APPENDIX P

MTP/SCS Consistency Analysis

Consistency with SACOG's MTP/SCS and the 2030 General Plan Master EIR

There was a comment on the Draft EIR stating that the record does not appear to support the conclusion that the proposed project is eligible for Public Resources Code Section 21159.28 streamlining benefits because the Draft EIR does not explain how the proposed project incorporates the mitigation measures required by an applicable prior environmental document. Commenter is correct that Public Resources Code Section 21159.28 requires a project to incorporate mitigation measures required by an applicable prior environmental document. (Pub. Resources Code, Section 21159.28, subd. (a).) As explained in the Draft EIR, the proposed project and EIR incorporate mitigation measures from both the 2030 General Plan Master EIR and the Program EIR prepared for Sacramento Area Council of Governments' Metropolitan Transportation Plan (MTP) and Sustainable Communities Strategy (SCS). (DEIR, p. 1-2.) Public Resources Code Section 21159.28 does not require a lead agency's determination that a "project incorporates the mitigation measures required by an applicable prior environmental document" to be included in the Draft EIR. A lead agency may properly reach a determination on this issue as part of the findings it issues on a project.

Nevertheless, for the purpose of full disclosure a discussion of mitigation measures from SACOG's MTP/SCS Program EIR and the City's 2030 General Plan Master EIR is included below. The discussion identifies whether the mitigation measure is applicable to the proposed project and includes an explanation of how each applicable mitigation measures has been incorporated into the proposed project. As demonstrated by this discussion, the proposed project incorporates all applicable mitigation measures from both the Program EIR for SACOG's MTP/SCS and the Master EIR for the City's 2030 General Plan.

<u>MTP/SCS Program EIR Mitigation Measures</u>

SACOG's MTP/SCS divides the region into five community types (Center and Corridor Communities, Established Communities, Developing Communities, Rural Residential Communities, and Lands Not Identified for Development). (MTP/SCS Program EIR, pp. 2-18 to 2-23.) The McKinley Village Project is located within the Center and Corridor Communities. (DEIR, App. N, p. 1 [Oct. 10, 2013 SACOG Letter].) Only certain mitigation measures included in the MTP/SCS Program EIR are potentially applicable to projects proposed within the Center and Corridor Communities.

As a land use project located in the Center and Corridor Communities the following mitigation measures included in the MTP/SCS Program EIR are not applicable to the McKinley Village Project: AES-1, AES-2, AES-6, AG-3, AG-4, AG-5, ENE-1, ENE-2, HAZ-3, NOI-2, TRN-1, and TRN-2. (MTP/SCS Program EIR, pp. 3-20, 3-51 – 3-52, 4-33, 4-37, 4-45, 8-29, 8-36 – 8-37, 10-51, 13-35 – 13-36, 16-37, 16-42 – 16-43.)

The remaining mitigation measures listed below are potentially applicable to land use projects proposed within the Center and Corridor Communities. Each mitigation measure listed below is followed by a "discussion" section discussing the applicability of, and project consistency with, the measure. As demonstrated by the discussion below, the proposed project will be developed

in a manner consistent with all applicable mitigation measures from SACOG's MTP/SCS Program EIR.

(1) Mitigation Measures AES-3 / AG-7: Design lighting to minimize light trespass and glare.

The implementing agency should impose lighting standards that ensure that minimum safety and security needs are addressed and minimize light trespass and glare. These standards include the following:

- minimize incidental spillover of light onto adjacent private properties and undeveloped open space;
- direct luminaries away from habitat and open space areas adjacent to the project site;
- install luminaries that provide good color rendering and natural light qualities; and
- minimize the potential for back scatter into the nighttime sky and for incidental spillover of light onto adjacent private properties and undeveloped open space.

DISCUSSION: The MTP/SCS Program EIR concludes that Mitigation Measure AES-3 is not required to reduce potential of glare and light cast from projects located in the Center and Corridor Communities. The MTP/SCS Program EIR explains this potential impact will not occur in the Center and Corridor Communities because these areas tend to be built out already with existing sources of glare and light. The net increase in glare and light added from new, more compact development will be marginal and would not pose a public hazard or substantially degrade the existing visual/aesthetic character or quality of an area, since glare and light are already a dominant feature of the landscape. (MTP/SCS Program EIR, p. 3-20.) However, the MTP/SCS Program EIR concludes, due to the proximity of some Center and Corridor Communities to agricultural land uses, Mitigation Measures AES-3 / AG-7 may be necessary to avoid light and glare impacts from projects proposed in at least some Center and Corridor Communities. (MTP/SCS Program EIR, pp. 4-48 – 4-49.)

With respect to the McKinley Village Project, the project would contribute to the existing ambient light in the area by introducing new street and building lights. The landscaping and sound wall proposed along the site's northern boundary would provide shielding to ensure that lighting within the project site would not spill onto the freeway and that headlights from cars on the freeway would not shine into the proposed residences. Proposed landscaping along the southern property boundary as well as the physical barrier provided by the UPRR embankment would limit the amount of lighting from the project site that could spill onto nearby residential properties. The City's acorn-style lights are typically 12 feet in height so it is unlikely there would be any spillover onto adjacent properties. Consistent with Mitigation Measures AES-3 / AG-7, the proposed landscaping and project design would be consistent with General Plan Goal ER 7.1.5, which states that the City shall minimize obtrusive might by limiting outdoor lighting that is misdirected, excessive, or unnecessary. (See DEIR, pp. 4.10-21 – 4.10-23; see also City Code, § 17.808.110.)

(2) Mitigation Measure AES-4: Protect panoramic views and views of significant landscape features or landforms.

The implementing agency should protect panoramic views and views of significant landscape features or landforms by taking the following (or equivalent) actions:

- require that the scale and massing of new development in higher-density areas provide appropriate transitions in building height and bulk that are sensitive to the physical and visual character of adjoining neighborhoods that have lower development intensities and building heights;
- ensure building heights stepped back from sensitive adjoining uses to maintain appropriate transitions in scale and to protect scenic views;
- avoid electric towers, solar power facilities, wind power facilities, communication transmission facilities and/or above ground lines along scenic roadways and routes, to the maximum feasible extent;
- prohibit projects and activities that would obscure, detract from, or negatively affect the quality of views from designated scenic roadways or scenic highways; and
- comply with other local general plan policies and local control related to the protection of panoramic or scenic views or views of significant landscape features or landforms.

