

City of SACRAMENTO

COMMUNITY DEVELOPMENT
DEPARTMENT

ENVIRONMENTAL PLANNING
SERVICES

300 Richards Boulevard
Third Floor
Sacramento, CA 95811

MITIGATED NEGATIVE DECLARATION

The City of Sacramento, California, a municipal corporation, does hereby prepare, declare, and publish this Negative Declaration for the following described project:

Maverik (P20-025) - The proposed project, located at the northeast corner of Power Inn Road and 14th Avenue at 3855 and 3875 Power Inn Road (APN 079-0291-007, 008, 009) in the City of Sacramento, consists of a 5,951 square foot single-story convenience store with a small covered outdoor dining, a covered 10-pump gas station, ten public restrooms, a small tot lot, parking for up to 48 vehicles including two Americans with disabilities (ADA) spaces and space for an electric vehicle charging station, two bike lockers and bike racks, and a compressed natural gas (CNG) shuttle stop. The project also includes an underground fuel storage tank and landscaping.

The Lead Agency is the City of Sacramento. The City of Sacramento, Community Development Department, has reviewed the proposed project and, on the basis of the whole record before it, has determined that there is no substantial evidence that the project, as identified in the attached Initial Study, will have a significant effect on the environment. This Mitigated Negative Declaration reflects the lead agency's independent judgment and analysis. An Environmental Impact Report is not required pursuant to the Environmental Quality Act of 1970 (Sections 21000, et seq., Public Resources Code of the State of California).

This Mitigated Negative Declaration has been prepared pursuant to the California Environmental Quality Act (Public Resources Code Sections 21000 et seq.), CEQA Guidelines (Title 14, Sections 15000 et seq. of the California Code of Regulations), the Sacramento Local Environmental Regulations (Resolution 91-892) adopted by the City of Sacramento, and the Sacramento City Code.

A copy of this document and all supportive is available on the City's EIR Webpage at:

<http://www.cityofsacramento.org/Community-Development/Planning/Environmental/Impact-Reports>

Due to the COVID 19 crises and the current public counter closures, the document is not available for review in printed form. If you need assistance in reviewing the document please contact Scott Johnson, Senior Planner at (916) 808-5842 or srjohnson@cityofsacramento.org.

Environmental Services Manager, City of Sacramento,
California, a municipal corporation

By: _____

Date: 1-25-2021



**Maverik Store at Granite Regional Park
[(P20-025)]**

**INITIAL STUDY/MITIGATED NEGATIVE DECLARATION FOR ANTICIPATED SUBSEQUENT
PROJECTS UNDER THE 2035 GENERAL PLAN MASTER EIR**

This Initial Study has been prepared by the City of Sacramento, Community Development Department, 300 Richards Boulevard, Third Floor, Sacramento, CA 95811, pursuant to the California Environmental Quality Act (Public Resources Code Sections 21000 *et seq.*), CEQA Guidelines (Title 14, Section 15000 *et seq.* of the California Code of Regulations) and the Sacramento Local Environmental Regulations (Resolution 91-892) adopted by the City of Sacramento.

ORGANIZATION OF THE INITIAL STUDY

This Initial Study is organized into the following sections:

SECTION I - BACKGROUND: Provides summary background information about the project name, location, sponsor, and the date this Initial Study was completed.

SECTION II - PROJECT DESCRIPTION: Includes a detailed description of the proposed project.

SECTION III - ENVIRONMENTAL CHECKLIST AND DISCUSSION: Reviews proposed project and states whether the project would have additional significant environmental effects (project-specific effects) that were not evaluated in the Master EIR for the 2035 General Plan.

SECTION IV - ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED: Identifies which environmental factors were determined to have additional significant environmental effects.

SECTION V - DETERMINATION: States whether environmental effects associated with development of the proposed project are significant, and what, if any, added environmental documentation may be required.

REFERENCES CITED: Identifies source materials that have been consulted in the preparation of the Initial Study.

APPENDICES: Supporting materials used to prepare the analysis are included as appendices A through D and area appended to this document.

SECTION I - BACKGROUND

Project Name and File Number: Maverik Store at Granite Regional Park (O20-025)

Project Location: 3875 Power Inn Road

Project Applicant: Dain Domich, Granite Park Partners (Separovich Domich)
Christie Hutchings, Maverik

Project Planner: Daniel Abbes, Assistant Planner

Environmental Planner: Scott Johnson

Date Initial Study Completed: January 26, 2021

This Initial Study (IS) was prepared in accordance with the California Environmental Quality Act (CEQA) (Public Resources Code Sections 1500 *et seq.*). The Lead Agency is the City of Sacramento.

The City of Sacramento, Community Development Department, has reviewed the Maverik Store at Granite Regional Park project (proposed project) and, on the basis of the whole record before it, has determined that the proposed project is an anticipated subsequent project identified and described in the 2035 General Plan Master EIR and is consistent with the land use designation and the permissible densities and intensities of use for the project site as set forth in the 2035 General Plan. See CEQA Guidelines Section 15176 (b) and (d).

The City has prepared the attached IS to review the discussion of cumulative impacts, growth inducing impacts, and irreversible significant effects in the 2035 General Plan Master EIR to determine their adequacy for the project (see CEQA Guidelines Section 15178(b),(c)) and identify any potential new or additional project-specific significant environmental effects that were not analyzed in the Master EIR and any mitigation measures or alternatives that may avoid or mitigate the identified effects to a level of insignificance, if any.

As part of the Master EIR process, the City is required to incorporate all feasible mitigation measures or feasible alternatives appropriate to the project as set forth in the Master EIR (CEQA Guidelines Section 15177(d)) Policies included in the 2035 General Plan that reduce significant impacts identified in the Master EIR are identified and discussed. See also the Master EIR for the 2035 General Plan. The mitigation monitoring plan for the 2035 General Plan, which provides references to applicable general plan policies that reduce the environmental effects of development that may occur consistent with the general plan, is included in the adopting resolution for the Master EIR. See City Council Resolution No. 2015-0060, beginning on page 60. The resolution is available at

<http://portal.cityofsacramento.org/Community-Development/Planning/Environmental/Impact-Reports.aspx>.

This analysis incorporates by reference the general discussion portions of the 2035 General Plan Master EIR. (CEQA Guidelines Section 15150(a)). The Master EIR is available for public review at the City of Sacramento's web site at:

<http://www.cityofsacramento.org/Community-Development/Planning/Environmental/Impact-Reports.aspx>

The City is soliciting views of interested persons and agencies on the content of the environmental information presented in this document. Written comments should be sent at the earliest possible date, but no later than the 20-day review period ending February 15, 2021.

Please send written responses (preferably via email) to:

Scott Johnson
Community Development Department
City of Sacramento
300 Richards Blvd, 3rd Floor
Sacramento, California 95811
Direct Line: (916) 808-5842
FAX (916) 808-1077
srjohnson@cityofsacramento.org

SECTION II - PROJECT DESCRIPTION

INTRODUCTION

The Maverik Store at Granite Regional Park (proposed project) proposes to develop a vacant site at the corner of Power Inn Road and 14th Avenue with a small convenience store, gas station, and other associated amenities. The 4.48-acre project site includes an easement for overhead electrical lines adjacent to Power Inn Road reducing the amount of developable acreage to 2.26-acres.

PROJECT LOCATION AND SURROUNDING LAND USES

The project site is located at the northeast corner of Power Inn Road and 14th Avenue at 3855 and 3875 Power Inn Road (APN 079-0291-007, 008, 009) in the City of Sacramento (City), as shown in Attachment 1, Vicinity Map.

The project site has previously been developed but has been undeveloped for the past 25 years and does not contain any structures or trees. The topography of the site is flat and ranges in elevation from 41 to 43 feet above mean sea level. In the southwest corner of the project site there is a high-power electrical pole along with a small, fenced power vault. This existing utility infrastructure is located within an easement that runs parallel to Power Inn Road and is outside of the project footprint. There is a separated sidewalk that runs along the project frontage adjacent to Power Inn Road with a row of Crepe Myrtle trees. No sidewalks exist along the frontage with 14th Avenue, east of Power Inn Road.

Adjacent land uses include a mix of retail and commercial to the west and industrial to the south. Sacramento County offices and a small retail strip is located to the north with and a portion of Granite Regional Park is located to the east.

Class II bike lanes are provided in both directions on Power Inn Road and on 14th Avenue west of Power Inn Road. Regional Transit light rail service is available at Power Inn Station approximately one-half mile north of the project site, providing light rail connections east towards the City of Folsom and west towards Downtown Sacramento.

The project site is designated Employment Center Midrise in the City's 2035 General Plan and is zoned Office Business Low-Rise Mixed Use (OB) with a Solid Waste Restricted (SWR) overlay, as shown on Attachment 2, Land Use and Zoning. The SWR overlay zone restricts the establishment or expansion of solid waste facilities.

PROJECT DESCRIPTION

The proposed project includes a 5,951 square foot single-story convenience store with a small covered outdoor dining, a covered 10-pump gas station, ten public restrooms, a small tot lot, parking for up to 48 vehicles including two Americans with disabilities (ADA) spaces and space for two high speed Class III electric vehicle (EV) charging stations, two bike lockers and bike racks, and a compressed natural gas (CNG) shuttle stop. The project also includes an underground fuel storage tank and landscaping, as shown on Attachment 3, Site Plan. The convenience store and gas station would be open 24 hours a day, seven days a week (24/7) and would employ 18 to 24 people.

Project access would be via driveways along Power Inn Road and 14th Avenue. The driveway access along Power Inn Road would allow for vehicles entering the site; however, a right-turn only exit onto Power Inn Road would be permitted. Full access for vehicles entering and exiting the site from 14th Avenue would be allowed.

Existing utility connections are located adjacent to the project site that the project would tie into. Existing sewer is located in Power Inn Road, water lines are located adjacent to the northern boundary of the project site and storm drain infrastructure is located in both Power Inn Road and 14th Avenue. Separated sidewalks are available adjacent to the project frontage along Power Inn Road. No sidewalks are currently available along 14th Avenue, but the project is proposing to construct a sidewalk along the project frontage. The City has indicated a deceleration lane is required on Power Inn Road so the existing sidewalk may need to be relocated to make room for this lane to be constructed as part of the project. This improvement would be required by the City as part of standard site improvements required of development projects.

As part of the project there is a proposal to remove 13 crepe myrtle trees along Power Inn Road to accommodate site access and other roadway improvements. The project is proposing to plant a mix of trees along the perimeter of the project site including red oak, cork oak, valley oak, western redbud, and Crepe myrtle, along with a mix of shrubs and groundcover. A total of approximately 77 new trees would be planted.

If the project is approved construction would take approximately eight months to complete. Construction of the underground storage tank would require excavating an area 10 to 12-feet deep. The project would also include signage that would be permitted under a future ministerial permit. Signage would include building signage and as currently proposed two free-standing 12-foot tall monument signs along 14th Avenue and Power Inn Road.

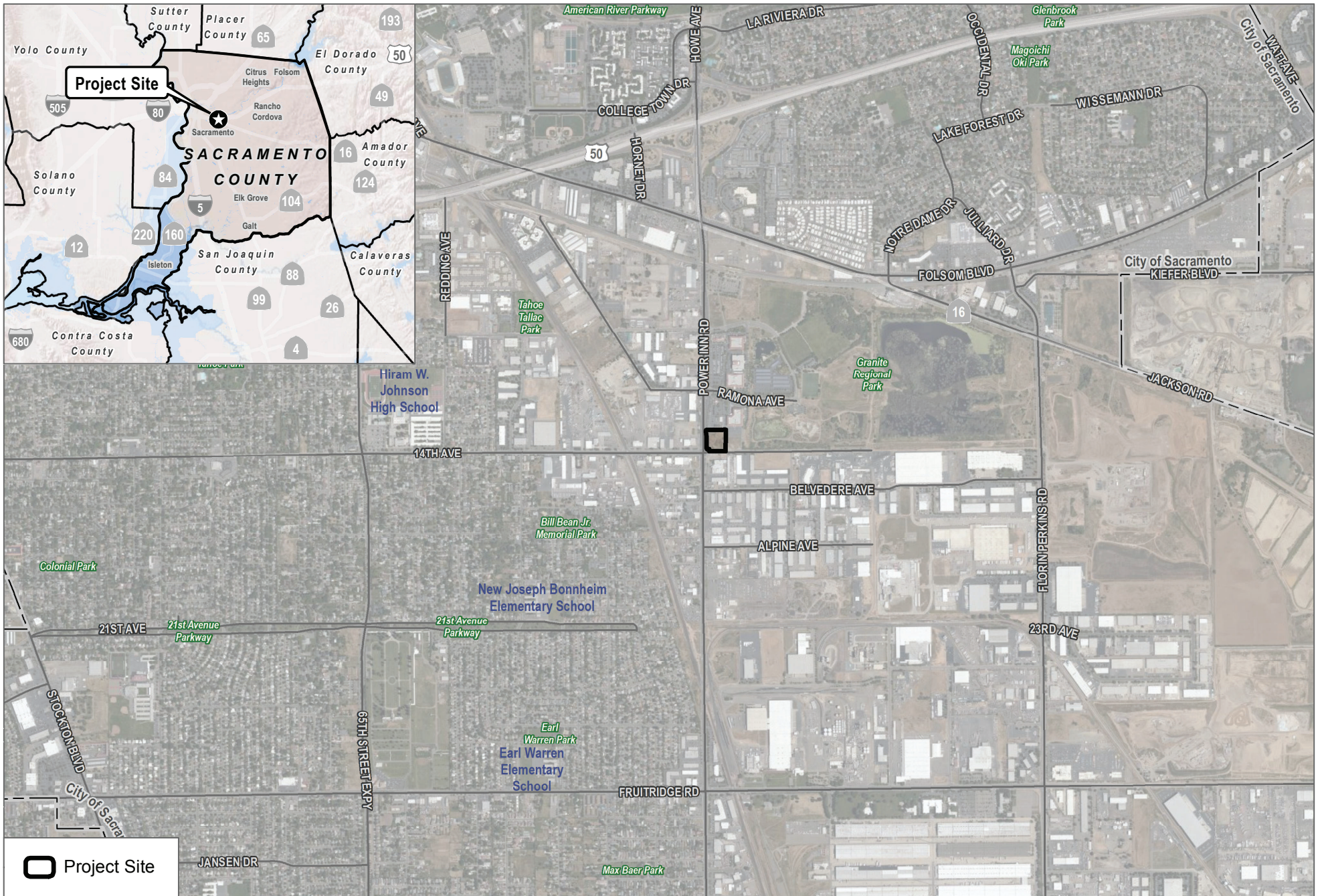
The project includes a rezone to General Commercial (C-2) and a Conditional Use Permit for the gas station which are discretionary approvals, along with a variety of ministerial permits including a tree permit relating to the tree removal and a sign permit. Permits from other agencies may be required. These include a permit to construct and operate the gas station from the Sacramento Metropolitan Air Quality Management District (SMAQMD).

