (walls and/or berms) to reduce traffic noise levels at noise-sensitive land uses that are found to be significantly affected by traffic noise. For dwelling units that would be exposed to traffic noise levels exceeding 65 dBA L_{dn}, prohibit outdoor living areas such as balconies or decks on the side of the buildings exposed to high traffic noise. Alternatively, noise mitigation measures, such as barrier walls with a minimum height of 5 feet with adequate materials (wood, Plexiglas) with no holes or gaps, along the perimeter of the outdoor living areas can provide necessary noise reductions. For proposed dwelling units that would be exposed to traffic noise levels exceeding 69 dBA CNEL, require building facade upgrades for windows associated with bedrooms and living/family rooms on the side of the buildings exposed to high traffic noise. Examples of such upgrades include using windows with Sound Transmission Class (STC) ratings higher than standard building practice (up to STC-28). Install traffic calming measures along affected low-volume roadways to reduce future traffic speeds. 	<p>See Mitigation Measure 4.8-1(b)</p> <p>Implement a site plan and design review process that incorporates noise-sensitive land uses being significantly affected by project traffic as described in Mitigation Measure 4.8-3.</p>	<p>See Mitigation Measure 4.8-1(b)</p> <p>PUD, CNU</p>	<p>See Mitigation Measure 4.8-1(b)</p> <p>Project proponent</p>	<p>See Mitigation Measure 4.8-1(b).</p> <p>During site plan and design process.</p>	<p>See Mitigation Measure 4.8-1(b)</p> <p>City of Sacramento Community Development Department</p>
		<p>Implement noise barriers to shield noise-sensitive land uses, including use of adequate materials and upgrades where required as well as installation of traffic calming measures.</p>	PUD, CNU	Project proponent	During site plan and design process.	City of Sacramento Community Development Department

**TABLE 4-1
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Impact	Mitigation Measure	Action(s)	Component	Implementing Party	Timing	Monitoring Party
<p>4.8-4: Stationary sources and operational activities associated with development allowed under the proposed project would result in substantial permanent increases in ambient noise levels in the area.</p>	<p>4.8-4: For development of new commercial or mixed-use buildings within the Innovation Park PUD area, proponents of individual projects allowed under the proposed project shall demonstrate that noise levels from HVAC units, generators, and/or loading docks would not exceed the stationary noise standards established in the Sacramento City Code: 60 dBA L_{eq} at property line of single-family residential uses or 65 dBA at the property line of multi-family residential uses. To demonstrate that a proposed development will meet the City's stationary noise standards, the developer must implement the following measures:</p> <ol style="list-style-type: none"> The proposed land uses shall be designed so that on-site mechanical equipment (e.g., HVAC units, compressors, generators) and area-source operations (e.g., loading docks, parking lots, and recreational-use areas) are located as far as possible, enclosed, or shielded from nearby noise-sensitive land uses to meet City noise standards. Noise-generating stationary equipment associated with proposed commercial and/or office uses, including portable generators, compressors, and compactors, shall be enclosed or acoustically shielded to reduce noise-related impacts on noise-sensitive residential uses. Acoustical enclosures around stationary equipment offer typical noise reductions of 20–35 dBA.⁶ Before a building permit is issued for any individual project allowed under the Innovation Park PUD, the proponent for the project shall submit engineering and acoustical specifications for the project's mechanical HVAC equipment and the proposed locations of on-site loading docks to the City's Planning Division. The proponent shall retain a qualified acoustical engineer to demonstrate that the design of HVAC equipment and loading dock design (types, location, enclosure, specification) will ensure that noise from the equipment is consistent with the restrictions of Section 8.68.060 of the Sacramento City Code. Truck deliveries in commercial uses shall be limited to 7:00 a.m. to 10:00 p.m. unless site-specific analysis identifies no impacts on sensitive receptors. Commercial loading docks located within 300 feet of existing or proposed residences shall be positioned in areas shielded from view of adjacent noise-sensitive uses by intervening commercial buildings. Solid noise barriers shall be constructed at the boundary of the commercial uses with loading docks of sufficient height to intercept line of sight between heavy trucks and the affected area of the noise-sensitive uses. Signs shall be posted limiting the idling of delivery trucks to 10 minutes or less. 	<p>Demonstrate that the proposed project will not exceed the City's stationary noise standards by implementing the protocol outlined in Mitigation Measure 4.8-4.</p> <p>Stage and shield on-site mechanical equipment away from noise-sensitive land uses.</p> <p>Submit engineering and acoustical specifications for the project's mechanical HVAC equipment and the proposed on-site loading dock locations. Retain a qualified acoustical engineer.</p> <p>Truck deliveries in commercial uses shall only occur during specified hours unless otherwise indicated by site-specific analysis.</p> <p>Shield loading docks from noise-sensitive uses.</p> <p>Limit idling time of trucks.</p>	<p>PUD, CNU</p> <p>PUD, CNU</p> <p>PUD, CNU</p> <p>PUD, CNU</p> <p>PUD, CNU</p> <p>PUD, CNU</p> <p>PUD, CNU</p>	<p>Project proponent</p> <p>Project proponent</p> <p>Project proponent</p> <p>Project proponent</p> <p>Project proponent</p> <p>Project proponent</p> <p>Project proponent</p>	<p>Prior to issuance of permits.</p> <p>Prior to issuance of permits.</p> <p>Prior to issuance of permits.</p> <p>Occurring on an ongoing basis.</p> <p>Prior to issuance of permits.</p> <p>Prior to issuance of permits.</p> <p>Prior to issuance of permits.</p>	<p>City of Sacramento Community Development Department</p> <p>City of Sacramento Community Development Department</p> <p>City of Sacramento Community Development Department</p> <p>City of Sacramento Community Development Department</p> <p>City of Sacramento Community Development Department</p> <p>City of Sacramento Community Development Department</p>