DISCUSSION: The MTP/SCS Program EIR concludes that land use projects developed within the Center and Corridor Communities may have the potential to result in aesthetic impacts caused by blocking panoramic views or views of significant landscape features or landforms as seen from public viewing areas. (MTP/SCS Program EIR, pp. 3-40 – 3-41.) Here, the McKinley Village Project does not have the potential to obstruct panoramic views or views of significant landscape features or landforms as seen from public viewing areas. (DEIR, pp. ES-6 – ES-7.) The project site does not contain significant scenic resources and is not visible from a scenic roadway (DEIR, p. 4.10-15). Moreover, the existing UPRR embankment blocks views from existing developed areas to the south, east, and west, and development of the project would not adversely affect any sensitive receptors. Views from the north along the freeway are only visible to motorists heading eastbound. The existing concrete median essentially blocks views of the project site for motorists heading westbound. (DEIR, pp. 4-10-16 – 4.10-20.) Consistent with Mitigation Measure AES-4, the proposed project is also required to comply with the City's local general plan policies and local control related to the protection of panoramic or scenic views or views of significant landscape features or landforms. (See, e.g., 2030 General Plan, Goal ER 7.1.)

(3) Mitigation Measure AES-5: Design river crossings to minimize aesthetic and visual impacts and to protect scenic and panoramic views of significant landscape features and landforms to the greatest feasible extent.

The implementing agency should design river crossings to protect the important elements of scenic vistas, including panoramic views and views of significant landscape features or landforms. Such design elements could include:

- designing the facility with aesthetics and dimensions which are architecturally pleasing and contextually appropriate for the adjacent neighborhoods;
- designing the facility to not exceed or expand the capacity of the approach roadway; and
- prohibiting design features that obscure, detract from, or negatively affect the quality of views from public viewing areas.

DISCUSSION: MTP/SCS Mitigation Measure AES-5 is only applicable to proposed projects within the Center and Corridor Communities that include proposed river crossings. A river crossing is not proposed as part of the McKinley Village Project. Therefore, Mitigation Measure AES-5 is not applicable to the McKinley Village Project.

(4) Mitigation Measure AES-8 through AES-10: Reduce the visibility of construction-related activities.

The implementing agency should reduce the visibility of construction-related activities by taking the following (or equivalent) actions:

- restrict construction activities to permitted hours in accordance with local jurisdiction regulations;

- locate materials and stationary equipment such as generators, compressors, rock crushers, cement mixers, etc. as far from sensitive receptors as possible;

- locate materials and stationary equipment in such a way as to prevent glare, light, or shadow from impacting surrounding uses and minimize blockage of scenic resources; and

- reduce the visibility of construction staging areas by fencing or screening these areas with low-contrast materials consistent with the surrounding environment.

DISCUSSION: The McKinley Village Project will be developed consistent with Mitigation Measure AES-8 through AES-10. The proposed project will be required to adhere to limitations on construction hours established by the City Code. (City Code, § 8.68.200.) Moreover, the existing UPRR embankment blocks views from existing developed areas to the south, east, and west, and development of the project would not adversely affect any sensitive receptors. Views from the north along the freeway are only visible to motorists heading eastbound. The existing concrete median essentially blocks views of the project site for motorists heading westbound. (DEIR, pp. ES-6 – ES-7, 4.10-21 – 4.10-22.)

(5) Mitigation Measure AES-11: Re-vegetate exposed earth surfaces.

The implementing agency should minimize short-term visual impacts of construction by re-vegetating slopes and exposed earth surfaces at the earliest opportunity.

DISCUSSION: The project's proposed landscaping plan includes over 2,000 trees throughout the site, including street trees along all project roadways consistent with City requirements and adjacent residential neighborhoods. A mix of evergreen and coniferous trees (e.g., redwood, pine) are proposed in the landscaped buffer areas adjacent to the freeway and UPRR ROW. (DEIR, pp. 2-49 – 2-50.) Consistent with Mitigation Measure AES-11, implementation of the landscaping plan will commence as part of the first phase of construction and will include re-vegetating slopes and exposed earth surfaces. (DEIR, p. 4.10-20.)

(6) Mitigation Measure AES-12: Minimize contrasts between the project and surrounding areas.

The implementing agency should ensure that projects use natural landscaping to minimize contrasts between the projects and surrounding areas. Wherever possible, the implementing agency should develop interchanges and transit lines at the grade of the surrounding land to limit view blockage. Project designs should contour the edges of major cut-and-fill slopes to provide a more natural-looking finished profile.

DISCUSSION: The Draft EIR evaluates potential impacts associated with visual change or contrast caused by the proposed project. (DEIR, pp. 4.10-16 – 4.10-20.) Consistent with Mitigation Measure AES-12, the proposed project's landscaping and design is required to be designed consistent with the intent of the goals and policies contained in the City's General Plan including the requirement that project landscaping and design be consistent with Sacramento's natural and urban landscapes. (DEIR, pp. 4.10-12, 4.10-14, 4.10-20.) The landscaping, which includes a 30-foot landscaped buffer at the site's most visible point – the Capital City Freeway – serves to minimize contrasts between the site and the surrounding areas.

(7) Mitigation Measure AES-13: Replace and renew landscaping along roadway corridors and development sites.

The implementing agency should replace and renew landscaping to the greatest extent possible along corridors with transportation improvements and at development sites. The implementing agency should plan landscaping in new corridors and developments to respect existing natural and man-made features and to complement the dominant landscaping of surrounding areas.

DISCUSSION: The McKinley Village Project is proposing to plant trees that would, once mature, significantly shield views of the site from the freeway. (DEIR, p. 4.10-20.) Consistent with AES-13, the proposed project must comply with General Plan policies requiring development of landscaping along roadways and at the edge of the project site and would result in significant amounts of new landscaping at the project site. (DEIR, pp. 4.10-12 – 4.10-14.)

(8) Mitigation Measures AG-1 / AG-2: Mitigate for loss of farmland.

The implementing agency should mitigate for loss of farmland where appropriate and feasible by requiring permanent protection of in-kind farmland at a 1:1 ratio, in the form of easements, fees, or elimination of development rights/potential. This may include participation in an adopted HCP that protects equivalent farmland and does not preclude credit for "stacked" mitigation.