Attachments

Attachment 1 - Vicinity Map

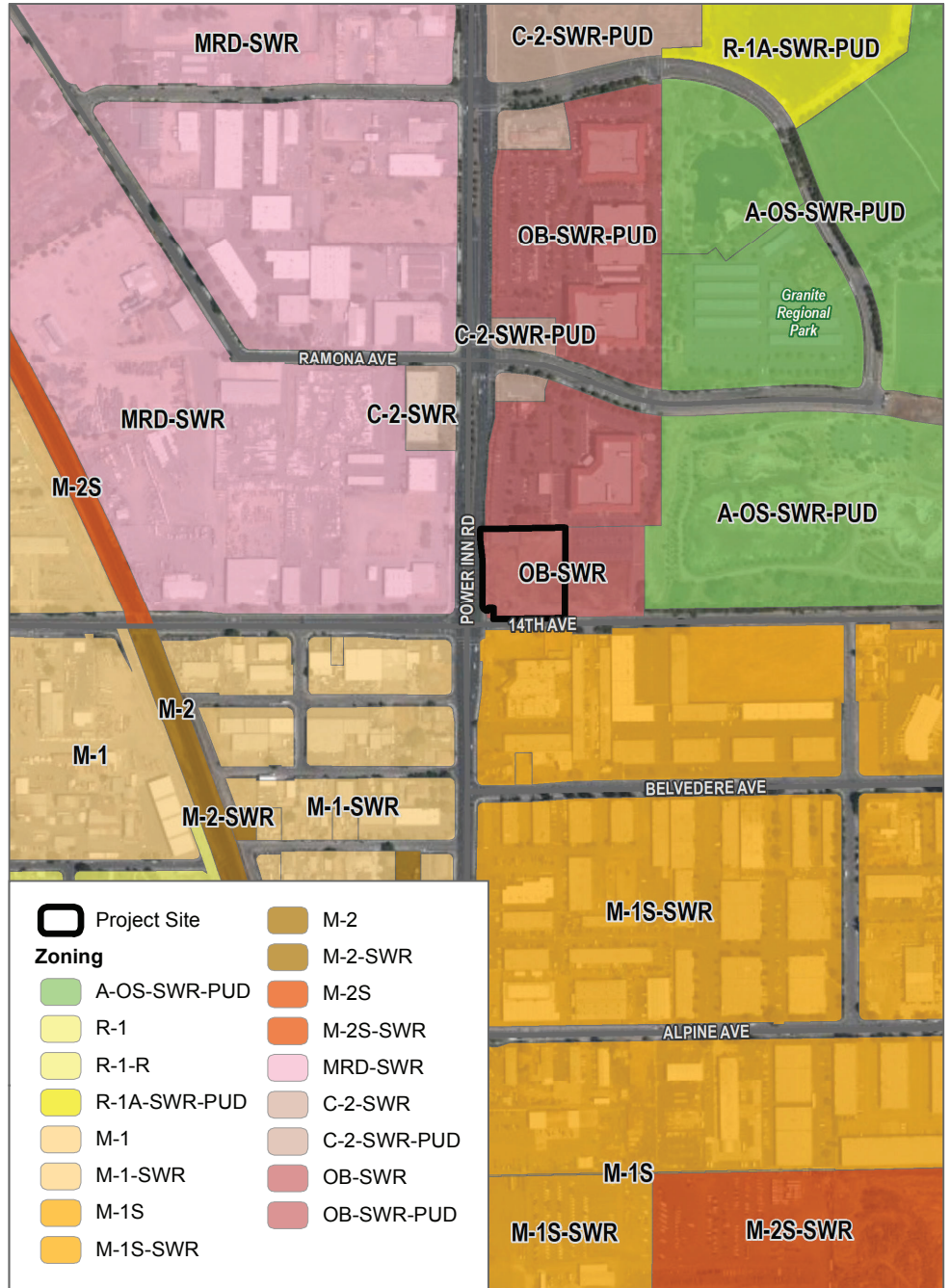
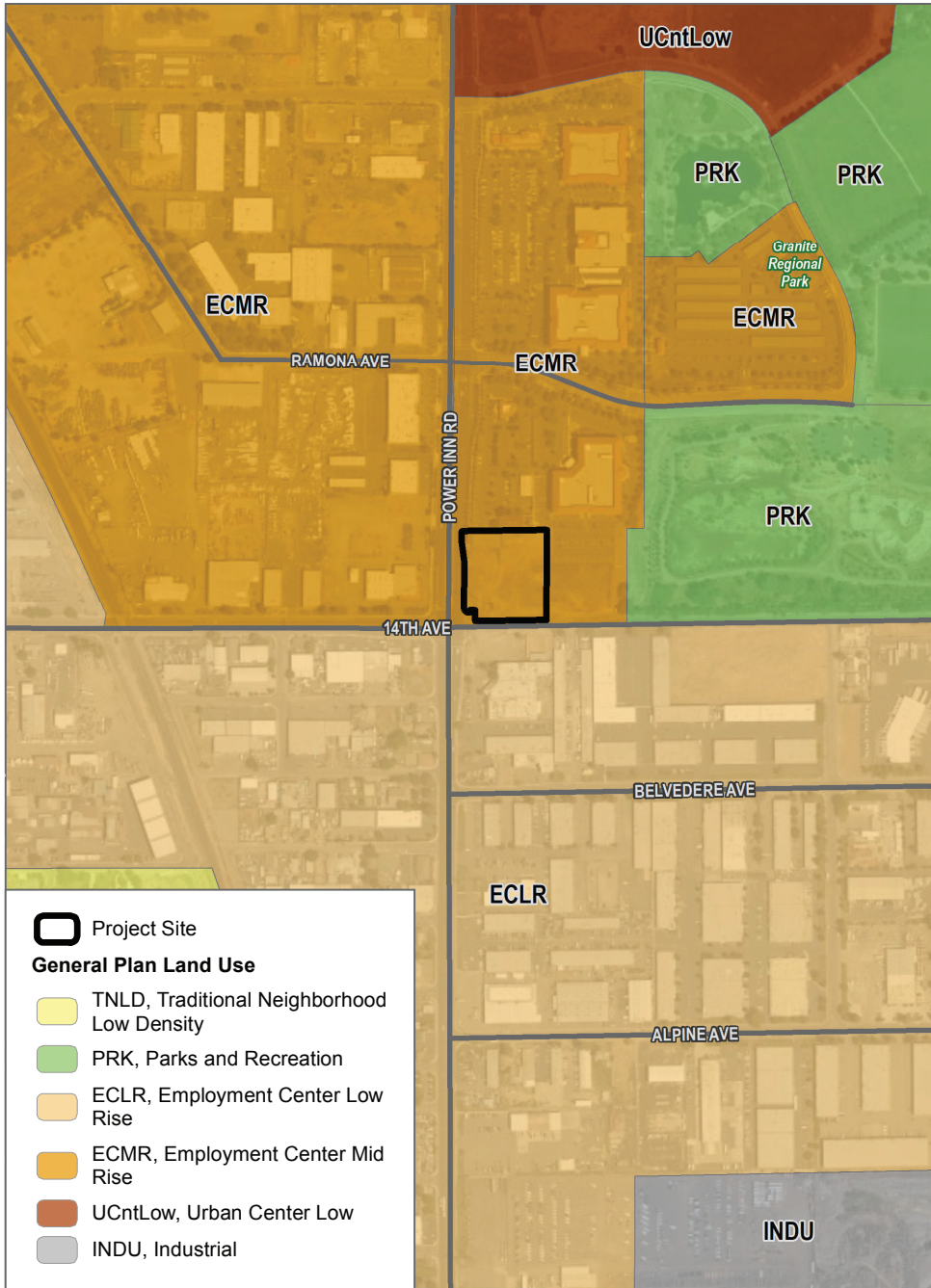
Attachment 2 - Land Use and Zoning

Attachment 3 - Site Plan



SOURCE: ESRI 2021, County of Sacramento 2020





SOURCE: ESRI 2021, County of Sacramento 2020, City of Sacramento 2020

SECTION III – ENVIRONMENTAL CHECKLIST AND DISCUSSION

LAND USE, POPULATION AND HOUSING, AGRICULTURAL RESOURCES

Introduction

The California Environmental Quality Act (CEQA) requires the Lead Agency to examine the effects of a project on the physical conditions that exist within the area that would be affected by the project. CEQA also requires a discussion of any inconsistency between the proposed project and applicable general plans and regional plans.

An inconsistency between the proposed project and an adopted plan for land use development in a community would not constitute a physical change in the environment. When a project diverges from an adopted plan, however, it may affect planning in the community regarding infrastructure and services, and the new demands generated by the project may result in later physical changes in response to the project.

In the same manner, the fact that a project brings new people or demand for housing to a community does not, by itself, change the physical conditions. An increase in population may, however, generate changes in retail demand or demand for governmental services, and the demand for housing may generate new activity in residential development. Physical environmental impacts that could result from implementing the proposed project are discussed in the appropriate technical sections.

This section of the IS identifies the applicable land use designations, plans and policies, and permissible densities and intensities of use, and discusses any inconsistencies between these plans and the proposed project. This section also discusses agricultural resources and the effect of the project on these resources.

Discussion

Land Use

The project site has been designated Employment Center Midrise in the City's 2035 General Plan and is zoned Office Business Low-Rise Mixed Use (OB) with a Solid Waste Restricted (SWR) overlay.

The project site is located in an urbanized area of the City and appears to have previously been developed but is currently a vacant parcel. It is surrounded by development including a mix of retail, commercial, office and industrial land uses along Power Inn Road and 14th Avenue. Granite Regional Park is located just east of the project site. Development of the site as proposed would alter the existing landscape, but the project site has been designated for urban development in the 2035 General Plan and the Planning and Development Code, and the proposed development is consistent with these planning designations.

Population and Housing

The project does not include any housing so it would not contribute new housing or population to the City and there would be no impacts to population or housing.

Agricultural and Forestry Resources

The Master EIR discussed the potential impact of development under the 2035 General Plan on agricultural resources. See Master EIR, Chapter 4.1. In addition to evaluating the effect of the general plan on sites within the City, the Master EIR noted that to the extent the 2035 General Plan accommodates future growth within the city limits, the conversion of farmland outside the city limits is

minimized. The Master EIR concluded that the impact of the 2035 General Plan on agricultural resources within the City was less than significant.

The project site does not contain soils designated as Important Farmland (i.e., Prime Farmland, Unique Farmland or Farmland of Statewide Importance). According to the California Department of Conservation Important Farmland Map, the project site is designated as urban and built up land (DOC 2016). The project site is vacant and does not contain any tress and is not zoned for agricultural uses, and there are no Williamson Act contracts that affect the project site. No existing agricultural or timber-harvest uses are located on or in the vicinity of the project site. Development of the site would result in no impacts on agricultural or forestry resources.

Issues:	Effect will be studied in the EIR	Effect can be mitigated to less than significant	No additional significant environmental effect
1. AESTHETICS Would the proposal:			X
A) Create a source of glare that would cause a public hazard or annoyance?			X
B) Create a new source of light that would be cast onto oncoming traffic or residential uses?			X
C) Substantially degrade the existing visual character of the site or its surroundings?			X

ENVIRONMENTAL SETTING

The project site is located in an urbanized area of the city surrounded by development. The project site is undeveloped and does not include any trees or other resources. In the southwest portion of the site there is an electrical pole along with a small, fenced power vault. This existing utility infrastructure is located within an easement that runs parallel to Power Inn Road and is outside of the project footprint. There is a separated sidewalk that runs along the project frontage adjacent to Power Inn Road with a row of Crepe Myrtle trees.

Existing sources of lights are provided by building lights in the vicinity of the project site and from cars traveling along Power Inn Road and 14th Avenue.

STANDARDS OF SIGNIFICANCE

For purposes of this IS, aesthetic impacts may be considered significant if construction and/or operation of the proposed project would result in any of the following conditions or potential thereof, after implementation of 2035 General Plan policies:

- substantially interfere with an important scenic resource or substantially degrade the view of an existing scenic resource; or
- create a new source of substantial light or glare that is substantially greater than typical urban sources and could cause sustained annoyance or hazard for nearby sensitive receptors.

SUMMARY OF ANALYSIS UNDER THE 2035 GENERAL PLAN MASTER EIR AND APPLICABLE GENERAL PLAN POLICIES

The Master EIR described the existing visual conditions in the general plan City of Sacramento, and the potential changes to those conditions that could result from development consistent with the 2035 General Plan. See Master EIR, Chapter 4.13, Visual Resources. The 2035 General Plan includes **Goal ER 7.1 to help preserve, maintain and protect the visual resources** that define the city. Policy ER 7.1.3 addresses light sources and requires lighting to be directed downward to minimize spill-over onto adjacent properties and reduce vertical glare. Policy ER 7.1.4 addresses reflective glass and glare and prohibits new development to include large expanses of mirrored glass, black glass, or metal building materials and also large expanses of exposed concrete.

The Master EIR identified potential impacts for light and glare (Impact 4.13-1) and concluded that impacts would be less than significant.

ANSWERS TO CHECKLIST QUESTIONS

A,B) The proposed project includes a small convenience store and gas station. The project would be open 24/7 and would include building lights, signage lights, and lights for the gas station. There are no residences near or adjacent to the project site. All lights would be directed downward to minimize spill-over onto adjacent properties and reduce vertical glare consistent with General Plan Policy ER 7.1.3.

Glare is produced when expansive surfaces reflect light, creating a nuisance and hazard for people in the vicinity. Large light-colored surfaces or glass are the most likely to produce glare. Building design is required to be consistent with General Plan Policy ER 7.1.4, which prohibits using reflective glass that exceeds 50% of any building surface, using mirrored glass or black glass that exceeds 25% of any surface of a building, or using exposed concrete that exceeds 50% of the building. The project would not create a source of glare that could cause a public hazard or annoyance and would not result in an additional environmental effect.

C) The proposed project is located in an urbanized area of the city surrounded by roads and developed uses. The project site is an undeveloped parcel but would not be considered visually scenic or due to its location represent a high degree of visual character. Development of the site with urban uses would not substantially degrade the existing visual character of the site or its surroundings and would not result in an additional environmental effect.

FINDINGS

The proposed project would have no additional project-specific environmental effects relating to Aesthetics.

Issues:	Effect will be studied in the EIR	Effect can be mitigated to less than significant	No additional significant environmental effect
2. <u>AIR QUALITY</u> <i>Would the proposal:</i> A) Result in construction emissions of NO _x above 85 pounds per day?			X

Issues:	Effect will be studied in the EIR	Effect can be mitigated to less than significant	No additional significant environmental effect
B) Result in operational emissions of NO _x or ROG above 65 pounds per day?			X
C) Violate any air quality standard or have a cumulatively considerable contribution to an existing or projected air quality violation?			X
D) Result in PM ₁₀ and PM _{2.5} concentrations that exceed SAMQMD requirements?			X
E) Result in CO concentrations that exceed the 1-hour state ambient air quality standard (i.e., 20.0 ppm) or the 8-hour state ambient standard (i.e., 9.0 ppm)?			X
F) Result in exposure of sensitive receptors to substantial pollutant concentrations?			X
G) Result in TAC exposures create a risk of 10 in 1 million for stationary sources, or substantially increase the risk of exposure to TACs from mobile sources?			X
H) Conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases?			X

ENVIRONMENTAL SETTING

The City of Sacramento is located within the Sacramento Valley Air Basin (SVAB), which is a valley bounded by the North Coast Mountain Ranges to the west and the Northern Sierra Nevada Mountains to the east. The terrain in the valley is flat and approximately 25 feet above sea level.

Hot, dry summers and mild, rainy winters characterize the Mediterranean climate of the Sacramento Valley. Throughout the year, daily temperatures may range by 20 degrees Fahrenheit with summer highs often exceeding 100 degrees and winter lows occasionally below freezing. Average annual rainfall is about 20 inches and snowfall is very rare. Summertime temperatures are normally moderated by the presence of the “Delta breeze” that arrives through the Carquinez Strait in the evening hours.

The mountains surrounding the SVAB create a barrier to airflow, which can trap air pollutants in the valley. The highest frequency of air stagnation occurs in the autumn and early winter when large high-pressure cells lie over the valley. The lack of surface wind during these periods and the reduced vertical flow caused by less surface heating reduces the influx of outside air and allows air pollutants to become concentrated in a stable volume of air. The surface concentrations of pollutants are highest when these conditions are combined with temperature inversions that trap cooler air and pollutants near the ground.

The warmer months in the SVAB (May through October) are characterized by stagnant morning air or light winds, and the Delta breeze that arrives in the evening out of the southwest. Usually, the evening breeze transports a portion of airborne pollutants to the north and out of the Sacramento Valley. During

about half of the day from July to September, however, a phenomenon called the “Schultz Eddy” prevents this from occurring. Instead of allowing the prevailing wind patterns to move north carrying the pollutants out of the valley, the Schultz Eddy causes the wind pattern to circle back south. This phenomenon exacerbates the pollution levels in the area and increases the likelihood of violating federal or state standards. The Schultz Eddy normally dissipates around noon when the Delta breeze begins.

Criteria Air Pollutants

Concentrations of emissions from criteria air pollutants (the most prevalent air pollutants known to be harmful to human health) are used to indicate the quality of the ambient air. Criteria air pollutants include ozone, carbon monoxide (CO), nitrogen dioxide (NO₂), sulfur dioxide (SO₂), respirable and fine particulate matter (PM₁₀ and PM_{2.5}), and lead. The sources of criteria air pollutants and their respective acute and chronic health impacts are described in Table 2-1.