⁶ Kinetics Noise Control. 2021. Noiseblock Acoustical Enclosures. Available: https://kineticsnoise.com/noiseblock/acoustic_enclosures.html. Accessed August 13, 2021.

**TABLE 4-1
INNOVATION PARK PLANNED UNIT DEVELOPMENT MITIGATION MONITORING PLAN**

Impact	Mitigation Measure	Action(s)	Component	Implementing Party	Timing	Monitoring Party
4.8-7: Construction activities for the proposed project, in combination with the construction of other cumulative development, could cause a substantial temporary or periodic increase in ambient noise levels in the area.	4.8-7 Implement Mitigation Measure 4.8-1(a).	See Mitigation Measure 4.8-1(a).	See Mitigation Measure 4.8-1(e).	See Mitigation Measure 4.8-1(a).	See Mitigation Measure 4.8-1(a).	See Mitigation Measure 4.8-1(a).
4.8-8: Construction activities for the proposed project, in combination with the construction of other cumulative development, could expose persons to or generate excessive groundborne noise or groundborne vibration levels.	4.8-8 Implement Mitigation Measures 4.8-1(b) and 4.8-2.	See Mitigation Measures 4.8-1(b) and 4.8-2.	See Mitigation Measures 4.8-1(b) and 4.8-2.	See Mitigation Measures 4.8-1(b) and 4.8-2.	See Mitigation Measures 4.8-1(b) and 4.8-2.	See Mitigation Measures 4.8-1(b) and 4.8-2.
4.8-9: Traffic associated with the proposed project, in combination with traffic from other cumulative development, would increase roadside noise levels in the area.	4.8-9 Implement Mitigation Measure 4.8-3.	See Mitigation Measure 4.8-3.	See Mitigation Measure 4.8-3.	See Mitigation Measure 4.8-3.	See Mitigation Measure 4.8-3.	See Mitigation Measure 4.8-3.
4.8-10: Stationary sources and operational activities associated with the proposed project, in combination with operational noise from other cumulative development, could result in substantial permanent increases in cumulative noise levels in the area.	4.8-10 Implement Mitigation Measure 4.8-4.	See Mitigation Measure 4.8-4.	See Mitigation Measure 4.8-4.	See Mitigation Measure 4.8-4.	See Mitigation Measure 4.8-4.	See Mitigation Measure 4.8-4.
4.9 Public Services						
4.9-7: Implementation of the proposed project could cause or accelerate the physical deterioration of existing parks or recreational facilities or create a need for construction or expansion of recreational facilities beyond what was anticipated in the General Plan.	4.9-7 The proposed project shall comply with the City of Sacramento's Quimby Act and Park Impact Fee ordinances.	Incorporate the Quimby Act and Park Impact Fee ordinances	PUD	Project proponent	Based on the City of Sacramento's Quimby Act and Park Impact Fee ordinances	City of Sacramento Community Development Department Sacramento Regional Transit District (SactRT)
4.9-8: Implementation of the proposed project, in conjunction with other development, could result in the provision of or need for increased demand for parks and recreational resources and facilities.	4.9-8 Implement Mitigation Measure 4.9-7.	See Mitigation Measure 4.9-7.	See Mitigation Measure 4.9-7.	See Mitigation Measure 4.9-7.	See Mitigation Measure 4.9-7.	See Mitigation Measure 4.9-7.
4.10 Transportation						
4.10-3: Implementation of the proposed project could adversely affect public transit operations and could fail to adequately provide access to transit.	4.10-3 The proponents for individual projects proposed under the Innovation Park PUD shall coordinate with SactRT (or other transit operators) to plan, fund, and implement transit facilities that would support access to transit services provided by SactRT, or other transit agencies, which facilities may include, but are not limited to, right of way for transit stops, bus stops/shelters, pedestrian and bicycle network connections to transit stop locations. Transit facilities shall be phased with the development of the project.	Implement measures to provide transit access by coordinating with SactRT.	PUD, CNU	Project proponent	During development of the project.	City of Sacramento Community Development Department, Sacramento Regional Transit District (SactRT)