DISCUSSION: As stated in the MTP/SCS Program EIR, Mitigation Measures AG-1 / AG-2 are only applicable to projects with the potential to impact prime, unique, statewide important farmland, or land zoned or designated in a municipality's general plan for agricultural uses. (MTP/SCS Program EIR, pp. 4-21, 4-27.) The project site is located within the East Sacramento Community Plan Area and is currently designated Planned Development (PD) in the City's 2030 General Plan and zoned Heavy Industrial (M-2). (DEIR, p. 2-2.) Furthermore, the proposed project is not designated as prime, unique, statewide important farmland. (Draft EIR, pp. ES-7 – ES-8.) Therefore, Mitigation Measure AG-1/AG-2 is not applicable to the McKinley Village Project.

(9) Mitigation Measure AG-6: Minimize construction related impacts to agricultural and forestry resources.

The implementing agency should:

- restrict construction activities to permitted hours in accordance with local jurisdiction regulations;
- locate materials and stationary equipment such as generators, compressors, rock crushers, cement mixers, etc. as far from conflicting uses as possible;
- locate materials and stationary equipment in such a way as to prevent conflict with agricultural and forestry resources; and
- minimize conflict between construction vehicles and agricultural operations on roads that facilitate agricultural operations.

DISCUSSION: There are no trees within the project boundaries or in the areas designated for off-site improvements that would be considered timberland or forest land. Forestry resources or forest land is typically defined as land covered with forests or reserved for the growth of forests. Construction of the project would not result in the loss of protected forestry resources or agricultural lands. (DEIR, p. ES-8.) Mitigation Measure AG-6 is only applicable to land use projects with the potential to temporarily conflict with or cause conversion of agricultural and forest lands. (MTP/SCS Program EIR, p. 4-47.) Because the proposed project does not have the potential to result in such impacts, Mitigation Measure AG-6 is not applicable to the proposed project.

(10) Mitigation Measure AIR – 1: Implementing agencies should require air quality modeling for individual land use and transportation projects to determine whether thresholds of significance for long-term operational criteria air pollutant emissions are exceeded and apply recommended applicable mitigation measures as defined by the applicable local air district.

Implementing agencies should require modeling to identify long-term operational emissions of ROG, NO_x, CO, PM_{10}, and $PM_{2.5}$ to determine if the project will exceed the thresholds of significance established by the applicable local air district. Projects that exceed the long-term operational thresholds shall mitigate the air quality impacts using all feasible mitigation.

[The MTP/SCS Program EIR includes several examples of mitigation measures to reduce air quality impacts, see pp. 5-49 through 5-51.]

DISCUSSION: Consistent with Mitigation Measure AIR-1, air quality modeling was undertaken to identify long-term operational emissions of ROG, NO_x, CO, PM_{10}, and $PM_{2.5}$ associated with the McKinley Village Project. The analysis found that long-term operational effects would be less than significant for NO_x, ROG, PM_{10}, and CO without mitigation. (DEIR, pp. ES-19 through ES-20.) Several of the potentially feasible mitigation measures discussed in the MTP/SCS Program EIR are incorporated into the project. Additional measures are not required to reduce the long-term operational criteria air pollutant emissions to less than significant.

However, as suggested by SMAQMD, the project sponsor has agreed to a condition of approval requiring the project to install MERV 13 or equivalent filters on all residences within the project.

(11) Mitigation Measure AIR – 2: Adhere to ARB Handbook siting guidance to the maximum extent possible.

The implementing agencies should adhere to the ARB Handbook siting guidance to the maximum extent possible. Where sensitive land uses or TAC sources would be sited within the minimum ARB-recommended distances, a screening-level HRA shall be conducted to determine, based on site-specific and project-specific characteristics, and all feasible mitigation best management practices (BMPs) shall be implemented. The HRA protocols of the applicable local air districts shall be followed or, where a district/office does not have adopted protocols, the protocol of SMAQMD or CAPCOA shall be followed. BMPs shall be applied as recommended and applicable, to reduce the impact to a less-than-significant level where feasible. The HRA should give particular attention to the nature of the receptor, recognizing that some receptors are particularly sensitive (e.g., schools, day care centers, assisted living and senior centers, and hospitals) and may require special measures. Examples of BMPs known at this time to be effective include:

- install passive (drop-in) electrostatic filtering systems (especially those with low air velocities (i.e., 1 MPH)) as a part of the HVAC project HVAC system(s);
- orient air intakes away from TAC sources to the maximum extent possible; and
- use tiered tree planting between roadways and sensitive receptors wherever feasible, using native, needled (coniferous) species, ensure a permanent irrigation source, and provide permanent funding to maintain and care for the trees.

DISCUSSION:The McKinley Village Project EIR incorporates guidance from the ARB Handbook (DEIR, pp. 4.1-23, 4.1-28, 4.1-46). In addition, the project must be consistent with General Plan Policy ER 6.1.5, Development near TAC Sources, which states:

> The City shall ensure that new development with sensitive uses located adjacent to toxic air contaminant sources, as identified by the California Air Resources Board (CARB), minimizes potential health risks. In its review of these new development

projects, the City shall consider current guidance provided by and consult with CARB and SMAQMD.

Consistent with the Handbook and Mitigation Measure AIR-2, a health risk assessment (HRA) was prepared for the McKinley Village Project (DEIR, Appendix C). Based on the HRA, the EIR concludes that potential exposure of future project residents to toxic air contaminants (TACs) would be a less-than-significant impact. Further, while not required to reduce impacts from TACs, the project includes planting of redwood trees in the landscape buffer area adjacent to the freeway in order to further reduce toxic exposure from DPM. While the reduction in TAC exposure that results from trees cannot be quantified, some studies have indicated that these trees do help reduce TAC from the air and are an effective means to minimize exposure (SMAQMD 2011b, CARB 2012). The project applicant has voluntarily agreed to install MERV 13 or equivalent filters on all residences within the project.

Siting of the proposed project is consistent with ARB guidance, Mitigation Measure AIR-2, and the City's General Plan.

(12) Mitigation Measure AIR-3: Implementing agencies should require assessment of new and existing odor sources for individual land use projects to determine whether sensitive receptors would be exposed to objectionable odors and apply recommended applicable mitigation measures as defined by the applicable local air district and best practices.