Table 2-1. Sources and Health Effects of Criteria Air Pollutants

Pollutant	Sources	Acute ¹ Health Effects	Chronic ² Health Effects
Ozone	Secondary pollutant resulting from reaction of ROG and NO _x in presence of sunlight. ROG emissions result from incomplete combustion and evaporation of chemical solvents and fuels; NO _x results from the combustion of fuels	Increased respiration and pulmonary resistance; cough, pain, shortness of breath, lung inflammation	Permeability of respiratory epithelia, possibility of permanent lung impairment
Carbon monoxide (CO)	Incomplete combustion of fuels; motor vehicle exhaust	Headache, dizziness, fatigue, nausea, vomiting, death	Permanent heart and brain damage
Nitrogen dioxide (NO ₂)	Combustion devices; e.g., boilers, gas turbines, and mobile and stationary reciprocating internal combustion engines	Coughing, difficulty breathing, vomiting, headache, eye irritation, chemical pneumonitis or pulmonary edema; breathing abnormalities, cough, cyanosis, chest pain, rapid heartbeat, death	Chronic bronchitis, decreased lung function
Sulfur dioxide (SO ₂)	Coal and oil combustion, steel mills, refineries, and pulp and paper mills	Irritation of upper respiratory tract, increased asthma symptoms	Insufficient evidence linking SO ₂ exposure to chronic health impacts
Respirable particulate matter (PM ₁₀), Fine particulate matter (PM _{2.5})	Fugitive dust, soot, smoke, mobile and stationary sources, construction, fires and natural windblown dust, and formation in the Atmosphere by condensation and/or transformation of SO ₂ and ROG	Breathing and respiratory symptoms, aggravation of existing respiratory and cardiovascular diseases, Premature death	Alterations to the immune system, carcinogenesis
Lead	Metal processing	Reproductive/developmental effects (fetuses and children)	Numerous effects including neurological, endocrine, and cardiovascular effects

Notes: NO_x = oxides of nitrogen; ROG = reactive organic gases.

1. "Acute" refers to effects of short-term exposures to criteria air pollutants, usually at fairly high concentrations.
2. "Chronic" refers to effects of long-term exposures to criteria air pollutants, usually at lower, ambient concentrations.

Source: EPA 2018.

Existing Air Quality

The U.S. Environmental Protection Agency (EPA) has been charged with implementing national air quality programs. EPA's air quality mandates are drawn primarily from the federal Clean Air Act (CAA), which was enacted in 1970 and most recently amended by Congress in 1990. The CAA required EPA to establish the National Ambient Air Quality Standards (NAAQS) for the following criteria air pollutants: ozone, CO, NO₂, SO₂, PM₁₀, PM_{2.5}, and lead. CAA also requires each State to prepare a State implementation plan (SIP) for attaining and maintaining the NAAQS. The federal Clean Air Act Amendments of 1990 (CAAA) added requirements for states with nonattainment areas to revise their SIPs to incorporate additional control measures to reduce air pollution. Individual SIPs are modified periodically to reflect the latest emissions inventories, planning documents, and rules and regulations of the air basins as reported by their jurisdictional agencies.

The California Air Resources Board (CARB) is the agency responsible for coordination and oversight of State and local air pollution control programs in California and for implementing the California Clean Air Act (CCAA). The CCAA, which was adopted in 1988, required CARB to establish its own California Ambient Air Quality Standards (CAAQS). CARB has established CAAQS for sulfates, hydrogen sulfide, vinyl chloride, visibility-reducing particulate matter, and the above-mentioned criteria air pollutants. In most cases the CAAQS are more stringent than the NAAQS. In addition, in 1988 CARB adopted the Airborne Toxic Control Measure (ATCM) for emissions of benzene from retail service stations. CARB requires the installation of CARB-certified Phase I and II vapor recovery control equipment at all retail service stations. The ATCM is designed to reduce benzene and total hydrocarbon emissions from retail service stations by 95% (CARB 2021).

The SVAB is currently designated as nonattainment for the NAAQS 8-hour ozone standard and the CAAQS for both 1-hour and 8-hour O₃ standard. The SVAB is also currently designated as nonattainment for both NAAQS and CAAQS 24-hour PM₁₀ standards. In addition, the SVAB is currently designated as nonattainment for the NAAQS 24-hour PM_{2.5} standard. The air basin is designated as unclassified or in attainment for the remaining criteria air pollutants (SMAQMD 2019).

Toxic Air Contaminants

According to the California Almanac of Emissions and Air Quality (CARB 2013), the majority of the estimated health risks from toxic air contaminants (TACs) can be attributed to relatively few compounds, the most important being diesel particulate matter (diesel PM). Diesel PM differs from other TACs in that it is not a single substance, but rather a complex mixture of hundreds of substances. Although diesel PM is emitted by diesel-fueled internal combustion engines, the composition of the emissions varies depending on engine type, operating conditions, fuel composition, lubricating oil, and whether an emissions control system is being used. In addition to diesel PM, the TACs for which data are available that pose the greatest existing ambient risk in California are benzene, 1,3-butadiene, acetaldehyde, carbon tetrachloride, hexavalent chromium, para-dichlorobenzene, formaldehyde, methylene chloride, and perchloroethylene.

TACs are generated by a number of sources, including stationary sources, such as dry cleaners, gas stations, combustion sources, and laboratories; mobile sources, such as automobiles; and area sources, such as landfills. Adverse health effects associated with exposure to TACs may include carcinogenic (i.e., cancer-causing) and non-carcinogenic effects. Non-carcinogenic effects typically affect one or more target organ systems and may be experienced on either short-term (acute) or long-term (chronic) exposure to a given TAC.

Sensitive Receptors

Sensitive receptors are generally considered to include those land uses where exposure to pollutants could result in health-related risks to sensitive individuals, such as children or the elderly. Residential dwellings, schools, hospitals, playgrounds, and similar facilities are of primary concern because of the presence of individuals particularly sensitive to pollutants and/or the potential for increased and prolonged exposure of individuals to pollutants. The closest sensitive receptors to the project site include Granite Regional Park located to the east and northeast and residences located approximately a half mile north and west of the site. There are no schools located within a quarter mile of the project site.

Greenhouse Gases

Certain gases in the earth's atmosphere, classified as greenhouse gases (GHGs), play a critical role in determining the earth's surface temperature. GHGs are responsible for "trapping" solar radiation in the earth's atmosphere, a phenomenon known as the greenhouse effect. Prominent GHGs contributing to the greenhouse effect are carbon dioxide (CO₂), methane, nitrous oxide, hydrofluorocarbons, perfluorocarbons, and sulfur hexafluoride. Human-caused emissions of these GHGs in excess of natural ambient concentrations are believed responsible for intensifying the greenhouse effect and leading to a trend of unnatural warming of the earth's climate, known as global climate change or global warming. Emissions of GHGs contributing to global climate change are attributable, in large part, to human activities associated with on-road and off-road transportation, industrial/manufacturing, electricity generation by utilities and consumption by end users, residential and commercial on-site fuel usage, and agriculture and forestry. Emissions of CO₂ are, largely, byproducts of fossil fuel combustion.

The quantity of GHGs in the atmosphere responsible for climate change is not precisely known, but it is enormous. No single project alone would measurably contribute to an incremental change in the global average temperature or to global or local climates or microclimates. From the standpoint of CEQA, GHG impacts relative to global climate change are inherently cumulative.

Several regulations currently exist related to GHG emissions, predominantly Assembly Bill (AB) 32, Executive Order S-3-05, and Senate Bill (SB) 32. AB 32 requires that Statewide GHG emissions be reduced to 1990 levels by 2020. Executive Order S-3-05 established the GHG emission reduction target for the State to reduce to the 2000 level by 2010, the 1990 level by 2020 (AB 32), 40% below the 1990 level by 2030, and to 80% below the 1990 level by 2050 (SB 32).

To meet the statewide GHG emission targets, the City adopted the City of Sacramento Climate Action Plan (CAP) on February 14, 2012 to comply with AB 32. The CAP identified how the City and the broader community could reduce Sacramento's GHG emissions and included reduction targets, strategies, and specific actions. In 2015, the City of Sacramento adopted the 2035 General Plan Update. The update incorporated measures and actions from the CAP into Appendix B, General Plan CAP Policies and Programs, which includes citywide policies and programs that are supportive of reducing GHG emissions. The City is in the process of updating its CAP, but it has not yet been adopted.

STANDARDS OF SIGNIFICANCE

For purposes of this IS, air quality impacts may be considered significant if construction and/or operation of the proposed project would result in any of the following conditions or potential thereof, after implementation of 2035 General Plan policies:

- construction emissions of NO_x above 85 pounds per day;
- operational emissions of NO_x or ROG above 65 pounds per day;

- violation of any air quality standard or contribute substantially to an existing or projected air quality violation;
- any increase in PM₁₀ concentrations, unless all feasible Best Available Control Technology (BACT) and Best Management Practices (BMPs) have been applied, then increases above 80 pounds per day or 14.6 tons per year;
- CO concentrations that exceed the 1-hour State ambient air quality standard (i.e., 20.0 ppm) or the 8-hour State ambient standard (i.e., 9.0 ppm); or
- exposure of sensitive receptors to substantial pollutant concentrations.

Ambient air quality standards have not been established for TAC. TAC exposure is deemed to be significant if:

- TAC exposures create a risk of 10 in 1 million for stationary sources, or substantially increase the risk of exposure to TACs from mobile sources.
- it fails to satisfy the requirements of the City's CAP.

SUMMARY OF ANALYSIS UNDER THE 2035 GENERAL PLAN MASTER EIR AND APPLICABLE GENERAL PLAN POLICIES

The Master EIR addressed the potential effects of the 2035 General Plan on ambient air quality and the potential for exposure of people, especially sensitive receptors such as children or the elderly, to unhealthy pollutant concentrations. See Master EIR, Chapter 4.2.

Policies in the 2035 General Plan in Environmental Resources were identified as mitigating potential effects of development that could occur under the 2035 General Plan. For example, Policy ER 6.1.1 calls for the City to work with the CARB and the Sacramento Metropolitan Air Quality Management District (SMAQMD) to meet state and federal air quality standards; Policy ER 6.1.2 requires the City to review proposed development projects to ensure that the projects incorporate feasible measures that reduce construction and operational emissions; Policy ER 6.1.4 and ER 6.1.11 calls for coordination of City efforts with SMAQMD; and Policy ER 6.1.15 requires the City to give preference to contractors using reduced-emission equipment.

The Master EIR identified exposure to sources of TAC as a potential effect. Policies in the 2035 General Plan would reduce the effect to a less-than-significant level. The policies include ER 6.1.4, requiring coordination with SMAQMD in evaluating exposure of sensitive receptors to TACs, and impose appropriate conditions on projects to protect public health and safety; as well as Policy LU 2.7.5 requiring extensive landscaping and trees along freeways fronting elevation and design elements that provide proper filtering, ventilation, and exhaust of vehicle air emissions from buildings.

The Master EIR found that greenhouse gas emissions that would be generated by development consistent with the 2035 General Plan would contribute to climate change on a cumulative basis. Policies of the General Plan identified in the Master EIR that would reduce construction related GHG emissions include: ER 6.1.2, ER 6.1.11 requiring coordination with SMAQMD to ensure feasible mitigation measures are incorporated to reduce GHG emissions, and ER 6.1.15. The 2035 General Plan incorporates the GHG reduction strategy of the 2012 Climate Action Plan (CAP), which demonstrates compliance mechanism for achieving the City's adopted GHG reduction target of 15% below 2005 emissions by 2020. Policy ER 6.1.8 commits the City to assess and monitor performance of GHG emission reduction efforts beyond 2020, and progress toward meeting long-term GHG emission reduction goals, ER 6.1.9 also commits the City to evaluate the feasibility and effectiveness of new GHG emissions reduction measures

in view of the City's longer-term GHG emission reductions goal. The discussion of greenhouse gas emissions and climate change in the 2035 General Plan Master EIR are incorporated by reference in this IS (CEQA Guidelines Section 15150).

The Master EIR identified numerous policies included in the 2035 General Plan that addressed greenhouse gas emissions and climate change. See Draft Master EIR, Chapter 4.14, and pages 4.14-1 et seq. The Master EIR is available for review online at:

<http://www.cityofsacramento.org/Community-Development/Planning/Environmental/Impact-Reports>

ANSWERS TO CHECKLIST QUESTIONS

A-G) **Construction**

Construction of the proposed project would result in a temporary addition of pollutants to the local air shed caused by soil disturbance, fugitive dust emissions, and combustion pollutants from on-site construction equipment, as well as from off-site trucks hauling demolition debris and from construction workers travelling to and from the site. Construction emissions can vary substantially from day to day, depending on the level of activity, the specific type of operation and, for dust, the prevailing weather conditions. Therefore, an increment of day-to-day variability exists.

Pollutant emissions associated with construction of the proposed project were quantified using the California Emissions Estimator Model (CalEEMod), Version 2016.3.2. Default values provided by the program were used where detailed project information was not available.

It was assumed that total construction would occur over a period of 8 months. CalEEMod was used to quantify emissions of ozone precursors (ROG and NO_x) and coarse particulate matter (PM₁₀) emissions from off-road equipment, grading, on-road worker vehicle emissions, and vendor delivery trips. Construction of the project would also generate carbon monoxide (CO), sulfur dioxide (SO_x) and fine particulate matter (PM_{2.5}) emissions; however, only the criteria air pollutants that the SMAQMD have adopted thresholds for are presented in Table 2-2, Estimated Construction Emissions.

As shown in Table 2-2, emissions of NO_x, PM₁₀, and PM_{2.5} associated with construction activities would not exceed the SMAQMD significance thresholds because compliance with Basic Construction Emissions Control Practices (BCECP) and Best Management Practices (BMPs) was factored into the model. To ensure dust that generates particulate matter is minimized during construction, the proposed project would comply with the SMAQMD's Rule 403 - Fugitive Dust which requires, where possible, use of water or chemicals to control dust in the demolition of existing buildings or structures, construction operations, and the construction of roadways or the clearing of land; and the application of asphalt, oil, water, or suitable chemicals on dirt roads, materials stockpiles, and other surfaces which can give rise to airborne dusts.

To ensure compliance with the SMAQMD thresholds, mitigation measures AQ-1 and AQ-2 are included (although not required to reduce the impact to less than significant), which identifies all feasible BCECP and BMPs to minimize construction-related dust and emissions.

Table 2-2. Estimated Construction Emissions

Year	NO _x	PM ₁₀	PM _{2.5}
<i>Daily Emissions (Pounds per Day)</i>			
2022	14.64	3.29	1.92
<i>Pollutant Threshold</i>	85	80*	82*
Threshold Exceeded?	No	No	No

Table 2-2. Estimated Construction Emissions

Year	NO _x	PM ₁₀	PM _{2.5}
<i>Annual Emissions (Tons per Year)</i>			
2022	0.73	0.05	0.04
<i>Pollutant Threshold</i>	NA	14.6*	15*
Threshold Exceeded?	NA	No	No

Notes: Values shown are the maximum summer and winter daily emissions results from CalEEMod. Detailed results are included in Appendix A. Because no significance threshold for annual emissions of NO_x 'NA' has been inserted.

* SMAQMD PM Thresholds if all feasible BCECP/BMPs are applied

NA = not applicable; NO_x = oxides of nitrogen; PM₁₀ = coarse particulate matter; PM_{2.5} = fine particulate matter.

Source: Dudek 2021.

Construction of the proposed project would also result in short-term GHG emissions, which are primarily associated with use of off-road construction equipment, on-road hauling and vendor (material delivery) trucks, and worker vehicles. CalEEMod was used to calculate the annual GHG emissions for project construction. Table 2-3, Project Estimated Annual Construction GHG Emissions, presents estimated construction emissions.

SMAQMD has adopted the quantitative threshold for construction GHG emissions of 1,100 MT CO_{2e} for land use development projects (SMAQMD 2015). A project that exceeds the thresholds may have a cumulatively considerable contribution of GHG emissions.

As shown in Table 2-3, estimated annual construction-related GHG emissions would be approximately 110 MT CO_{2e} in 2022. Therefore, construction activities would not exceed the applied threshold of 1,100 MT CO_{2e} per year and the impact would be less than significant.

Table 2-3. Project Estimated Annual Construction GHG Emissions

Year	CO ₂	CH ₄	N ₂ O	CO _{2e}
<i>Metric Tons per Year</i>				
2022	110.22	0.02	0.00	110.70
<i>Pollutant Threshold</i>				1,100
Threshold Exceeded?				No

Notes: MT = metric tons; CO₂ = carbon dioxide; CH₄ = methane; N₂O = nitrous oxide; CO_{2e} = carbon dioxide equivalent.