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Impact	Mitigation Measure	Action(s)	Component	Implementing Party	Timing	Monitoring Party
4.10-5: Implementation of the proposed project could cause inconveniences to motorists as a result of prolonged road closures and could result in an increased frequency of potential conflicts between vehicles, pedestrians, and bicyclists due to construction-related traffic impacts.	<p>4.10-5 Before the beginning of construction, the proponents for individual projects proposed under the Innovation Park PUD shall prepare a construction traffic plan that complies with Sacramento City Codes § 12.20.020, § 12.20.030, and is prepared to the satisfaction of the city traffic engineer with the City's Department of Public Works and subject to review by all affected agencies as identified by the City. The plan shall ensure that acceptable operating conditions on roadways, bicycle and pedestrian facilities, and transit facilities are maintained. At a minimum, the plan shall include the following elements:</p> <ul style="list-style-type: none"> Description of trucks: Number and size of trucks per day, expected arrival/departure times, and truck circulation patterns which do not substantially conflict with Sacramento General Plan, Mobility Element Policies M 7.1.5 and M 7.1.6. Description of staging area: Location, maximum number of trucks simultaneously permitted in the staging area, use of traffic control personnel, and specific signage. Description of street closures and/or bicycle and pedestrian facility closures: Duration, advance warning and posted signage, safe and efficient access routes for emergency vehicles, and use of manual traffic control, subject to approval by the city traffic engineer per Sacramento City Code § 10.09.090. Description of access plan: Provisions for safe vehicular, pedestrian, and bicycle travel; minimum distance from any open trench, special signage, and private vehicle accesses. Provisions for parking for construction workers. 	Prepare a construction traffic plan that incorporates the elements outlined in Mitigation Measure 4.10-5 to ensure acceptable operating conditions. Approval by the city traffic engineer.	PUD, CNU	Project proponent	Prior to the beginning of construction.	City of Sacramento Community Development Department, City Department of Public Works
4.10-8: Implementation of the proposed project along with cumulative development could adversely affect public transit operations and could fail to adequately provide access to transit.	<p>4.10-8 Implement Mitigation Measure 4.10-3.</p>	See Mitigation Measure 4.10-3.	See Mitigation Measure 4.10-3.	See Mitigation Measure 4.10-3.	See Mitigation Measure 4.10-3.	See Mitigation Measure 4.10-3.
4.10-10: Implementation of the proposed project along with cumulative development could cause inconveniences to motorists as a result of prolonged road closures and could result in an increased frequency of potential conflicts between vehicles, pedestrians, and bicyclists due to construction-related traffic impacts.	<p>4.10-10 Implement Mitigation Measure 4.10-5.</p>	See Mitigation Measure 4.10-5.	See Mitigation Measure 4.10-5.	See Mitigation Measure 4.10-5.	See Mitigation Measure 4.10-5.	See Mitigation Measure 4.10-5.

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