Implementing agencies should require assessment of new and existing odor sources for individual land use projects to determine whether sensitive receptors would be exposed to objectionable odors and apply recommended applicable mitigation measures as defined by the applicable local air district and best practices.

Examples of mitigation measures could include, but not limited to, the following:

- Proposed industrial/commercial/convenience land uses (e.g., fast-food restaurants, painting operations) that have the potential to emit objectionable odors shall be located as far away as feasibly possible from existing and proposed sensitive receptors and oriented where possible to place buildings or other obstructions between the odor source and downwind receptors.
- The odor-producing potential of land uses shall be considered when the exact type of facility that would occupy industrial/commercial/convenience areas is determined.
- If an odor-emitting facility is to occupy space in the industrial/commercial/convenience area, the odor-producing potential of the source and potential control devices shall be determined in coordination with the local air district and shall be based on the number of complaints associated with existing sources of the same nature. Odor-control devices (e.g., wet chemical scrubbers, HVAC filters, activated carbon scrubbers, biologically active filters, enclosures) shall be identified in the improvement plans before the approval of building

permits. The odor-control devices shall be installed before the issuance of certificates of occupancy for the potentially odor-producing use.

- Require notification to incoming property owners (e.g., real estate disclosures) regarding the existence of pre-existing odor-emitting facilities/operations (e.g., similar to aviation easements for noise).

DISCUSSION: The nearest potential odor source is the closed 28th Street Landfill. The EIR considers this potential source and finds the effects to be less than significant. (DEIR, p. 4.4-38.) Nevertheless, and consistent with AIR-3, notification of future residents regarding potential odors from the 28th Street Landfill, and ongoing gas monitoring is required. (DEIR, Mitigation Measure 4.4-2(b)) The McKinley Village Project is consistent with Mitigation Measure AIR-3.

(13) Mitigation Measures AIR-4 / AIR-5: Implementing agencies should require project applicants to implement applicable, or equivalent, standard construction mitigation measures.

Lead agencies should require project applicants, prior to construction, to implement construction mitigation measures that, at a minimum, meet the requirements of the applicable air district with jurisdiction over the area in which construction activity would occur if the project is anticipated to exceed thresholds of significance for short-term criteria air pollutant emissions. Projects that exceed these thresholds shall mitigate the air quality impacts using all feasible mitigation. For construction activity on the project site that is anticipated to exceed thresholds of significance, the project applicant(s) shall require construction contractors to implement both Standard Mitigation Measures and Best Available Mitigation Measures for Construction Activity to reduce emissions to the maximum extent feasible for all construction activity performed in the plan area.

[The MTP/SCS Program EIR identifies potential mitigation measures on pp.5-71 and 5-72.]

DISCUSSION:The Draft EIR analyzes short-term construction emissions, consistent with Mitigation Measure AIR-4/5 (Program EIR, p. 4.1-36). The impact was found potentially significant, and identifies feasible mitigation measures. (DEIR, Mitigation Measure 4.1-1(a) and 4.1-1(b), pp. 4.1-40 through 4.1-42.) These mitigation measures include suggested measures discussed in Mitigation Measure AIR-4/5 including:

- The project representative shall submit to the lead agency and the Air District a comprehensive inventory of all off-road construction equipment, equal to or greater than 50 horsepower, that will be used an aggregate of 40 or more hours during any portion of project construction. The inventory shall include the horsepower rating, engine model year, and projected hours of use for each piece of equipment. The inventory shall be updated and submitted monthly throughout the duration of the project, except that an inventory shall not be required for any 30-day period in which no construction activity occurs. At least 48 hours prior to the use of subject heavy-duty off-road equipment, the project

representative shall provide the Air District with the anticipated construction timeline including start date, and name and phone number of the project manager and on-site foreman. The District's Model Equipment List can be used to submit this information.

- At the time grading permits are issued, the project applicant shall pay the SMAQMD off-site mitigation program fee, which shall be calculated based on the estimated amount of NO_X emissions that exceed 85 pounds per day during each day of project construction after onsite construction mitigation (both the Basic Construction Emission Control Practices and the Enhanced Exhaust Control Practices) is applied. In consultation with the SMAQMD staff, and prior to the issuance of a grading permit, a construction mitigation fee and associated administrative fee shall be calculated and paid to the SMAQMD. Fees shall be calculated using the Carl Moyer cost effectiveness rate as determined at the time grading permits are issued (currently $17,460 per ton of NO_x) plus a 5% administrative fee, or the applicable fee amounts in effect at the time of permit/plan issuance.

These measures would reduce the potential impact to a less-than-significant level. The McKinley Village Project incorporates, and is consistent with, Mitigation Measure Air-4/5.

(14) Mitigation Measure BIO-1: Avoid, minimize, and mitigate impacts on special-status plant species.

Implementing agencies should require project applicants to prepare biological resources assessments for specific projects proposed in areas containing, or likely to contain, habitat for special-status plants. The assessment should be conducted by appropriately trained professionals pursuant to adopted protocols and standards in the industry. Mitigation should be identified on a project level when significance thresholds are exceeded and should include measures to address direct and indirect impacts such as avoidance, minimization, and compensatory measures. Mitigation should be consistent with the requirements of CEQA, USFWS, and CDFW regulations and guidelines, in addition to applicable requirements of an adopted HCP/NCCP or other applicable plans promulgated to protect species/habitat.

At a minimum the following performance standards will be implemented by the project applicant for mitigation of impacts to special-status plants:

- Avoidance of special-status plants will be pursued where feasible, as defined in Section 15364 of the CEQA Guidelines.
- Where avoidance is infeasible, impacts should be mitigated through special-status plant habitat restoration or establishment, where appropriate and feasible. Habitat will be restored or newly established (on or off site) at a minimum ratio of 1:1 (1 acre restored for each acre impacted). Such mitigation sites will be dedicated either in fee or as an easement in perpetuity held by a qualified organization or agency. The mitigation site will be monitored the first year after the mitigation is implemented and every five years thereafter, until the

mitigation is considered to be successful. Guaranteed funding for maintenance of the mitigation sites shall be established.