Source: Dudek 2021.

SMAQMD defines sensitive receptors as facilities that house or attract children, the elderly, people with illnesses, or others who are especially sensitive to the effects of air pollutants or may experience adverse effects from unhealthful concentrations of air pollutants. Hospitals, clinics, schools, convalescent facilities, and residential areas are examples of sensitive receptors. The nearest sensitive receptors in the vicinity of the project site are residential land uses located approximately 1,000 feet southeast of the project site. The amount of dust emitted during project construction would be minimized by through compliance with SMAQMD's Rule 403 and implementation of feasible BCECP and BMPs provided in mitigation measures AQ-1 and AQ-2, and would occur short-term, and are expected to be well below allowable thresholds (see Table 2-1). For these reasons, there would be no additional effect and impacts would less than significant.

Operation

Following the completion of construction activities, the proposed project would generate pollutant emissions from area sources (include the use of consumer products and landscape maintenance equipment), on-site energy use, and vehicles travelling to and from the project site. Table 2-4,

Estimated Unmitigated Operational Emissions, presents the estimated operational emissions (Year 2022) from the proposed project.

Table 2-4. Estimated Operational Emissions

Source	ROG	NO _x	PM ₁₀	PM _{2.5}
<i>Daily Emissions (Pounds per Day)</i>				
Area	0.15	<0.01	<0.01	<0.01
Energy	<0.01	0.01	<0.01	<0.01
Mobile	7.66	18.45	4.63	1.28
Total	7.81	18.46	4.63	1.28
<i>Pollutant Threshold</i>	65	65	80*	82*
Threshold Exceeded?	No	No	No	No
<i>Annual Emissions (Tons per Year)</i>				
Area	0.03	<0.01	0.00	0.00
Energy	<0.01	<0.01	<0.01	<0.01
Mobile	0.83	2.71	0.66	0.18
Total	0.86	2.71	0.66	0.18
<i>Pollutant Threshold</i>	NA	NA	14.6*	15*
Threshold Exceeded?	NA	NA	No	No

Notes: Detailed results are included in Appendix A. Because no significance threshold for annual emissions of ROG and NO_x 'NA' has been inserted.

* SMAQMD PM Thresholds if all feasible BACT/BMPs are applied.

ROG = reactive organic gases; NA = not applicable; NO_x = oxides of nitrogen; PM₁₀ = coarse particulate matter, PM_{2.5} = fine particulate matter; <0.01 = value less than reported 0.01.

Source: Dudek 2021.

As shown in Table 2-4, emissions of ROG, NO_x, PM₁₀, and PM_{2.5} from project operation would be minimal and would not exceed the SMAQMD thresholds of significance. The SMAQMD CEQA guidance states that operational emissions that generate above zero pounds per day of PM₁₀ and PM_{2.5} would result in a significant impact, unless all feasible Best Available Control Technologies (BACT) and BMPs are implemented (SMAQMD 2017). The proposed project would be required to comply with BMP measures in its final design to reduce operational PM₁₀ and PM_{2.5} emissions including compliance with the California Building Energy Efficiency Standards and Green Building Code (Title 24, Parts 6 and 11) and would also develop sidewalks adjacent to the site. Furthermore, project design review under Policy ER 6.1.2 of the City's General Plan would ensure that the proposed project includes feasible measures that reduce air pollutant emissions through project design. Therefore, there would be no additional effect and the impact would be less than significant.

In addition, the project would also not result in CO concentrations that exceed the current 1-hour and 8-hour standards and would not develop housing that could place residents near mobile or stationary sources of toxic air contaminants (TACs). Both of these impacts are less than significant.

Long-term operational emissions would occur over the life of the project. The proposed project would be considered to have a significant effect relating to operational greenhouse gas emissions if it fails to comply with the City's GHG policies. As shown in Table 2-5, the proposed project would contribute an estimated 924 MT of greenhouse gases annually. However, the proposed project has committed to reducing greenhouse gas emissions. The proposed project would comply with the City's 2035 General Plan Land Use and Urban Form Designations and Development Standards and would be consistent with the allowable density standards specified in the General Plan. In addition,

the project is consistent with General Plan goals supporting infill development (LU 1.1, 1.1.4, 1.1.5 and 1.1.10) and sustainable development patterns (LU 2.6.1), that all support the City's CAP.

In addition, from the Air Quality and Land Use Handbook: A Community Health Perspective (Cal EPA, CARB 2005), the siting of gasoline stations should be separated from sensitive land uses by 50 feet or more (for gas stations with an annual throughput of 3.6 million gallons or less). The proposed gas station is greater than 50 feet from any sensitive land uses. Additionally, the handbook notes on page 31 that, "A well-maintained vapor recovery system can decrease emissions of benzene by more than 90% compared to an uncontrolled facility." Further, CARB adopted the Airborne Toxic Control Measure (ATCM) for emissions of benzene from gas stations. The ATCM reflects the use of best available control technology which requires the installation of CARB-certified Phase I and II vapor recovery control equipment at all retail service stations. The ATCM is designed to reduce benzene and total hydrocarbon emissions by 95% (CARB 2021). The proposed project is required to install CARB-certified Phase I and II vapor recovery control equipment which would further reduce harmful emissions.

The proposed project is designed consistent with the City's CAP. Therefore, the proposed project would not generate GHG emissions that exceed the acceptable threshold and would not conflict with a plan or policy adopted to reduce GHGs and the impact is less than significant.

Table 2-5. Project Estimated Annual Operational GHG Emissions

Source	CO ₂	CH ₄	N ₂ O	CO ₂ e
	Metric Tons per Year			
Area	<0.01	0.00	0.00	<0.01
Energy	21.96	<0.01	<0.01	22.05
Mobile	890.28	0.06	0.00	891.87
Solid Waste	3.63	0.21	0.00	8.99
Water Supply and Wastewater	1.00	<0.01	<0.01	1.12
			Total	924.03

Notes: MT = metric tons; CO₂ = carbon dioxide; CH₄ = methane; N₂O = nitrous oxide; CO₂e = carbon dioxide equivalent; <0.01 = value less than reported 0.01.

Source: Dudek 2021.

MITIGATION MEASURES

Compliance with the following measures already required by SMAQMD or CARB would ensure impacts would remain less than significant.

Mitigation Measure AQ-1 (Construction Emissions)

The following Basic Construction Emission Control Practices (BCECP) shall be implemented during project construction:

- Water all exposed surfaces two times daily. Exposed surfaces include, but are not limited to soil piles, graded areas, unpaved parking areas, and staging areas.
- Cover or maintain at least two 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 shall be covered.
- Use wet power vacuum street sweepers to remove any visible track-out mud or dirt onto adjacent public roads at least once a day. Use of dry power sweeping is prohibited.
- Limit vehicle speeds on unpaved roads to 15 miles per hour (mph).

The following practices describe exhaust emission control from diesel powered fleets working at a construction site. California regulations limit idling from both on-road and off-road diesel-powered equipment. The California Air Resources Board enforces the idling limitations.

- Minimize idling time either by shutting equipment off when not in use or reducing the time of idling to 5 minutes [required by 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.

Although not required by local or state regulation, many construction companies have equipment inspection and maintenance programs to ensure work and fuel efficiencies.

- Maintain all construction equipment in proper working condition according to manufacturer's specifications. The equipment must be checked by a certified mechanic and determine to be running in proper condition before it is operated.

Mitigation Measure AQ-2 (Construction Traffic)

Route and schedule construction traffic to avoid peak travel times as much as possible to reduce congestion and related air quality impacts caused by idling vehicles along local roads.

FINDINGS

The proposed project would have no additional project-specific environmental effects relating to Air Quality.

Issues:	Effect will be studied in the EIR	Effect can be mitigated to less than significant	No additional significant environmental effect
3. <u>BIOLOGICAL RESOURCES</u>			
Would the proposal:			
A) Create a potential health hazard, or use, production or disposal of materials that would pose a hazard to plant or animal populations in the area affected?			X
B) Result in substantial degradation of the quality of the environment, reduction of the habitat, reduction of population below self-sustaining levels of threatened or endangered species of plant or animal species?		X	
C) Affect other species of special concern to agencies or natural resource organizations (such as regulatory waters and wetlands)?			X

ENVIRONMENTAL SETTING

Prior to human development, the natural habitats within the region included perennial grasslands, riparian woodlands, oak woodlands, and a variety of wetlands including vernal pools, seasonal wetlands, freshwater marshes, ponds, streams, and rivers. Over the last 150 years, agriculture, irrigation, flood control, and urbanization have resulted in the loss or alteration of much of the natural habitat within the

city limits. Non-native annual grasses have replaced the native perennial grasslands, many of the natural streams have been channelized, much of the riparian and oak woodlands have been cleared, and most of the marshes have been drained and converted to agricultural or urban uses.

The majority of the city is developed with residential, commercial, and other urban development, valuable plant and wildlife habitat still exists. These natural habitats are located primarily outside the city boundaries in the northern, southern and eastern portions of the city, but also occur along river and stream corridors and on a number of undeveloped parcels. Habitats that are present in the city include annual grasslands, riparian woodlands, oak woodlands, riverine, ponds, freshwater marshes, seasonal wetlands, and vernal pools.

The project site is vacant and does not include any trees or other natural vegetation communities. The plants present on the site consist of non-native, weedy species reflective of the site's disturbed environment and its proximity to adjacent developed areas. This land cover type does not function as suitable habitat for special-status plant or wildlife species. Due to the disturbed nature of the habitat present on the project site, special-status plant species are not expected to occur. The site lacks any foraging habitat such as extensive, unobstructed grassland and agricultural fields. Given the disturbed nature of the site along with the level of development surrounding the site, the potential for any sensitive bird species to use the adjacent trees for nesting or the site for foraging is low.

No formal wetland delineation has been prepared for the project site; however, waters of the United States are not anticipated to be present on the site and no areas of potential wetlands have been identified. No creeks or streams are present on or near the site and the only potential sources of hydrology on the site are precipitation.

The City of Sacramento Tree Preservation Ordinance (Ordinance (Ord. 2016-0026; City Code Chapter 12.56), protects City trees and certain private trees within city limits. The ordinance specifies that a tree permit is required to perform regulated work, including removal of protected trees. A tree permit for the removal of private protected trees must include a tree replacement plan. The ordinance requires that the tree replacement plan must provide for one inch of replacement tree for every inch of private protected tree or City tree that is removed. Replacement trees may be planted on-site or off-site and must be monitored and maintained for the specified time period required for tree establishment.

STANDARDS OF SIGNIFICANCE

For purposes of this IS, impacts to biological resources may be considered significant if construction and/or operation of the proposed project would result in any of the following conditions or potential thereof, after implementation of 2035 General Plan policies:

- creation of a potential health hazard, or use, production or disposal of materials that would pose a hazard to plant or animal populations in the area affected;
- substantial degradation of the quality of the environment, reduction of the habitat, reduction of population below self-sustaining levels of threatened or endangered species of plant or animal; or
- affect other species of special concern to agencies or natural resource organizations (such as regulatory waters and wetlands).

For the purposes of this document, "special-status" has been defined to include those species, which are:

- Listed as endangered or threatened under the federal Endangered Species Act (or formally proposed for, or candidates for, listing);
- Listed as endangered or threatened under the California Endangered Species Act (or proposed for listing);

- Designated as endangered or rare, pursuant to California Fish and Game Code (Section 1901);
- Designated as fully protected, pursuant to California Fish and Game Code (Section 3511, 4700, or 5050);
- Designated as species of concern by U.S. Fish and Wildlife Service (USFWS), or as species of special concern to California Department of Fish and Wildlife (CDFW);
- Plants or animals that meet the definition of rare or endangered under the California Environmental Quality Act (CEQA).

SUMMARY OF ANALYSIS UNDER THE 2035 GENERAL PLAN MASTER EIR AND APPLICABLE GENERAL PLAN POLICIES

Chapter 4.3 of the Master EIR evaluated the effects of the 2035 General Plan on biological resources within the City. The Master EIR identified potential impacts in terms of degradation of the quality of the environment or reduction of habitat or population below self-sustaining levels of special-status birds, through the loss of both nesting and foraging habitat.

Policies in the 2035 General Plan were identified as mitigating the effects of development that could occur under the provisions of the 2035 General Plan. Policy ER 2.1.5 calls for the City to preserve the ecological integrity of creek corridors and other riparian resources; Policy ER 2.1.10 requires the City to consider the potential impact on sensitive plants for each project and to require pre-construction surveys when appropriate; and Policy ER 2.1.11 requires the City to coordinate its actions with those of the CDFW, USFWS, and other agencies in the protection of resources.

The Master EIR discussed biological resources in Chapter 4.3. The Master EIR concluded that policies in the general plan, combined with compliance with the California Endangered Species Act, Natomas Basin Habitat Conservation Plan (when applicable) and CEQA would minimize the impacts on special-status species to a less-than-significant level (see Impact 4.3-1), and that the general plan policies, along with similar compliance with local, state and federal regulation would reduce impacts to a less-than-significant level for habitat for special-status invertebrates, birds, amphibians and reptiles, mammals and fish (Impacts 4.3-3-6).

Given the prevalence of rivers and streams in the incorporated area, impacts to riparian habitat is a common concern. Riparian habitats are known to exist throughout the City, especially along the Sacramento and American rivers and their tributaries. The Master EIR discussed impacts of development adjacent to riparian habitat that could disturb wildlife species that rely on these areas for shelter and food, and could also result in the degradation of these areas through the introduction of feral animals and contaminants that are typical of urban uses. The CDFW regulates potential impacts on lakes, streams, and associated riparian (streamside or lakeside) vegetation through the issuance of Lake or Streambed Alteration Agreements (SAA) (per Fish and Game Code Section 1602), and provides guidance to the City as a resource agency. While there are no federal regulations that specifically mandate the protection of riparian vegetation, federal regulations set forth in Section 404 of the Clean Water Act address areas that potentially contain riparian-type vegetation, such as wetlands.

The general plan calls for the City to preserve the ecological integrity of creek corridors, canals and drainage ditches that support riparian resources (Policy ER 2.1.5) and wetlands (Policy ER 2.1.6) and requires habitat assessments and impact compensation for projects (Policy ER 2.1.10). has adopted a standard that requires coordination with state and federal agencies if a project has the potential to affect other species of special concern or habitats (including regulatory waters and wetlands) protected by agencies or natural resource organizations (Policy 2.1.11).

Implementation of 2035 General Plan Policy ER 2.1.5 would reduce the magnitude of potential impacts by requiring a 1:1 replacement of riparian habitat lost to development. While this would help mitigate impacts on riparian habitat, large open areas of riparian habitat used by wildlife could be lost and/or degraded directly and indirectly through development under the 2035 General Plan. Given the extent of urban development designated in the general plan, the preservation and/or restoration of riparian habitat would likely occur outside of the city limits. The Master EIR concluded that the permanent loss of riparian habitat would be a less-than-significant impact. (Impact 4.3-7).

ANSWERS TO CHECKLIST QUESTIONS

- A,B) Due to the disturbed nature of the project site and the non-native weedy plant species this habitat type is not considered suitable habitat for special-status plant species known to occur in the region. Because of the high degree of disturbance on the site and the fact that the site is surrounded by development, special-status plant species are not expected to occur at the project site. In addition, due to the developed nature of the surrounding area and the location of the project site it does not function as a wildlife corridor. To accommodate roadway improvements the project would remove 13 Crepe myrtle trees that measure 4 and 5-inch diameter at breast height (DBH) in the median strip adjacent to Power Inn Road.

All native birds in California are protected by the federal Migratory Bird Treaty Act (MBTA) of 1918 and Section 3503.5 of the California Fish and Game Code, which specifically protects raptors. The trees slated for removal could provide nesting habitat for native birds protected by the MBTA and the California Fish and Game Code. Destruction or other adverse impacts to active nests with eggs or chicks during construction could be considered a violation of these regulations and be considered potentially significant impacts under CEQA. Implementation of Mitigation Measure BIO-1 would ensure that no impacts would occur to nesting bird species, if present during construction. Therefore, impacts to special-status wildlife and plant species would be less than significant with mitigation.

The proposed project includes a gas station which could create a potential health hazard to plant or wildlife resources on the project site. However, as discussed above, the site does not contain any special-status, or protected, plant or animal species. In addition, construction and operation of the gas station would be required to comply with all federal, state and local requirements that oversee and regulate construction and operation of gas stations. Therefore, the project would not result in an additional environmental effect.

- C) No formal wetland delineation has been prepared for the project site. However, it is highly unlikely waters of the United States or waters of the state would be present on the site. Thus, a formal wetland delineation is not anticipated to be required. In addition, no riparian habitat or sensitive natural community is located on the project site. Therefore, no impact would occur to federally protected wetlands, riparian habitat, or sensitive natural community due to the proposed project.

MITIGATION MEASURES

Compliance with the following mitigation measure would ensure any tree removal during nesting season would be subject to nesting bird surveys. Compliance with this mitigation measure would reduce the impact to nesting birds to less than significant.

Mitigation Measure BIO-1 (Construction)

Project construction could result in impacts to nesting birds, including the loss of active nests with eggs or fledglings tree removal occurs during the nesting season (generally February 1 through August 30, depending on the species). All native migratory bird species are protected by the federal

Migratory Bird Treaty Act; active nests of all birds are protected under California Fish and Game Code 3503, and individual raptors (and their active nests) are protected under 3503.5. If tree removal is slated to occur during the nesting season, a preconstruction nesting bird survey shall be conducted by a qualified biologist no sooner than 10 days prior to tree removal, construction and any ground-disturbance activities, to determine if any native birds are nesting on or immediately adjacent to the site (including a 250-foot buffer for raptors). If any active nests are observed during the survey, a suitable avoidance buffer shall be determined and flagged by the qualified biologist based on species, location, and planned construction activity. These nests shall be avoided until the chicks have fledged and the nests are no longer active, as determined by the biologist.

FINDINGS

All additional significant environmental effects of the proposed project relating to Biological Resources can be mitigated to a less-than-significant level.

Issues:	Effect will be studied in the EIR	Effect can be mitigated to less than significant	No additional significant environmental effect
<p>4. <u>CULTURAL RESOURCES</u> Would the project:</p> <p>A) Cause a substantial adverse change in the significance of a historical or archaeological resource as defined in § 15064.5?</p>		X	
<p>B) Directly or indirectly destroy a unique paleontological resource?</p>		X	
<p>D) Disturb any human remains?</p>		X	

ENVIRONMENTAL SETTING

The City of Sacramento and the surrounding area are known to have been occupied by Native American groups for thousands of years prior to settlement by non-Native peoples. Archaeological materials, including human burials, have been found throughout the city. Human burials outside of formal cemeteries often occur in prehistoric contexts. Areas of high sensitivity for archaeological resources, as identified in the 2035 General Plan Background Report (which provides information on the existing environmental setting), are located within close proximity to the Sacramento and American rivers and other watercourses.

The 2035 General Plan land use diagram designates a wide swath of land along the American River as Parks, which limits development and impacts on sensitive prehistoric resources. High sensitivity areas may be found in other areas related to the ancient flows of the rivers, with differing meanders than found today. Recent discoveries during infill construction in downtown Sacramento have shown that the downtown area is highly sensitive for both historic- and prehistoric-period archaeological resources. Native American burials and artifacts were found in 2005 during construction of the New City Hall and historic period archaeological resources are abundant downtown due to the evolving development of the area and, in part, to the raising of the surface street level in the 1860s and 1870s, which created basements out of the first floors of many buildings.

The project site is an undeveloped parcel that appears to have previously been developed or disturbed. The project site is located in a developed, urbanized area of the city and is not located near any rivers, streams or other water sources.

The 2035 General Plan Technical Background Report designates areas within the city that have the potential to have high or moderate sensitivity for archeological resources. The project site is not located within an area of high or moderate archeological sensitivity according to this report (City of Sacramento 2014).

STANDARDS OF SIGNIFICANCE

For purposes of this IS, impacts to cultural resources may be considered significant if construction and/or implementation of the proposed project would result in any of the following conditions or potential thereof, after implementation of 2035 General Plan policies:

- cause a substantial change in the significance of a historical or archaeological resource as defined in CEQA Guidelines Section 15064.5; or
- directly or indirectly destroy a unique paleontological resource; or
- a substantial adverse change in the significance of such resources.

SUMMARY OF ANALYSIS UNDER THE 2035 GENERAL PLAN MASTER EIR AND APPLICABLE GENERAL PLAN POLICIES

The Master EIR evaluated the potential effects of development under the 2035 General Plan on prehistoric and historic resources. See Chapter 4.4.

General plan policies identified as reducing such effects call for identification of resources on project sites (Policy HCR 2.1.1), implementation of applicable laws and regulations (Policy HCR 2.1.2), early consultation with owners and land developers to minimize effects (Policy HCR 2.1.10) and encouragement of adaptive reuse of historic resources (Policy HCR 2.1.14). Demolition of historic resources is deemed a last resort. (Policy HCR 2.1.15)

The Master EIR concluded that implementation of the 2035 General Plan would have a significant and unavoidable effect on historic resources and archaeological resources. (Impacts 4.4-1, 2).

Section 7050.5 of the California Health and Safety Code states that it is a misdemeanor to knowingly disturb a human grave. In the unlikely event that human graves are encountered, work should halt in the vicinity and the County Coroner should be notified immediately. At the same time, an archeologist should be contacted to evaluate the situation and grave. If the human remains are determined to be of Native American origin, the Coroner must contact the NAHC within 24 hours of identification.

ANSWERS TO CHECKLIST QUESTIONS

- A,B) The project site is not located in area of high sensitivity for subsurface prehistoric or historic-era resources. However, it is always possible that archaeological and paleontological deposits are present at subsurface levels. Implementation of mitigation measure CUL-1 would reduce potential impacts to cultural and paleontological resources discovered during project construction activities to less than significant and there would be no additional significant effect.
- C) In the event human remains are unearthed during construction state law (Section 7050.5 of the California Health and Safety Code) sets forth specific protocol in the unlikely event human

remains are encountered, which includes stopping work in the vicinity and the County Coroner be notified immediately. If the human remains are determined to be of Native American origin, the Coroner must contact the NAHC within 24 hours. Compliance with this existing requirement, as provided in mitigation measure CUL-2 would ensure any impacts to discovered human remains would be less than significant and there would be no additional significant effect.

MITIGATION MEASURES

Mitigation Measure CUL-1 (Construction)

If cultural resources, paleontological 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 to cultural resources. This shall be accomplished, if feasible, by several alternative means, including:

- Planning construction to avoid archaeological sites and/or other cultural resources; incorporating cultural resources within green-space or other open space; covering archaeological resources; deeding a cultural resource to a permanent conservation easement; or other preservation and protection methods agreeable to consulting parties and regulatory authorities with jurisdiction over the activity.
- Recommendations for avoidance of cultural resources, paleontological shall 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, modification of the design to eliminate or reduce impacts to cultural resources or modification or realignment to avoid highly significant features within a cultural resource.
- If the discovered cultural resource can be avoided, the construction contractor(s), shall install protective fencing outside the site boundary, including a 100-foot buffer area, before construction restarts. The boundary of a cultural resource will be determined in consultation with interested culturally affiliated Native American tribes and tribes shall be invited to monitor the installation of fencing. Use of temporary and permanent forms of protective fencing shall be determined in consultation with Native American representatives from interested culturally affiliated Native American tribes.
- The construction contractor(s) shall maintain the protective fencing throughout construction to avoid the site during all remaining phases of construction. The area shall be demarcated as an "Environmentally Sensitive Area".
- If a cultural resource cannot be avoided, the following performance standard shall be met prior to continuance of construction and associated activities that may result in damage to or destruction of cultural resources or tribal cultural resources:
- Each resource shall be evaluated for California Register of Historical Resources- (CRHR) eligibility through application of established eligibility criteria (California Code of Regulations 15064.636), in consultation with consulting Native American Tribes, as applicable.

If a cultural resource is determined to be eligible for listing in the CRHR, the City shall avoid damaging effects to the resource in accordance with California PRC Section 21084.3, if feasible. 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 to 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 shall 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 shall be provided in the project record.

Mitigation Measure CUL-2 (Construction)

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 prior to implementing or continuing actions such as construction, which may result in damage to or destruction of human remains. In accordance with the California Health and Safety Code (HSC) Section 7050.5, 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 professional archaeologist 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 to be not of Native American origin, the City will follow the provisions of the HSC Section 7000 (et seq.) regarding the disinterment and removal of non-Native American human remains.

FINDINGS

All additional significant environmental effects of the proposed project relating to Cultural Resources can be mitigated to a less-than-significant level.

Issues:	Effect will be studied in the EIR	Effect can be mitigated to less than significant	No additional significant environmental effect
<p>5. <u>ENERGY</u></p> <p>Would the project:</p>			
<p>A) Result in a potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy, or wasteful use of energy resources, during project construction or operation?</p>			<p>X</p>
<p>B) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?</p>			<p>X</p>

ENVIRONMENTAL SETTING

Sacramento Municipal Utility District (SMUD) is a community-owned and not-for-profit utility that provides electric services to 900 square miles, including most of Sacramento County (SMUD 2020). Pacific Gas and Electric (PG&E) is an inventory-owned utility that provides electric and natural gas services to approximately 16 million people within a 70,000-square-mile service area in both northern and central California (PG&E 2020). SMUD is the primary electricity supplier, and PG&E is the primary natural gas supplier for the City of Sacramento and the project area.

Energy demand related to the proposed project would include energy directly consumed for space heating and cooling and proposed electric facilities and lighting. Indirect energy consumption would be associated with the generation of electricity at power plants. Transportation-related energy consumption includes the use of fuels and electricity to power cars, trucks, and public transportation. Energy would also be consumed by equipment and vehicles used during project construction and routine maintenance activities.

California Green Building Standards

The energy consumption of new residential and nonresidential buildings in California is regulated by the state's Title 24, Part 6, Building Energy Efficiency Standards (California Energy Code). The California Energy Code was established by CEC in 1978 in response to a legislative mandate to create uniform building codes to reduce California's energy consumption and provide energy efficiency standards for residential and non-residential buildings. CEC updates the California Energy Code every 3 years with more stringent design requirements for reduced energy consumption, which results in the generation of fewer GHG emissions.

The 2019 California Energy Code was adopted by CEC on May 9, 2018 and applies to projects constructed after January 1, 2020. The 2019 California Energy Code is designed to move the State closer to its zero-net energy goals for new residential development. It does so by requiring all new residences to install enough renewable energy to offset all the electricity needs of each residential unit (California Code of Regulations (CCR), Title 24, Part 6, Section 150.1(c)4). CEC estimates that the combination of mandatory on-site renewable energy and prescriptively required energy efficiency standards will result in a 53 percent reduction in new residential construction as compared to the 2016 California Energy Code. Non-residential buildings are anticipated to reduce energy consumption by 30% as compared to the 2016 California Energy Code primarily through prescriptive requirements for high-efficiency lighting (CEC 2018). The Energy Code is enforced through the local plan check and building permit process. Local government agencies may adopt and enforce additional energy standards for new buildings as reasonably necessary due to local climatologic, geologic, or topographic conditions, provided that these standards exceed those provided in the California Energy Code.

STANDARDS OF SIGNIFICANCE

For purposes of this IS, energy impacts may be considered significant if construction and/or operation of the proposed project would result in any of the following conditions or potential thereof, after implementation of 2035 General Plan policies:

- result in a potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy, or wasteful use of energy resources, during project construction or operation; and/or
- conflict with or obstruct a state or local plan for renewable energy or energy efficiency.

SUMMARY OF ANALYSIS UNDER THE 2035 GENERAL PLAN MASTER EIR AND APPLICABLE GENERAL PLAN POLICIES

Structures built would be subject to Titles 20 and 24 of the California Code of Regulations, which reduce demand for electrical energy by implementing energy-efficient standards for residential and non-residential buildings. The 2035 General Plan includes policies (see 2035 General Plan Energy Resources Goal U 6.1.1) and related policies to encourage energy-efficient technology by offering rebates and other incentives to commercial and residential developers, coordination with local utility providers and recruitment of businesses that research and promote energy conservation and efficiency.

The Master EIR discussed energy conservation and relevant general plan policies in section 6.3 (page 6-3). The discussion concluded that with implementation of the general plan policies and energy regulation (e.g., Title 24) development allowed in the general plan would not result in the inefficient, wasteful or unnecessary consumption of energy.

See also Section 12, below, discussing impacts related to energy. The Master EIR concluded that implementation of state regulation, coordination with energy providers and implementation of general plan policies would reduce the potential impacts from construction of new energy production or transmission facilities to a less-than-significant level.

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The Master EIR discussed energy conservation and relevant General Plan policies in Section 6.3 (page 6-3). The discussion concluded that with implementation of the General Plan policies and energy regulation (e.g., Title 24) development allowed in the General Plan would not result in the inefficient, wasteful or unnecessary consumption of energy.

The Master EIR concluded that implementation of state regulation, coordination with energy providers and implementation of General Plan policies would reduce the potential impacts from construction of new energy production or transmission facilities to a less-than-significant level.

ANSWERS TO CHECKLIST QUESTIONS

- A,B) Neither federal or state law nor the State CEQA Guidelines establish thresholds that define when energy consumption is considered wasteful, inefficient and unnecessary. Compliance with CCR Title 24 Energy Efficiency Standards would result in energy-efficient buildings. However, compliance with building codes does not adequately address all potential energy impacts during construction and operation. For example, energy would be required to transport people and goods to and from the project site. If approved, construction is anticipated to take 6 months to clear and grade the site and construct the gas station and associated convenience store. The amount of energy required to construct and operate the project is not anticipated to exceed what the City has assumed for development of these types of uses throughout the city. Impacts would be less than significant and there would be no additional significant effect.

FINDINGS

The proposed project would have no additional project-specific environmental effects relating to Energy.

Issues:	Effect will be studied in the EIR	Effect can be mitigated to less than significant	No additional significant environmental effect
<p>6. <u>GEOLOGY AND SOILS</u></p> <p>Would the project allow a project to be built that will either introduce geologic or seismic hazards by allowing the construction of the project on such a site without protection against those hazards?</p>		X	

ENVIRONMENTAL SETTING

A Geotechnical Engineering Report was prepared for the project by Terracon Consultants, Inc, in May 2019 (see Appendix B). Based on the report soils present on the site consist of fill material consisting of loose poorly to well graded gravel with clay to medium stiff lean clay with gravel to depths of 1½ to 4 feet below the existing ground surface (bgs). The native soils underlying the fill consist of Riverbank Formation (Qr1).

The California Geologic Survey (CGS) has designated certain areas within California as potential liquefaction hazard zones. The project site is not located within a liquefaction hazard zone mapped by the CGS, and other seismically induced hazards, such as lateral spreading, should also be considered low.

No groundwater was not encountered at any time during the soil borings conducted as part of the investigation.

STANDARDS OF SIGNIFICANCE

For purposes of this IS, impacts due to geologic conditions may be considered significant if construction and/or operation of the proposed project would result in any of the following conditions or potential thereof, after implementation of 2035 General Plan policies:

- allows a project to be built that will either introduce geologic or seismic hazards by allowing the construction of the project on such a site without protection against those hazards.

SUMMARY OF ANALYSIS UNDER THE 2035 GENERAL PLAN MASTER EIR AND APPLICABLE GENERAL PLAN POLICIES

Chapter 4.5 of the Master EIR evaluated the potential effects related to seismic hazards, underlying soil characteristics, slope stability, erosion, existing mineral resources and paleontological resources in the City. Implementation of identified policies in the 2035 General Plan reduced all effects to a less-than-significant level. Policy EC 1.1.1 requires regular review of the City’s seismic and geologic safety standards, and Policy EC 1.1.2 requires geotechnical investigations for project sites to identify and respond to geologic hazards, when present.

ANSWERS TO CHECKLIST QUESTIONS

- A) The Geotechnical Report notes that over excavation of the top 1/1/2 to 4 feet of soils is necessary to ensure the soils can handle the proposed development. Compliance with mitigation measure GEO-1 would ensure the project applicant and their contractor comply with the recommendations spelled out in the Geotechnical Report. This would reduce the impact to less than significant and there would be no additional significant effect.

MITIGATION MEASURES

Mitigation Measure GEO-1 (Construction)

The project contractor shall comply with the recommendations set forth in the Geotechnical Engineering Report prepared by Terracon Consultants (May 2019) to ensure on-site soils are adequate to support the proposed uses and do not pose a potential geologic hazard.

FINDINGS

All additional significant environmental effects of the proposed project relating to Geology and Soils can be mitigated to a less-than-significant level.