- Mitigation will be considered successful if restored areas are determined to be stable and contain at least 60 percent of the number of plants present in the original occurrence. If the population falls below 60 percent of the original number of plants, then remedial action will be required to reach and maintain this 60 percent standard until the mitigation is considered to be successful.

DISCUSSION: As part of the McKinley Village Project environmental analysis, a biological resources assessment was prepared. (DEIR, Appendix D.) The assessment found two special-status plant species occurrences are documented within a 5-mile radius of the project site: the Sanford's arrowhead (Sagittaria sanfordi) and wooly rose-mallow (Hibiscus lasiocarpos var. occidentalis), both of which are associated with perennial wetlands that do not occur on or adjacent to the site. Due to the lack of habitat suitable to support these special-status plant species known to occur in the region, the project site is not expected to support occurrences of any special-status plant species. (DEIR, p. 4.2-8.) Therefore, by undertaking a biological resources assessment demonstrating that the project will result in less than significant impacts to special-status plant species, the project incorporates, and is consistent with, Mitigation Measure BIO-1.

(15) Mitigation Measure BIO-2: Avoid, minimize, and mitigate impacts on special-status wildlife species.

Implementing agencies should require project applicants to prepare biological resources assessments for specific projects proposed in areas containing, or likely to contain, habitat for special-status wildlife. The assessment should be conducted by appropriately trained professionals pursuant to adopted protocols and standards in the industry. Where the biological resources assessment establishes that mitigation is required to avoid direct and indirect adverse effects on special-status wildlife species, mitigation should be developed consistent with the requirements of CEQA, USFWS, and CDFG regulations and guidelines, in addition to applicable requirements of an adopted HCP/NCCP or other applicable plans promulgated to protect species/habitat.

At a minimum the following performance standards will be implemented by the project applicant for mitigation of impacts to special-status wildlife:

- Avoidance of special-status wildlife and their habitat will be pursued where feasible, as defined in Section 15364 of the CEQA Guidelines.
- Where avoidance is infeasible, impacts should be mitigated through preservation, restoration, or creation of special-status wildlife habitat, where appropriate and feasible. Loss of habitat will be mitigated at an agency approved mitigation bank or through individual mitigation locations as approved by USFWS and/or CDFG. The minimum replacement ratios and typical mitigation for wildlife habitat that could be impacted by the proposed project are presented below in Table 6.12. The mitigation site will be monitored the first year after the

mitigation is implemented and every five years thereafter, until the mitigation is considered to be successful.

- All mitigation areas should be preserved in perpetuity through either fee ownership or a conservation easement held by a qualified conservation organization or agency, establishment of a preserve management plan, and guaranteed long-term funding for site preservation through the establishment of a management endowment.

Table 6.12

Minimum Replacement Ratios and Typical Mitigation for Wildlife Habitat

Species	Preservation	Creation / Restoration
Vernal pool fairy shrimp and vernal (would mitigate for other vernal pool species)	2:1 (1:1 for indirect impacts)	1:1
Valley elderberry longhorn beetle	Transplant directly affected shrubs	Plant seedlings and associated riparian at stem placement ratios from 1:1 to 8:1, depending on stem size and shrub location
Giant garter snake	Preserve replacement habitat	From 1:1 to 3:1 depending on nature of impact
Burrowing owl	6.5 acres of foraging habitat for each pair relocated on site; 9.75 to 19.5 acres per pair for offsite relocation	Create artificial burrows if necessary
Swainson's hawk	Preserve foraging habitat from 0.5:1 to 1.5:1	NA

The implementing agency should require applicants to mitigate at the above ratios or greater depending on habitat quality, other impacts to the species, and other factors deemed important by the agencies.

DISCUSSION: As part of the McKinley Village Project environmental analysis, a biological resources assessment was prepared. (DEIR, Appendix D.) The assessment found three special-status species have moderate potential to occur on the project site: Swainson's hawk, white-tailed kite, and valley elderberry longhorn beetle (VELB). The project would avoid impacts to special-status bird species and compensate for any habitat loss through implementation of Mitigation Measures 4.2-1(a) and 4.2-1(b), respectively (DEIR, pp. 4.2-35 and 4.2-36.) The

project applicant will mitigate for the loss of foraging habitat at a 1:1 ratio, per direction provided by the CDFW. The project would avoid, minimize, and compensate for any loss of VELB habitat through implementation of Mitigation Measure 4.2-1(c). Mitigation ratios for VELB have been determined and approved by U.S. Fish and Wildlife. (DEIR, 4.2-37 through 4.2-40.) The required VELB habitat credits were purchased from a USFWS approved conservation bank (the Sacramento River Ranch Conservation Bank) on January 29, 2014 and the affected elderberry bushes were transplanted to a conservation bank on February 13, 2014 in accordance with mitigation measure 4.2-1(c). The project is consistent with, and incorporates, Mitigation Measure BIO-2.

(16) Mitigation Measure BIO-3: Avoid, minimize, and mitigate impacts on special-status fish species.

Implementing agencies should require project applicants to prepare biological resources assessments for specific projects proposed in areas containing, or likely to contain, habitat for special-status fish. The assessment should be conducted by appropriately trained professionals pursuant to adopted protocols, and standards in the industry. Mitigation measures should be identified when significance thresholds are exceeded. Mitigation implementation should be consistent with the requirements of CEQA and USFWS, NMFS, and CDFW regulations and guidelines, and/or follow an adopted HCP/NCCP or other applicable plans promulgated to protect species/habitat.

The following performance standards should be implemented by the project applicant for mitigation of direct and indirect impacts to special-status wildlife:

- Avoidance of special-status fish species and their habitat will be pursued where consistent with the project objectives and where feasible, as defined in Section 15364 of the CEQA Guidelines.
- Where impacts are unavoidable, impacts should be mitigated through restoration or enhancement of special-status fish habitat, where appropriate and feasible. Loss of habitat will be mitigated off site at an agency approved mitigation bank or through individual mitigation locations approved, as approved by USFWS and/or CDFW. A minimum ratio of 1:1 (one acre restored or enhanced to one acre of disturbance). The mitigation site will be monitored the first year after the mitigation is implemented and every five years thereafter, until the mitigation is considered to be successful.
- All mitigation areas should be preserved in perpetuity through either fee ownership or a conservation easement held by a qualified conservation organization or agency, establishment of a preserve management plan, and guaranteed long-term funding for site preservation through the establishment of a management endowment.