Issues:	Effect will be studied in the EIR	Effect can be mitigated to less than significant	No additional significant environmental effect
<p>7. <u>HAZARDS</u></p> <p>Would the project:</p> <p>A) Expose people (e.g., residents, pedestrians, construction workers) to existing contaminated soil during construction activities?</p>		X	
<p>B) Expose people (e.g., residents, pedestrians, construction workers) to asbestos-containing materials or other hazardous materials?</p>			X
<p>C) Expose people (e.g., residents, pedestrians, construction workers) to existing contaminated groundwater during dewatering activities?</p>			X

ENVIRONMENTAL SETTING

A Phase 1 Environmental Site Assessment (ESA) was prepared for the project by Terracon Consultants, Inc, in May 2019 (see Appendix C). Based on the report the site was previously used for agricultural and then developed with a variety of uses starting in the early 1900s. From 1910 through the 1940s the site was farmed. By the mid-1950s, the site was cleared of vegetation and developed with a commercial building in the southeastern portion of the site. Between the early 1980s and early 1990s, an additional structure was developed along the northeastern site boundary, along with the addition of truck storage. By the late 1990s, the buildings on the site were removed and storage pods were added along the northern boundary in the mid-2000s. Since 2010, the site has consisted of vacant land.

A review of federal and state environmental regulatory databases indicates the site was investigated for the presence of hazardous soils and two underground storage tanks (USTs) have been removed from the site. The on-site soil was reported as being bioremediated on-site. The case was closed on August 9, 1994. The UST case represents an Historical Recognized Environmental Conditions (HREC) on the site. Over the years adjacent uses and activities have resulted in environmental conditions that have entered the site. During the Phase 1 site work no RECs were observed on the site.

Federal regulations and regulations adopted by the Sacramento Metropolitan Air Quality Management District (SMAQMD) apply to the identification and treatment of hazardous materials during demolition and construction activities. Failure to comply with these regulations respecting asbestos may result in a Notice of Violation being issued by the District and civil penalties under state and/or federal law, in addition to possible action by U.S. EPA under federal law.

STANDARDS OF SIGNIFICANCE

For purposes of this IS, impacts due to existing hazardous conditions may be considered significant if construction of the proposed project would result in any of the following conditions or potential thereof, after implementation of 2035 General Plan policies:

- expose people (e.g., residents, pedestrians, construction workers) to existing contaminated soil during construction activities;
- expose people (e.g., residents, pedestrians, construction workers) to asbestos-containing materials or other hazardous materials; or
- expose people (e.g., residents, pedestrians, construction workers) to existing contaminated groundwater during dewatering activities.

SUMMARY OF ANALYSIS UNDER THE 2035 GENERAL PLAN MASTER EIR AND APPLICABLE GENERAL PLAN POLICIES

The Master EIR evaluated effects of development on hazardous materials, emergency response and aircraft crash hazards. See Chapter 4.6. Implementation of the General Plan may result in the exposure of people to hazards and hazardous materials during construction activities, and exposure of people to hazards and hazardous materials during the life of the general plan. Impacts identified related to construction activities and operations were found to be less than significant. Policies included in the 2035 general Plan, including PHS 3.1.1 (investigation of sites for contamination) and PHS 3.1.2 (preparation of hazardous materials actions plans when appropriate) were effective in reducing the identified impacts.

ANSWERS TO CHECKLIST QUESTIONS

- A) The Phase 1 ESA prepared for the project site has identified some historic RECs and also notes the presence of adjacent RECs that may have migrated to the project site. The project does not include development of any residential uses; however, due to the various RECs identified in parcels surrounding the site and the contaminated groundwater there is the potential unknown RECs could be present on the site and could expose construction workers to contaminated soils. Compliance with mitigation measure HAZ-1 would ensure additional testing be conducted to determine if soil disturbance could present a hazard to construction workers and procedures to mitigate this risk. This would reduce the impact to less than significant and there would be no additional significant effect.
- B,C) The project site is vacant so no buildings that could potentially include asbestos-containing materials would be removed. In addition, the Geotechnical Report did not identify any naturally-occurring asbestos in the soils. Construction of the project would not expose residents, pedestrians, construction workers) to asbestos-containing materials.

No groundwater was encountered during the geotechnical investigation and it is anticipated the depth to groundwater is greater than 20-feet below grade. Excavation activities to install the UST to store fuel are not anticipated to require dewatering activities that could expose construction workers to existing contaminated groundwater. These impacts would be less than significant and there would be no additional significant effect.

MITIGATION MEASURES

Mitigation Measure HAZ-1 (Construction)

Prior to any site clearing, grading, or soil excavation, the project applicant shall follow the recommendations in the Phase 1 ESA prepared by Terracon Consultants (May 2019) to conduct additional testing on the project site to determine if the soils contain any contaminants that could potentially be hazardous to construction workers. If any potential contaminants are present, the project applicant shall ensure the site is fully remediated to meet all state and local requirements prior to any soil disturbing activities.

FINDINGS

All additional significant environmental effects of the proposed project relating to Hazards can be mitigated to a less-than-significant level.

Issues:	Effect will be studied in the EIR	Effect can be mitigated to less than significant	No additional significant environmental effect
8. <u>HYDROLOGY AND WATER QUALITY</u> Would the project:			
A) Substantially degrade water quality and violate any water quality objectives set by the State Water Resources Control Board, due to increases in sediments and other contaminants generated by construction and/or development of the project?			X
B) Substantially increase the exposure of people and/or property to the risk of injury and damage in the event of a 100-year flood?			X

ENVIRONMENTAL SETTING

The Federal Emergency Management Agency (FEMA) publishes Flood Insurance Rate Maps (FIRM) that delineate flood hazard zones for communities. According to the current FEMA flood maps, the project site is located in an area designated Zone X which means the site is generally protected from a 100-year flood event. Zone X flood risk is typically considered low hazard, usually between the limits of a 100- year and 500-year flood event. FEMA does not have building regulations for development in areas designated Zone X and would not require mandatory flood insurance for structures within this zone.

Sources of hydrology in the project area include precipitation and runoff from the surrounding areas. There is existing storm drainage infrastructure in the project area located in adjacent roadways. There are no creeks, wetlands, or other hydrologic features located on the site. Stormwater is currently primarily absorbed on site.

STANDARDS OF SIGNIFICANCE

For purposes of this IS, impacts to hydrology and water quality may be considered significant if construction and/or implementation of the proposed project would result in any of the following conditions or potential thereof, after implementation of 2035 General Plan policies:

- substantially degrade water quality and violate any water quality objectives set by the State Water Resources Control Board, due to increases in sediments and other contaminants generated by construction and/or development of the project; or
- substantially increase the exposure of people and/or property to the risk of injury and damage in the event of a 100-year flood.

SUMMARY OF ANALYSIS UNDER THE 2035 GENERAL PLAN MASTER EIR AND APPLICABLE GENERAL PLAN POLICIES

Chapter 4.7 of the Master EIR evaluates the potential effects of the 2035 General Plan as they relate to surface water, groundwater, flooding, stormwater and water quality. Potential effects include water quality degradation due to construction activities (Impacts 4.7-1, 4.7-2), and exposure of people to flood risks (Impacts 4.7-3). Policies included in the 2035 General Plan, including a directive for regional cooperation (Policies ER 1.1.2, EC 2.1.1), comprehensive flood management (Policy EC 2.1.23), and construction of adequate drainage facilities with new development (Policy ER 1.1.1 to ER 1.1.10) were identified that the Master EIR concluded would reduce all impacts to a less-than-significant level.

ANSWERS TO CHECKLIST QUESTIONS

- A) The proposed project includes a small convenience store, gas station, surface parking, and landscaping on a 2.26-acre area. Development of the site would convert natural vegetated groundcover to paved impervious surfaces. This could alter existing drainage patterns, site infiltration rates, and the rate of surface runoff. Sacramento City Code Section 13.08.145 addresses mitigation of drainage impacts and requires that when new development contributes runoff into the City's storm drain system, all storm water and surface runoff drainage resulting from development must demonstrate it does not affect the function of the storm drain system, and that there is no increase in flooding or in water surface elevation that adversely affects individuals, streets, structures, infrastructure, or property.

Storm drainage for the project site would be provided via a new storm drain lines that would tie into the City's existing storm drain lines in Power Inn Road and 14th Avenue. Storm water infrastructure that would serve the project site has been sized to accommodate projected development. The City operates under a Phase I National Pollutant Discharge Elimination System (NPDES) permit, which requires developers to include water quality and watershed protection measures for all development projects (City of Sacramento 2014). The City implements a comprehensive Storm Water Quality Improvement Plan (SQIP) to ensure compliance with its NPDES permit. The SQIP contains provisions for construction of storm water control and post-construction storm water control for new development. These include storm water quality treatment and/or best management practices (BMPs) that are required to be implemented in the project design phase.

Site grading and excavation and construction activities would create the potential to degrade water quality from increased sedimentation and increased storm water runoff. Construction projects that involve disturbance of over one acre of land are required by law to seek coverage under the NPDES General Permit for Storm Water Discharges Associated with Construction and Land Disturbance Activities (Construction General Permit, SWRCB Order No. 2010-0014-DWQ / NPDES No. CAS0085324, Order R5-2016-0040 as amended). To comply with this permit,

construction projects disturbing over one acre must prepare a Storm Water Pollution Prevention Plan (SWPPP), which specifies BMPs to reduce the contribution of sediments, spilled and leaked liquids from construction equipment, and other construction-related pollutants to storm water runoff. The project would be required to submit all permit registration documents (including the SWPPP) to the State Water Resources Control Board, obtain a waste discharge identification number as certification of coverage, and implement the SWPPP during construction activities. The SWPPP identifies which structural and nonstructural BMPs would be implemented, such as sandbag barriers, dust controls, perimeter controls, drain inlet protection, proper construction site housekeeping practices, and construction worker training.

Post construction, the project would be required to use source control, runoff reduction, and treatment control measures set forth in the Storm Water Quality Design Manual for the Sacramento Region, if required. These include storm water treatment measures, such as swales, filter strips, media filters and infiltration, and spill prevention and cleanup measures. Furthermore, the City’s Land Grading and Erosion Control Ordinance and Storm Water Management and Discharge Control Code include requirements for reducing storm water pollutants. The proposed project would comply with the City’s SQIP and Storm Water Quality Design Manual, and all other applicable regulations; therefore, it would result in a less-than-significant impact with regard to increase in sediments due to storm water runoff and water quality.

- B) The proposed project would not be located within a 100-year flood hazard area, as designated by FEMA (FEMA 2018). The project site is within an area designated Zone X, which allows for building construction. The proposed project would not place housing or structures within a 100-year flood hazard areas and would not expose people or structures to risks associated with flooding. Therefore, impacts due to flooding would be less than significant.

FINDINGS

The proposed project would have no additional project-specific environmental effects relating to Hydrology and Water Quality.

Issues:	Effect will be studied in the EIR	Effect can be mitigated to less than significant	No additional significant environmental effect
9. <u>NOISE</u>			
Would the project:			
A) Result in exterior noise levels in the project area that are above the upper value of the normally acceptable category for various land uses due to the project’s noise level increases?			X
B) Result in residential interior noise levels of 45 dBA L _{dn} or greater caused by noise level increases due to the project?			X
C) Result in construction noise levels that exceed the standards in the City of Sacramento general plan or Noise Ordinance?			X

Issues:	Effect will be studied in the EIR	Effect can be mitigated to less than significant	No additional significant environmental effect
D) Permit existing and/or planned residential and commercial areas to be exposed to vibration-peak-particle velocities greater than 0.5 inches per second due to project construction?			X
E) Permit adjacent residential and commercial areas to be exposed to vibration peak particle velocities greater than 0.5 inches per second due to highway traffic and rail operations?			X
F) Permit historic buildings and archaeological sites to be exposed to vibration-peak-particle velocities greater than 0.2 inches per second due to project construction and highway traffic?			X

ENVIRONMENTAL SETTING

The project site is located in a developed area of the City with retail and commercial uses located to the north, south and west. Granite Regional Park is located to the east. The closest residential uses are located approximately 1,000 feet to the southeast. The project site is undeveloped and there are no historic buildings on the site or known historic buildings in the surrounding area.

The 2035 General Plan specifies that single-family residential areas have an acceptable noise level of 60 dBA and multi-family residential areas have an acceptable noise level of 65 dBA (City of Sacramento 2015). The City’s noise ordinance specifies that exterior noise limits within residential areas shall not exceed 55 dBA within the hours between 7 a.m. and 10 p.m. and 50 dBA between 10:00 p.m. and 7:00 a.m. (City Code Section 8.68.060(A)). The existing noise environment is dominated by traffic along Power Inn Road and 14th Avenue and adjacent commercial and retail uses.

The project site is not within an Airport Influence Area for the Sacramento Metropolitan Airport or Executive Airport.

It is generally accepted that the average healthy ear can barely perceive a noise level change of 3 dB (Caltrans 2013). A change of 5 dBA is readily perceptible, and a change of 10 dBA is perceived as twice or half as loud. A doubling of sound energy results in a 3 dBA increase in sound, which means that a doubling of sound energy (e.g., doubling the average daily numbers of traffic on a road) would result in a barely perceptible change in sound level.

STANDARDS OF SIGNIFICANCE

For purposes of this IS, impacts due to noise may be considered significant if construction and/or operation of the proposed project would result in any of the following conditions or potential thereof, after implementation of 2035 General Plan policies:

- result in exterior noise levels in the project area that are above the upper value of the normally acceptable category for various land uses due to the project’s noise level increase;

- result in residential interior noise levels of 45 dBA L_{dn} or greater caused by noise level increases due to the project;
- result in construction noise levels that exceed the standards in the City of Sacramento Noise Ordinance;
- permit existing and/or planned residential and commercial areas to be exposed to vibration-peak-particle velocities greater than 0.5 inches per second due to project construction;
- permit adjacent residential and commercial areas to be exposed to vibration peak particle velocities greater than 0.5 inches per second due to highway traffic and rail operations; or
- permit historic buildings and archaeological sites to be exposed to vibration-peak-particle velocities greater than 0.2 inches per second due to project construction and highway traffic.

SUMMARY OF ANALYSIS UNDER THE 2035 GENERAL PLAN MASTER EIR AND APPLICABLE GENERAL PLAN POLICIES

The Master EIR evaluated the potential for development under the 2035 General Plan to increase noise levels in the community. New noise sources include vehicular traffic, aircraft, railways, light rail and stationary sources. The general plan policies establish exterior (Policy EC 3.1.1) and interior (Policy EC 3.1.3) noise standards. A variety of policies provide standards for the types of development envisioned in the general plan. See Policy EC 3.1.8, which requires new mixed-use, commercial and industrial development to mitigate the effects of noise from operations on adjoining sensitive land use, and Policy 3.1.9, which calls for the City to limit hours of operations for parks and active recreation areas to minimize disturbance to nearby residences. Notwithstanding application of the general plan policies, noise impacts for exterior noise levels (Impact 4.8-1) and interior noise levels (Impact 4.8-2), and vibration impacts (Impact 4.8-4) were found to be significant and unavoidable.

ANSWERS TO CHECKLIST QUESTIONS

A-D) Construction

Project construction would create noise from the use of construction equipment and vehicles. Temporary construction activities would use conventional construction techniques and equipment that would not generate substantial levels of vibration or groundborne noise. Construction activities would include site clearing and tree removal, grading, and construction of the convenience store and gas station along with sidewalks, installation of utilities, landscaping, and road improvements. The nearest noise-sensitive receptors are residences to the southeast, located approximately 1,000 feet from the site. Noise from construction would be temporary and would comply with the City's Noise Ordinance that permits construction to occur between the hours of 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. By following the allowed hours of construction, noise from project construction would result in a less-than-significant impact.

Operation

The project proposes to rezone the site to permit commercial uses. Retail and commercial uses essentially surround the site, with the exception of Granite Regional Park to the east. The project is proposing a commercial development consistent with surrounding existing uses and the underlying commercial land use designation of the project site. The project does not include any residential uses. Therefore, there would be no additional effect and the impact would be less than significant.

- E,F) There are no historic buildings or known archeological resources near or on the project site that could be adversely impacted due to vibration-related project construction or operation. The

project site is not located in close proximity to a highway or rail line. Therefore, there would be no additional effect and no impact due to vibration would occur.

FINDINGS

The proposed project would have no additional project-specific environmental effects relating to Noise.

Issues:	Effect will be studied in the EIR	Effect can be mitigated to less than significant	No additional significant environmental effect
<p>10. <u>PUBLIC SERVICES</u></p> <p>Would the project result in the need for new or altered services related to fire protection, police protection, school facilities, or other governmental services beyond what was anticipated in the 2035 General Plan?</p>			X

ENVIRONMENTAL SETTING

The closest fire station to the project site is Station #10 located at 5642 66th Street. In addition, other nearby stations include Station #6 at 3301 Martin Luther King Jr. Boulevard and Station #56 at 3720 47th Avenue.

The project site is located within District 6 of the City’s police department and would be served by the Richards Police Facility located at 300 Richards Boulevard.

The closest school to the project site is Hiram W. Johnson High School located at 6879 14th Avenue approximately 1.2 miles to the west.

STANDARDS OF SIGNIFICANCE

For purposes of this IS, impacts to public services may be considered significant if construction and/ or operation of the proposed project would result in any of the following conditions or potential thereof, after implementation of 2035 General Plan policies:

- need for new or altered services related to fire protection, police protection, school facilities, or other governmental services beyond what was anticipated in the 2035 General Plan.

SUMMARY OF ANALYSIS UNDER THE 2035 GENERAL PLAN MASTER EIR AND APPLICABLE GENERAL PLAN POLICIES

The Master EIR evaluated the potential effects of the 2035 General Plan on various public services. These include police, fire protection, schools, libraries and emergency services (Chapter 4.10).

The general plan provides that adequate staffing levels for police and fire are important for the long-term health, safety and well-being of the community (Goal PHS 1.1, PHS 2.1). The Master EIR concluded that effects of development that could occur under the general plan would be less than significant.

General plan policies that call for the City to consider impacts of new development on schools (see, for example, Policy ERC 1.1.2 setting forth locational criteria, and Policy ERC 1.1.4 that encourages joint-use development of facilities) reduce impacts on schools to a less-than-significant level. (Impacts 4.10-3, 4) Impacts on library facilities were considered less than significant (Impact 4.10-5).

ANSWERS TO CHECKLIST QUESTIONS

- A) The proposed project includes a small convenience store, gas station and public restrooms in an urbanized area of the city. The project does not include any new housing that could generate an increase in students or other governmental services. The project would increase demand in police and fire services; however, the increase in demand is not anticipated to exceed what was contemplated in the City’s General Plan and the impact is anticipated to be less than significant and would not create an additional significant environmental effect.

FINDINGS

The proposed project would have no additional project-specific environmental effects relating to Public Services.

Issues:	Effect will be studied in the EIR	Effect can be mitigated to less than significant	No additional significant environmental effect
11. <u>RECREATION</u> Would the project:			
A) Cause or accelerate substantial physical deterioration of existing area parks or recreational facilities?			X
B) Create a need for construction or expansion of recreational facilities beyond what was anticipated in the 2035 General Plan?			X

ENVIRONMENTAL SETTING

The project site is undeveloped and proposed to include a small convenience store, gas station, public restrooms. No new residential uses are proposed so the project would not create a new population requiring recreation facilities. A small tot lot is also included as part of the project.

The 80-acre active-use Granite Regional Park is located just east of the project site.

STANDARDS OF SIGNIFICANCE

For purposes of this IS, impacts to parks and recreation facilities may be considered significant if construction and/or operation of the proposed project would result in any of the following conditions or potential thereof, after implementation of 2035 General Plan policies:

- cause or accelerate substantial physical deterioration of existing area parks or recreational facilities; or
- create a need for construction or expansion of recreational facilities beyond what was anticipated in the 2035 General Plan.

SUMMARY OF ANALYSIS UNDER THE 2035 GENERAL PLAN MASTER EIR AND APPLICABLE GENERAL PLAN POLICIES

Chapter 4.9 of the Master EIR considered the effects of the 2035 General Plan on the City’s existing parkland, urban forest, recreational facilities and recreational services. The general plan identified a goal of providing an integrated park and recreation system in the City (Goal ERC 2.1). New residential development will be required to dedicate land, pay in-lieu fees or otherwise contribute a fair share to the acquisition and development of parks and recreation facilities (Policy ERC 2.2.5). Impacts were considered less than significant after application of the applicable policies. (Impacts 4.9-1 and 4.9-2).

ANSWERS TO CHECKLIST QUESTIONS

A,B) The proposed project includes commercial uses. This type of land use does not result in the need for park or recreational facilities. The proposed project would not cause or accelerate substantial physical deterioration of existing area parks or recreational facilities or create a need for additional park or recreational amenities. The impact is would be less than significant and would not create an additional significant environmental effect.

FINDINGS

The proposed project would have no additional project-specific environmental effects relating to Recreation.

Issues:	Effect will be studied in the EIR	Effect can be mitigated to less than significant	No additional significant environmental effect
12. <u>TRANSPORTATION AND CIRCULATION</u>			
Would the project:			
A) Conflict with a program plan, ordinance or policy addressing the circulation system, including transit, roadways, bicycle, and pedestrian facilities?			X
B) Would the project conflict or be inconsistent with CEQA Guidelines Section 15064.3, subdivision (b)?			X
C) Substantially increase hazards due to a geometric design feature (e.g. sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?			X
D) Result in inadequate emergency access?			X

ENVIRONMENTAL SETTING

The project site is located on a vacant parcel at the northeast corner of the Power Inn Road and 14th Avenue. The City prepared an analysis of the project’s potential to conflict with the City’s policies that address level of service, adequate site access, and adequate turning radii within the project site (Appendix D). As described in the memorandum, along the project site frontage (north of 14th Avenue), Power Inn Road is six lanes. South of 14th Avenue, Power Inn Road is four lanes plus a two-way left-turn lane (TWLTL). The speed limit is posted at 45 miles per hour and the roadway carries approximately

40,000 vehicles per weekday. To the north, Power Inn Road provides connections to Highway 50 at the Howe Avenue/Power Inn Road interchange, before continuing north as Howe Avenue towards Fair Oaks and Arden-Arcade. To the south, Power Inn Road serves southeast Sacramento, Elk Grove, and parts of unincorporated Sacramento County (City of Sacramento 2020).

West of Power Inn Road, 14th Avenue is two lanes plus a TWLTL and has a posted speed limit of 40 miles per hour. East of Power Inn Road, 14th Avenue is a minor two-lane roadway that dead-ends approximately one-half mile east of Power Inn Road. The City of Sacramento Capital Improvement Program (CIP) includes a project to extend 14th Avenue east to Florin-Perkins Road.

Sacramento Regional Transit (SacRT) operates transit service within the project site vicinity. SacRT Gold Line light rail service is available at Power Inn Station approximately one-half mile north of the project site, providing light rail connections east and west connecting to Downtown Sacramento. SacRT also operates the Granite Park Shuttle, a fixed-route bus service between Power Inn Station and the Granite Regional Park mixed-use complex. The shuttle is fare free and operates Monday through Friday on 15-minute headways throughout the day.

There are existing sidewalks on both sides of Power Inn Road and on 14th Avenue west of Power Inn Road. The Power Inn Road/14th Avenue intersection provides marked crosswalks on the east, south, and west legs of the intersection. Sidewalks and bicycle facilities are not currently provided on 14th Avenue east of Power Inn Road.

Class II bike lanes are provided in both directions on Power Inn Road and on 14th Avenue west of Power Inn Road.

STANDARDS OF SIGNIFICANCE

For purposes of this IS, transportation impacts may be considered significant if construction and/or operation of the proposed project would result in any of the following conditions or potential thereof, after implementation of 2035 General Plan policies:

- conflict with a program, plan, ordinance or policy addressing transit, bicycle, and pedestrian facilities; or
- conflict or be inconsistent with CEQA Guidelines Section 15064.3, subdivision (b).

SUMMARY OF ANALYSIS UNDER THE 2035 GENERAL PLAN MASTER EIR AND APPLICABLE GENERAL PLAN POLICIES

Transportation and circulation were discussed in the Master EIR in Chapter 4.12. Various modes of travel were included in the analysis, including vehicular, transit, bicycle, pedestrian and aviation components. Provisions of the 2035 General Plan that provide substantial guidance include Mobility Goal 1.1, calling for a transportation system that is effectively planned, managed, operated and maintained, promotion of multimodal choices (Policy M 1.2.1), support for state highway expansion and management consistent with the Sacramento Area Council of Governments Metropolitan Transportation Plan/Sustainable Communities Strategy (SACOG MTP/SCS) (Policy M 1.5.6) and development that encourages walking and biking (Policy LU 4.2.1).

While the general plan includes numerous policies that direct the development of the City's transportation system, the Master EIR concluded that the general plan development would result in significant and unavoidable effects. See Impacts 4.12-3 (roadway segments in adjacent communities, and Impact 4.12-4 (freeway segments).

In 2013, Senate Bill (SB) 743 was signed into law. SB 743 is intended to promote the state's goals of encouraging infill development, alternative transportation, and reduced greenhouse gas (GHG) emissions. To promote these goals SB 743 directed the Governor's Office of Planning and Research (OPR) to consider new methods of evaluating transportation impacts under CEQA as an alternative to existing measures of congestion and delay (typically expressed as level-of-service). As a result of SB 743, the CEQA Guidelines were revised to identify vehicle miles traveled (VMT) as the most appropriate metric to evaluate a project's transportation impacts, effective July 1, 2020. To address a project's potential to increase VMT, the City is in the process of drafting a VMT threshold to evaluate project impacts and also updating its Circulation Element to include goals and policies that address reducing in city-wide VMT.

OPR published its Technical Advisory on Evaluating Transportation Impacts in CEQA, December 2018. The Technical Advisory provides guidance on projects that are not required to evaluate VMT. This includes local-serving retail projects that are less than 50,000 square feet. The proposed project would be considered local-serving retail so it is not required to evaluate VMT.

ANSWERS TO CHECKLIST QUESTIONS

- A) The proposed project is a small commercial development that is located in an area that is not conducive to bicycle or pedestrian modes of transit. The project does include bike racks and bike lockers and there is an existing sidewalk along the project frontage with Power Inn Road. No sidewalks currently exist along 14th Avenue but the project is proposing to construct a sidewalk along this frontage. Power Inn Road includes Class II striped bike lanes, but there are no bike lanes along 14th Avenue. The project does not propose any uses that would potentially conflict with an existing City program plan, ordinance or policy that addresses circulation system, including access to transit, bicycle, and pedestrian facilities. The project impact would be less than significant and would not create an additional significant environmental effect.
- B) The proposed project would be classified as local-serving retail which the OPR Technical Advisory identifies as not having to evaluate VMT. Therefore, the proposed project is not required to comply with Section 15064.3(b) of the CEQA Guidelines and there would be no impact.
- C,D) The proposed project has been designed to ensure adequate ingress and egress is available to safely permit access to the site. Access is provided along Power Inn Road and also along 14th Avenue. The project does not include any unusual design features that could create a potentially hazardous situation, nor does the project include or incompatible uses. In addition, the project site is small and in the event of an emergency there are two driveways to safely exit the site. The project impact would be less than significant and would not create an additional significant environmental effect.

FINDINGS

The proposed project would have no additional project-specific environmental effects relating to Transportation and Circulation.

Issues:	Effect will be studied in the EIR	Effect can be mitigated to less than significant	No additional significant environmental effect
<p>13. <u>TRIBAL CULTURAL RESOURCES</u></p> <p>Would the project:</p> <p>A) Cause a substantial adverse change in the significance of a tribal cultural resource, as defined in Public Resources Code 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe and that is:</p> <p>i. Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources code section 5020.1(k) or</p>		X	
<p>ii. A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resources Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.</p>		X	

ENVIRONMENTAL SETTING

The City of Sacramento and the surrounding area are known to have been occupied by Native American groups for thousands of years prior to settlement by non-Native peoples. Archaeological materials, including human burials, have been found throughout the city. Human burials outside of formal cemeteries often occur in prehistoric contexts. Areas of high sensitivity for tribal cultural resources are located within close proximity to the Sacramento and American rivers and other watercourses.

The proposed project area is situated within the lands traditionally occupied by the Valley Nisenan, or Southern Maidu. The language of the Nisenan includes several dialects and is classified within the Maiduan family of the Penutian linguistic stock (Kroeber 1925). Valley Nisenan territory was divided into politically autonomous “triblet” areas, each including several large villages (Moratto 1984). Two important villages were located near the project area, on the south bank of the American River, Momol, to the west of the project area, and Yalisumni, to the east (Wilson and Towne 1978:388).

Nisenan houses were domed structures covered with earth and tule or grass that measured 10–15 feet in diameter. Brush shelters were used in the summer and at temporary camps during food-gathering rounds. Larger villages often had semi-subterranean dance houses that were covered in earth and tule or

brush and had a central smoke hole at the top and an east-facing entrance. Another common village structure was a granary, which was used for storing acorns (Wilson and Towne 1978).

Valley Nisenan people followed a seasonal round of food gathering, as did most California Indians. Food staples included acorns, buckeyes, pine nuts, hazelnuts, various roots, seeds, mushrooms, greens, berries, and herbs. Game was roasted, baked, or dried and included mule deer, elk, antelope, black bear, beaver, squirrels, rabbits, and other small animals and insects. Salmon, whitefish, sturgeon, and suckers, as well as freshwater shellfish, were all caught and eaten (Wilson and Towne 1978).

Euro-American contact with the Nisenan began with infrequent excursions by Spanish explorers and Hudson's Bay Company trappers traveling through the Sacramento-San Joaquin Valley in the early 1800s (Wilson and Towne 1978). With the coming of Russian trappers, Spanish missionaries, and Euro-American settlers, traditional lifeways were threatened by competition for land and resources, and by the introduction of new diseases. The malaria epidemic of 1833 decimated the Valley Nisenan population, killing an estimated 75 percent of the population. The influx of Euro-Americans during the Gold Rush-era further reduced the population due to forced relocations and violent retribution from the miners for real or imagined affronts.

Despite these major and devastating historical setbacks, today many Native Americans in the proposed project area are maintaining traditional cultural practices. Sometimes supported by thriving business enterprises, Tribal groups maintain governments, historic preservation programs, education programs, cultural events, and numerous other programs that sustain a vibrant culture.

Data Sources/Methodology

Under PRC Section 21080.3.1 and 21082.3, the City must consult with tribes traditionally and culturally affiliated with the project area that have requested formal notification and responded with a request for consultation. The parties must consult in good faith. Consultation is deemed concluded when the parties agree to measures to mitigate or avoid a significant effect on a tribal cultural resource when one is present or when a party concludes that mutual agreement cannot be reached. Mitigation measures agreed on during the consultation process must be recommended for inclusion in the environmental document.

Native American Consultation

The City sent letters to those California Native American Tribal representatives that have requested consultation notification of the proposed project pursuant to AB 52 and that are on file with the NAHC as being traditionally or culturally affiliated with the geographic area. A project with an effect that may cause a substantial adverse change in the significance of a tribal cultural resource is a project that may have a significant effect on the environment (Pub. Resources Code, Section 21084.2). Under AB 52 a tribal cultural resource must have tangible, geographically defined properties that can be impacted by project implementation.

Letters were sent on September 23, 2020 to four tribes that have previously requested in writing to receive notices of projects within the City, which include Buena Vista Rancheria (BVR), Shingle Springs Band of Miwok Indians (SSBMI), United Auburn Indian Community of the Auburn Rancheria (UAIC), and Wilton Rancheria (WR).

On September 30, 2020, the City received a response from WR requesting consultation. On October 7, 2020, SSBMI responded that they find no record of resources but requested consultation and review of any future documents and consultation is ongoing consistent with PRC 21080.3.1. On October 15, 2020 UAIC responded requesting inclusion of unanticipated discoveries mitigation but did not request consultation with the City. BVR never responded and consultation with this tribe is considered closed.

State Requirements

CEQA requires that public agencies that finance or approve public or private projects must assess the effects of the project on tribal cultural resources. Tribal cultural resources are defined in Public Resources Code (PRC) 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe that is (1) listed or determined eligible for listing on the California Register of Historical Resources (CRHR) or a local register, or (2) that are determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of PRC Section 5024.1. In applying the criteria set forth in subdivision (c) of PRC Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American Tribe.