DISCUSSION: The nearest fish habitat is the American River, which is approximately 0.25 mile from the project site, separated by a freeway and urban land uses. Therefore, the project would not adversely affect fish species. (DEIR, p. 4.2-41.) Therefore, Mitigation Measure BIO-3 does not apply to the project.

(17) Mitigation Measure BIO-4: Avoid, minimize, and mitigate impacts to riparian habitats.

Implementing agencies should require project applicants to prepare biological resources assessments for specific projects proposed in areas containing, or likely to contain, riparian habitats. The assessment should be conducted by appropriately trained professionals pursuant to adopted protocols, and standards in the industry. Mitigation measures should be identified when significance thresholds are exceeded. Mitigation measures should be consistent with the requirements of CEQA, or follow an adopted HCP/NCCP or other applicable plans promulgated to protect species/habitat.

Implementing agencies should design projects such that they avoid and minimize direct and indirect impacts to riparian habitats where feasible, as defined in Section 15364 of the CEQA Guidelines.

In general, if riparian vegetation is removed or disturbed, the project applicant will compensate for the loss of riparian vegetation. Compensation will be provided at a minimum 1:1 ratio for restoration and preservation, and may be a combination of onsite restoration/creation, offsite restoration, preservation, or mitigation credits. Project applicants should be required to develop a restoration and monitoring plan that describes how riparian habitat will be enhanced or recreated and monitored. At a minimum, the restoration and monitoring plan will include clear goals and objectives, success criteria, specifics on restoration/creation (plant palette, soils, irrigation, etc.), specific monitoring periods and reporting guidelines, and a maintenance plan. In general, any riparian restoration or creation will be monitored for a minimum of five years and will be considered successful when at least 75 percent of all plantings have become successfully established.

Such mitigation sites will be dedicated either in fee or as an easement in perpetuity held by a qualified organization or agency. Guaranteed funding for maintenance of the mitigation sites shall be established.

DISCUSSION: The project site does not contain riparian habitat. (DEIR. p. 4.2-2 through 4.2-5.) Therefore Mitigation Measure BIO-4 does not apply to the project.

(18) Mitigation Measure BIO-5: Avoid, minimize, and mitigate impacts to oak woodland habitats.

Implementing agencies should require project applicants to prepare biological resources assessments for specific projects proposed in areas containing, or likely to contain, oak woodland habitats. The assessment should be conducted by appropriately trained professionals pursuant to adopted protocols, and standards in the industry. Mitigation measures should be identified when significance thresholds are exceeded. Mitigation measures should be consistent with the requirements of CEQA, or follow an adopted HCP/NCCP or other applicable plans promulgated to protect species/habitat.

Implementing agencies should design projects such that they avoid and minimize direct and indirect impacts to oak woodland habitats where feasible, as defined in Section 15364 of the CEQA Guidelines.

In general, if oak woodland vegetation is removed or disturbed, the project applicant will compensate for the loss. Compensation will be provided at a minimum 1:1 ratio for restoration and preservation, and may be a combination of onsite restoration/creation, offsite restoration, preservation, or mitigation credits. If mitigation is completed by the project applicant, it will develop a restoration and monitoring plan that describes how oak woodland habitat will be enhanced or recreated and monitored. At a minimum, the restoration and monitoring plan will include clear goals and objectives, success criteria, specifics on restoration/creation (plant palette, soils, irrigation, etc.), specific monitoring periods and reporting guidelines, and a maintenance plan. In general, any riparian restoration or creation will be monitored for a minimum of five years and will be considered successful when at least 75 percent of all plantings have become successfully established.

Such mitigation sites will be dedicated either in fee or as an easement in perpetuity held by a qualified organization or agency. Guaranteed funding for maintenance of the mitigation sites shall be established.

DISCUSSION: The site does not contain oak woodlands. (DEIR. p. 4.2-2 through 4.2-5.) Therefore Mitigation Measure BIO-5 does not apply to the project.

(19) Mitigation Measure BIO-6: Avoid, minimize, and mitigate impacts to wetland and other waters.

Implementing agencies should require project applicants to prepare biological resources assessments for specific projects proposed in areas containing, or likely to contain, wetlands and other waters. The assessment should be conducted by appropriately trained professionals pursuant to adopted protocols, and standards in the industry. Mitigation measures should be identified when significance thresholds are exceeded. Mitigation measures should be consistent with the requirements of CEQA and USACE and SWRCB regulations and guidelines, and/or follow an adopted HCP/NCCP or other applicable plans promulgated to protect species/habitat.

Implementing agencies should design projects such that they avoid and minimize direct and indirect impacts to wetlands and other waters where feasible, as defined in Section 15364 of the CEQA Guidelines.

If wetlands and waters are filled or disturbed as part a specific project, the project applicant will compensate for the loss of wetland and waters to ensure there is no net loss of habitat functions and values. The compensation will be at a minimum 1:1 restoration ratio and a 1:1 preservation ratio. A restoration and monitoring plan should be developed and implemented if onsite or offsite restoration or creation is chosen. The plan should describe how wetlands should be created and monitored over a minimum of five years (or as required by the regulatory agencies).

Such mitigation sites will be dedicated either in fee or as an easement in perpetuity held by a qualified organization or agency. Guaranteed funding for maintenance of the mitigation sites shall be established.

DISCUSSION: The project site does not contain wetlands. (DEIR. p. 4.2-2 through 4.2-5.) Therefore Mitigation Measure BIO-6 does not apply to the project.

(20) Mitigation Measure BIO-7: Avoid, minimize, and mitigate impacts to wildlife corridors.

Implementing agencies should require project applicants to prepare detailed analyses for specific projects impacting the ECA lands occurring within their sphere of influence to determine what wildlife species may use these area and what habitats those species require. The assessment should be conducted by appropriately trained professionals and standards in the industry. Mitigation implementation should be required when significance thresholds are exceeded. Mitigation should be consistent with the requirements of CEQA and/or follow an adopted HCP/NCCP or other relevant plans promulgated to protect species/habitat.