California Public Resources Code Section 5024.1 establishes the CRHR, which is the authoritative guide for identifying the State's historical resources to indicate what properties are to be protected, if feasible, from substantial adverse change. For a resource to be eligible for the CRHR, it must be more than 50 years old, retain its historic integrity, and satisfy one or more of the following criteria:

1. Is associated with events that have made a significant contribution to the broad patterns of California's history and cultural heritage.
2. Is associated with the lives of persons important in our past.
3. Embodies the distinctive characteristics of a type, period, region, or method of construction, or represents the work of an important creative individual, or possesses high artistic values.
4. Has yielded, or may be likely to yield, information important in prehistory or history.

STANDARDS OF SIGNIFICANCE

For the purposes of this IS, a tribal cultural resource is considered to be a significant resource if the resource is: (1) listed or eligible for listing in the California Register of Historical Resources or in a local register of historical resources; or (2) the resource has been determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1.

For purposes of this IS, impacts to tribal cultural resources may be considered significant if construction and/or operation of the proposed project would result in any of the following conditions or potential thereof, after implementation of 2035 General Plan policies:

- cause a substantial change in the significance of a tribal cultural resource as defined in Public Resources Code 21074.

SUMMARY OF ANALYSIS UNDER THE 2035 GENERAL PLAN MASTER EIR AND APPLICABLE GENERAL PLAN POLICIES

The Master EIR evaluated the potential effects of development under the 2035 General Plan on prehistoric and historic resources (see Master EIR Chapter 4.4 and Appendix C – Background Report, B. Cultural Resources Appendix), but did not specifically address tribal cultural resources because that resource type had not yet been defined in CEQA at the time the Master EIR was adopted. The Master EIR identified significant and unavoidable effects on historic resources and archaeological resources, some of which could be tribal cultural resources as defined Public Resources Code 21074. Ground-disturbing activities resulting from implementation of development under the 2035 General Plan could affect the integrity of an archaeological site (which may be a tribal cultural resource), thereby causing a substantial change in the significance of the resource. General plan policies identified as reducing such

effects on cultural resources that may also be tribal cultural resources include identification of resources on project sites (Policy HCR 2.1.1); implementation of applicable laws and regulations (Policy HCR 2.1.2); consultation with appropriate organizations and individuals including the Native American Heritage Commission and implementation of their consultation guidelines (Policy HCR 2.1.3); enforcement programs to promote the maintenance, rehabilitation, preservation, and interpretation of the City's historic resources (Policy HCR 2.1.4); listing of qualified historic resources under appropriate national, State, and local registers (Policy HCR 2.1.5); consideration of historic and cultural resources in planning studies (Policy HCR 2.1.6); enforcement of compliance with local, State, and federal historic and cultural preservation requirements (Policy HCR 2.1.8); and early consultation with owners and land developers to minimize effects (Policy HCR 2.1.10).

Of particular relevance to this project are policies that ensure compliance with protocol that protect or mitigate impacts to archaeological resources (Policy HCR 2.1.16) and that encourage preservation and minimization of impacts on cultural resources (Policy HCR 2.1.17).

ANSWERS TO CHECKLIST QUESTIONS

- A) Through the consultation process with the UAIC tribe, it is viewed that the proposed project site could be considered culturally sensitive. Therefore, it is possible yet undiscovered tribal cultural resources could be encountered or damaged during ground-disturbing construction activities. Because the project site could contain unknown TRCs and should a TCR be identified that may be impacted, appropriate steps for management would be taken as determined by the City. Mitigation measures TCR-1(a) through TCR-1(c) provides specific steps to be taken in the event that unanticipated TCRs, including those of Native American origin, are encountered during project construction. With this mitigation implemented, the potential for impacts to tribal cultural resources would be less than significant.

MITIGATION MEASURES

Mitigation Measure TCR-1a: Conduct Cultural Resources and Tribal Cultural Resources Sensitivity and Awareness Training Program Prior to Ground-Disturbing Activities

The City shall require the applicant/contractor to provide a cultural resources and tribal cultural resources sensitivity and awareness training program (Worker Environmental Awareness Program [WEAP]) for all personnel involved in project construction, including field consultants and construction workers. The WEAP will be developed in coordination with an archaeologist meeting the Secretary of the Interior's Professional Qualifications Standards for Archeology, as well as culturally affiliated Native American tribes. The City may invite Native American representatives from interested culturally affiliated Native American tribes to participate. The WEAP shall be conducted before any project-related construction activities begin at the project site. The WEAP will include relevant information regarding sensitive cultural resources and tribal cultural resources, including applicable regulations, protocols for avoidance, and consequences of violating State laws and regulations.

The WEAP will also describe appropriate avoidance and impact minimization measures for cultural resources and tribal cultural resources that could be located at the project site and will outline what to do and who to contact if any potential cultural resources or tribal cultural resources are encountered. The WEAP will emphasize the requirement for confidentiality and culturally appropriate treatment of any discovery of significance to Native Americans and will discuss appropriate behaviors and responsive actions, consistent with Native American tribal values.

Mitigation Measure TCR-1b: In the Event that Cultural Resources or Tribal Cultural Resources Are Discovered During Construction, 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 to cultural resources and tribal cultural resources. This will be accomplished, if feasible, by several alternative means, including:

- Planning construction to avoid tribal cultural resources, archaeological sites and/or other cultural resources; incorporating cultural resources within parks, green-space or other open space; covering archaeological resources; deeding a cultural resource to a permanent conservation easement; or other preservation and protection methods agreeable to 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 to 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 and feasible 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 prior to 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- (CRHR) eligibility through application of established eligibility criteria (California Code of Regulations 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 CRHR, the City will avoid damaging effects to the resource in accordance with California PRC Section 21084.3, if feasible. 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 to 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 to 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 to a tribal cultural resource or alternatives that would avoid significant impacts to 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 greenspace, 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.

Mitigation Measure TCR-1c: Implement Procedures in the Event of the 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 City the following performance standards shall be met prior to implementing or continuing actions such as construction, which 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 professional archaeologist 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 to be not of Native American origin, the City will follow the provisions of the 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 (MLD), 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 California PRC Section 5097.9 et seq.

FINDINGS

All additional significant environmental effects of the proposed project relating to Tribal Cultural Resources can be mitigated to a less-than-significant level.

Issues:	Effect will be studied in the EIR	Effect can be mitigated to less than significant	No additional significant environmental effect
<p>14. <u>UTILITIES AND SERVICE SYSTEMS</u></p> <p>Would the project:</p> <p>A) Result in the determination that adequate capacity is not available to serve the project’s demand in addition to existing commitments?</p> <p>B) Require or result in either the construction of new utilities or the expansion of existing utilities, the construction of which could cause significant environmental impacts?</p>			<p>X</p> <p>X</p>

ENVIRONMENTAL SETTING

The project site is currently undeveloped, with the exception of an existing overhead utility pole, small utility vault, and a sidewalk and trees along Power Inn Road. The site has previously been developed but is currently

vacant. The City provides water service to the project site and sewer service is provided by the Sacramento Regional County Sanitation District (SRCSD). Drainage from the project site flows into the City's storm drain system. The City would collect and dispose of solid waste generated by the proposed project.

Water

The City would provide water to serve the proposed project. Water supply is obtained from the American and Sacramento rivers, along with groundwater wells. The City's 2015 Urban Water Management Plan (UWMP) determined that the City has adequate water supplies to meet the demands of development under the 2035 General Plan. The City possesses 275,917 acre-feet per year (AFY) in water supplies during multiple-dry years, and this amount will increase until 2035 for a total of 294,419 AFY during multiple-dry years (City of Sacramento 2016).

The proposed project would include the construction of on-site water lines to connect to existing water lines in both Power Inn Road and 14th Avenue.

Sewer

The Sacramento Area Sewer District (SASD) provides wastewater treatment services for the project site. Wastewater is collected by the City's sewer system and ultimately conveyed to the Sacramento Regional Wastewater Treatment Plant (SRWWTP), located in Elk Grove, for treatment. The SRWWTP's average dry weather flow (ADWF) is approximately 119 million gallons daily (mgd), with a permitted capacity of 181 mgd for ADWF (CRWQCB 2016).

The proposed project would construct on-site sewer infrastructure that would connect to existing sewer lines in adjacent roadways.

Storm Water Drainage

The proposed project would construct onsite storm drain infrastructure that would connect to existing storm drain lines in adjacent roadways.

Solid Waste

Solid waste within the City is collected by the Sacramento Department of General Services, and private haulers collect commercial solid waste. Solid waste is then transported to the Sacramento Recycling and Transfer Station (8491 Fruitridge Road and 4550 Roseville Road) and transferred to the Kiefer Landfill. The Kiefer Landfill has a permitted capacity of up to 10,815 tons per day and accepts approximately 6,300 tons of solid waste per day on average. The landfill accepts municipal and industrial waste, including household hazardous waste, and is expected to have sufficient capacity until 2065.

STANDARDS OF SIGNIFICANCE

For purposes of this IS, impacts to existing utilities may be considered significant if construction and/or operation of the proposed project would result in any of the following conditions or potential thereof, after implementation of 2035 General Plan policies:

- result in the determination that adequate capacity is not available to serve the project's demand in addition to existing commitments; or
- require or result in either the construction of new utilities or the expansion of existing utilities, the construction of which could cause significant environmental impacts.

SUMMARY OF ANALYSIS UNDER THE 2035 GENERAL PLAN MASTER EIR AND APPLICABLE GENERAL PLAN POLICIES

The Master EIR evaluated the effects of development under the 2035 General Plan on water supply, sewer and storm drainage, solid waste, electricity, natural gas and telecommunications. See Chapter 4.11.

The Master EIR evaluated the impacts of increased demand for water that would occur with development under the 2035 General Plan. Policies in the general plan would reduce the impact generally to a less-than-significant level (see Impact 4.11-1) but the Master EIR concluded that the potential increase in demand for potable water in excess of the City’s existing diversion and treatment capacity, and which could require construction of new water supply facilities, would result in a significant and unavoidable effect (Impact 4.11-2). The potential need for expansion of wastewater treatment facilities was identified as having a less-than-significant effect (Impact 4.11-4). Impacts on solid waste facilities were less than significant (Impact 4.11-5). Implementation of energy efficient standards as set forth in Titles 20 and 24 of the California Code of Regulations for residential and non-residential buildings, would reduce effects for energy to a less-than-significant level.

ANSWERS TO CHECKLIST QUESTIONS

- A) The proposed project would develop a gas station, convenience store, restrooms and landscaping in 2.26 acres. The project site is currently undeveloped and does not require water, wastewater, or solid waste services. Therefore, the proposed project would generate an increased demand for water, wastewater, and solid waste services on the project site.

Based on the City’s gross water demand factor for commercial/office uses the proposed project would generate a demand for 3.39 acre-feet per year (AFY) of water for the convenience store, restrooms and landscape irrigation.

Table 14-1. Proposed Project Water Demand

Land Use	Amount	Rate	Demand (AFY)
Commercial/Office	2.26 acres	1.5 AFY/Acre	3.39
Total			3.39

Source: City of Sacramento 2018.

The 2035 General Plan MEIR considered the water demands of developing the site with commercial uses. The City’s water supply would sufficiently serve the project’s water demand. Because the City would have adequate water supply to serve the project, a less-than-significant impact regarding water supply would occur.

The proposed project includes 10 public restrooms that would generate wastewater along with water used for general operation activities. The approximate amount of wastewater to be generated by the project using the Sacramento Regional CSD (SRCSD) generation rates is shown in Table 14-2. The SASD does not provide generation rates to quantify demand; therefore, SRCSD rates were referenced to provide an approximate amount. Sewer flows would ultimately be conveyed to the SRWWTP for treatment prior to being discharged into the Sacramento River. The SRWWTP’s ADWF is approximately 119 million gallons per day (mgd), with a permitted capacity of 181 mgd for ADWF (CRWQCB 2016). The SRWWTP has adequate capacity to provide wastewater services to serve the proposed project without adverse impacts to current service levels and the treatment plant would not need to be expanded to accommodate the

project. The project applicant would be required to pay development fees, including the Sacramento County Regional Sanitation Fee, Public Works Fee, Water Development Fee, and Utilities Fee, which would mitigate any impacts on the City’s water and wastewater treatment and conveyance systems. Therefore, the project would not contribute to an additional environmental effect and the impact would be less than significant.

Table 14-2. Proposed Project Wastewater Generation

Proposed Use	Units	Sewer Generation Rate	ESD	Total
Convenience Market	5,951 sf	0.6 ESD per 1,000 sf	3.57 ESD	1,106.7 gpd
Public Restrooms/Comfort Station	10 fixtures	0.3 ESD per fixture	3 ESD	930 gpd
Project Total			6.57 ESD	2,036.7 gpd or .74 mg/year

Notes: Total (gpd) = 310 gpd * ESD
 Total (mg/year) = ((total gpd)/1,000,000) * 365
Source: SRCSD 2010.

- B) The proposed project would connect to existing water, sewer and storm-drain lines in the project vicinity. The project would convey storm water into the City’s existing storm drain system, which has been designed to accommodate flows associated with development in the surrounding area. No new utilities or expansion of existing utilities would be required; therefore, the project would not contribute to an additional effect and impacts would be less than significant.

FINDINGS

The proposed project would have no additional project-specific environmental effects relating to Utilities and Service Systems.

MANDATORY FINDINGS OF SIGNIFICANCE

Issues:	Effect remains significant with all identified mitigation	Effect can be mitigated to less than significant	No additional significant environmental effect
<p>15. <u>MANDATORY FINDINGS OF SIGNIFICANCE</u></p> <p>A) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?</p>		X	

Issues:	Effect remains significant with all identified mitigation	Effect can be mitigated to less than significant	No additional significant environmental effect
B) Does the project have impacts that are individually limited, but cumulatively considerable? (“Cumulatively considerable” means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.)			X
C) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?		X	

ANSWERS TO CHECKLIST QUESTIONS

- A) As discussed above, the proposed project would not degrade the quality of the habitat of a fish or wildlife species, reduce the available habitat resulting in a drop in population of a species, eliminate a plant or animal community, or in any way restrict the range of a protected species. The project site does contain ornamental street trees that would be removed to accommodate road improvements. Mitigation is required to ensure pre-construction nesting bird surveys are completed. The project site also does not contain known significant historical resources that would be impacted by project implementation. However, because there is always the potential to unearth unknown prehistoric or historic-era resources, tribal cultural resources and human remains mitigation is required. Therefore, impacts would be less than significant with mitigation.
- B) The cumulative context for the proposed project is the continued buildout of the City’s 2035 General Plan. As discussed in Items 1 through 16, with implementation of applicable General Plan policies, required regulation and ordinances, and the mitigation measures previously identified herein, the proposed project would not substantially contribute to cumulative impacts and/or cause the cumulative impacts of the 2035 General Plan EIR to exceed the levels described in the Master EIR. The proposed project is consistent with the City’s 2035 General Plan and would not result in new or increased cumulative impacts.
- C) The proposed project site has the potential to contain contaminated soils that could affect the health or safety of construction workers. Compliance with mitigation would ensure environmental impacts that could affect the health or safety of construction workers, directly or indirectly, would be reduced to less than significant. Therefore, the impact can be mitigated to a less-than-significant level with mitigation.

SECTION IV - ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED

The environmental factors checked below would potentially be affected by this project but all impacts can be mitigated to a less-than-significant level.

	Aesthetics	X	Hazards
	Air Quality		Noise
X	Biological Resources		Public Services
X	Cultural Resources		Recreation
	Energy and Mineral Resources		Transportation/Circulation
X	Geology and Soils	X	Tribal Cultural Resources
	Hydrology and Water Quality		Utilities and Service Systems
	None Identified		

SECTION V - DETERMINATION

On the basis of the initial study:

I find that (a) the proposed project is an anticipated subsequent project identified and described in the 2035 General Plan Master EIR; (b) the proposed project is consistent with the 2035 General Plan land use designation and the permissible densities and intensities of use for the project site; (c) that the discussions of cumulative impacts, growth inducing impacts, and irreversible significant effects in the Master EIR are adequate for the proposed project; and (d) the proposed project will have additional significant environmental effects not previously examined in the Master EIR. A Mitigated Negative Declaration will be prepared. Mitigation measures from the Master EIR will be applied to the project as appropriate, and additional feasible mitigation measures and alternatives will be incorporated to revise the proposed project before the negative declaration is circulated for public review, to avoid or mitigate the identified effects to a level of insignificance. (CEQA Guidelines Section 15178(b)).

Scott Johnson 2021.01.25 10:52:56 -08'00'
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1-25-2021

Signature

Date

Printed Name

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