Implementing agencies should design projects such that they avoid and minimize direct and indirect impacts to wildlife corridors where feasible, as defined in Section 15364 of the CEQA Guidelines. Design considerations may include but would not be limited to the following:

- Constructing wildlife friendly overpasses and culverts;
- Using wildlife friendly fences that allow larger wildlife such as deer to get over, and smaller wildlife to go under;
- Limiting wildland conversions in identified wildlife corridors; and
- Retaining wildlife friendly vegetation in and around developments.

DISCUSSION: The Draft EIR considers the potential effects of the project on wildlife corridors. (DEIR, pp. 4.2-22 and 4.2-23.) The analysis finds that the project site is not part of a regional wildlife corridor, as it is largely surrounded by urban development and other artificial land uses. The closest habitat corridor in the area is associated with the American River Parkway approximately 0.25 mile east and 0.4 mile north of the site, separated by the Capital City Freeway and Sutter's Landing Regional Park to the north, and local roads and a single-family residential subdivision (River Park) to the east. While a number of common wildlife species may utilize the site as habitat for breeding, foraging, and shelter to some degree, the site itself does not function as a wildlife corridor. Therefore, the project incorporates, and is consistent with, Mitigation Measure BIO-7 because an assessment relating to the project's proximity to Essential Connectivity Areas (ECAs) was undertaken and potential impacts were determined to be less than significant.

(21) Mitigation Measure BIO-8: Avoid, minimize, and mitigate for impacts on protected trees and other biological resources protected by local ordinances.

Implementing agencies should require project applicants to prepare biological resources assessments for specific projects proposed in areas containing, or likely to contain, protected trees or other locally protected biological resources. The assessment should be conducted by appropriately trained professionals pursuant to adopted protocols, and standards in the industry. Mitigation should be implemented when significance thresholds are exceeded. Mitigation should be consistent with the requirements of CEQA and/or follow an adopted HCP/NCCP or other applicable plans promulgated to protect species/habitat.

Implementing agencies should design projects such that they avoid and minimize direct and indirect impacts to protected trees and other locally protected resources where feasible, defined in Section 15364 of the CEQA Guidelines.

At a minimum, qualifying protected trees (or other resources) will be replaced at 1:1 in locally approved mitigation sites.

As part of project-level environmental review, implementing agencies will ensure that projects comply with the most recent general plans, policies, and ordinances, and conservation plans. Review of these documents and compliance with their requirements will be demonstrated in project-level environmental documentation. Review of these documents and compliance with their requirements should be demonstrated in project-level environmental documentation.

DISCUSSION: The City of Sacramento protects street trees and heritage trees. (City Code Section 12.56.020 et seq.) The project site includes Blue elderberry (Sambucus mexicana), button willow (Cephalanthus occidentalis), narrow leaved willow (Salix exigua), Fremont's cottonwood and red alder (Alnus rubra). Valley oak (Quercus lobata), Fremont's cottonwood (Populus fremontii), and box elder (Acer negundo) outside of the boundaries of the project site, within the railroad right-of-way. The EIR analysis concludes that none of the trees on site meet the City's criteria for protection. (DEIR, p. 4.2-29) Therefore, by undertaking a biological resources assessment demonstrating that the project will result in less than significant impacts to protected trees and other biological resources, the project incorporates, and is consistent with, Mitigation Measure BIO-8.

(22) Mitigation Measure BIO-9: Avoid and minimize, and mitigate for construction-related impacts.

Implementing agencies should require project applicants to prepare biological resources assessments for specific projects proposed in areas containing, or likely to contain, sensitive biological resources. The assessment should be conducted by appropriately trained professionals pursuant to adopted protocols, and standards in the industry. As necessary and as required by regulatory agencies, project applicants should prepare mitigation and monitoring plans that identify avoidance and minimization measures that should reduce the level of potential direct and indirect impacts to sensitive biological resources to below thresholds of significance. These measures should be consistent with the requirements of CEQA. Where federally or stated listed species could be potentially impacted by construction activities, the project applicant should adhere to regulatory guidelines and policies that identify specific

avoidance and minimization measures to insure that these actions do not result in the take of a listed species, except as authorized under a USFWS Biological Opinion or a CDFW Incidental Take Permit.

DISCUSSION: Three special status species would potentially be affected by project construction, as discussed above. Construction-related impacts to these species would be reduced to a less-than-significant level through implementation of Mitigation Measures 4.2-1(a), (b), and (c). These mitigation measures would conduct pre-construction biological surveys, provide construction worker training on biological resources, and comply with all relevant Federal and State regulations, as prescribed by SCS Mitigation Measure BIO-9. The project therefore incorporates Mitigation Measure BIO-9.

(23) Mitigation Measure CR-1 / CR-5: Conduct historical resource studies and identify and implement project specific mitigation.

As part of planning, design and engineering for projects that result from the proposed MTP/SCS, the implementing agency should ensure that historic resources are treated in accordance with applicable federal, state, and local laws and regulations. When a project has been identified as potentially affecting a historical resource, a historical resources inventory should be conducted by a qualified architectural historian. The study should comply with CEQA Guidelines Section 15064.5(b), and, if federal funding or permits are required, with section 106 of the National Historic Preservation Act (NHPA) of 1966 (16 USC Section 470 et seq.).

DISCUSSION: A formal records search was conducted for the project area by Peak & Associates. (DEIR, Appendix E.) A historic evaluation of the A Street Bridge was conducted by JRP Historical Consulting to determine if it met the requirements to be considered a historic resource under CEQA. (DEIR, Appendix F.) In addition, research consisted of reviewing a number of published sources, as well as online and corporate file topographic maps, county maps, and aerial photographs. No historical resources were identified on the project site (Draft EIR, p. 4.3-14.) The A Street Bridge was found not to be eligible as a national, state, or local historic resource. (DEIR, p. 4.3-18.) The project therefore incorporates Mitigation Measure CR-1/CR-5.

(24) Mitigation Measure CR-2 / CR-5: Conduct Archaeological Resource Studies and Identify and Implement Project-Specific Mitigation.

The implementing agency, prior to planning, design and engineering of specific projects in the proposed MTP/SCS, should ensure that archaeological resources are treated appropriately according to state, federal, and local laws and regulations, as applicable. If an archaeological resources is determined to be historically significant (CEQA Guidelines Section 15064.5(a)), then Mitigation Measure CR-1 should be applied. The mitigation measure below applies to non-historically significant archaeological resources.

When a project has been identified as potentially affecting a unique archaeological resource, an archaeological inventory should be conducted by a qualified archaeologist. The study should

comply with P.R.C. section 21083.2 and CEQA Guidelines Section 15064.5(c); and, if federal funding or permits are required, NHPA section 106.

DISCUSSION: As discussed above, the project site and the adjacent area have been assessed, and no archaeological resources have been identified, therefore impacts are to be less than significant as stated in the SCS Mitigation Measure. However, the possibility exists that ground disturbance activities associated with construction of the proposed project could disturb previously unknown historical or archaeological resources or human remains. The project would implement Mitigation Measure 4.3-1(a) and 4.3-1(b), requiring the project applicant to comply with specific procedures in the event of an inadvertent discovery during project construction, to reduce this possibility to a less-than-significant impact. (DEIR, p. 4.3-15.) The project therefore incorporates Mitigation Measure CR-2/CR-5.

(25) Mitigation Measure CR-3 / CR-5: Reduce Visibility or Accessibility of Archaeological Resources.

The implementing agency should determine whether or not implementation of a project will put an archaeological site in danger of damage via illicit collecting. If so, the implementing agency should take measures to reduce the visibility or accessibility of the archaeological resource to the public. Visibility of the resource can be reduced through the use of decorative walls or vegetation. Accessibility can be reduced by installing fencing or vegetation, particularly unwelcoming vegetation, such as poison oak or blackberry bushes. It is important to avoid creating an attractive nuisance when protecting sites. Conspicuous walls or signs indicating that an area is restricted may result in more attempts to access the area.

DISCUSSION: As discussed above, no known archaeological sites are present within the project area. Mitigation measures have been incorporated into the project to protect any previously undiscovered resources. The project mitigation is therefore consistent with Mitigation Measure CR-3.

(26) Mitigation Measure CR-4 / CR-5: Conduct project-specific paleontological resource studies and identify and implement mitigation.

As part of planning, design and engineering of projects that result from the proposed MTP/SCS, the implementing agency should ensure that paleontological resources are identified and appropriately mitigated. If a project is located within an area of high or moderate paleontological resource sensitivity or near a known unique geological feature, and would remove at least 2,500 cubic yards of soil from a previously unearthed area, the implementing agency should retain a qualified paleontologist prior to construction to evaluate sensitivity for unique paleontological resources in their project area. When a project has been identified as potentially affecting a unique paleontological resource, a paleontological resources assessment should be prepared. This study should comply with standards in the industry such as the Standard Procedures for the Assessment and Mitigation of Adverse Impacts to Nonrenewable Paleontological Resources (Society of Vertebrate Paleontology Conformable Impact Mitigation Guidelines Committee, 1995

and 2007). Any area of known unique paleontological resources should be avoided during construction when feasible.

The implementing agency should establish construction protocols to ensure that contractors take appropriate measures to avoid destroying fossil materials discovered during construction.

If unique paleontological resources are discovered during construction and/or avoidance is not feasible, the property owner should be encouraged to allow excavation, identification, cataloging and/or other documentation by a qualified paleontologist. The property owner should be further encouraged to donate the resource to a local agency, state university, or other applicable institution, for curation and display for public education purposes.

DISCUSSION: The Draft EIR examines the potential for paleontological resources to occur and finds the potential to be very low, therefore acknowledging and subsequently dismissing the need to retain a paleontologist for the project. However, implementation of EIR Mitigation Measures 4.3-1(a), (b), and (c), which address the accidental discovery of historical resources, archaeological resources, and human remains, would also serve to protect paleontological resources in the unlikely event they were discovered. The project is therefore consistent with Mitigation Measure CR-4/CR-5.

(27) Mitigation Measure GEO-1 / GEO-2 / HYD-3: Reduce soil erosion and loss of topsoil through erosion control mitigation and SWPPP.

The implementing agency should require the development and implementation of detailed erosion control measures, consistent with the CBC and UBC regulations and guidelines and/or local NPDES, to address erosion control specific to the project site; revegetate sites to minimize soil loss and prevent significant soil erosion; avoid construction on unstable slopes and other areas subject to soil erosion where possible; require management techniques that minimize soil loss and erosion; manage grading to maximize the capture and retention of water runoff through ditches, trenches, siltation ponds, or similar measures; and minimize erosion through adopted protocols and standards in the industry. The implementing agency should also require land use and transportation projects to comply with locally adopted grading, erosion, and/or sediment control ordinances beginning when any preconstruction or construction-related grading or soil storage first occurs, until all final improvements are completed.

If a local grading, erosion, and/or sediment control ordinance or other applicable plans or regulations do not exist, the jurisdiction should adopt ordinances substantially addressing the foregoing features and apply those ordinances to new development projects.

DISCUSSION: The EIR discuss the requirements of the project to comply with local and state erosion control and stormwater quality requirements. (DEIR, pp. 4.5-31 through 4.5-37.) The analysis concludes that implementation of the SWPPP and a City Erosion and Sediment Control Plan would reduce the impact to a less-than-significant level. The project is therefore consistent with Mitigation Measure GEO-2/GEO-3/HYD-3.

(28) Mitigation Measure GEO-3: Reduce the loss of availability of a designated mineral resource.

The implementing agency should protect against the loss of availability of a designated mineral resource through identification of locations with designated mineral resources and adoption and implementation of policies to conserve land that is most suitable for mineral resource extraction from development of incompatible uses.

DISCUSSION: The EIR found the project site did not contain designated mineral resources. (DEIR, p. ES-9.) Therefore, the project would not reduce access to an important mineral resource, consistent with Mitigation Measure GEO-3.

(29) Mitigation Measure HAZ – 1: Implement dust mitigation plan applicable to activities with risk of disturbing areas known to contain NOA.

The implementing agency should require a dust mitigation plan for any activities, including construction, grading, quarrying, and surface mining, in areas known to contain NOA. The dust mitigation plan should, at a minimum, apply in the following areas:

- A geographic area designated as an ultramafic rock unit or ultrabasic rock unit on maps published by the Department of Conservation;
- An area with ultramafic rock, serpentine or naturally-occurring asbestos on the site, as determined by the implementing or the owner or the owner/operator; or
- After the start of the operation, the District, a registered geologist, or the owner/operator discover sultramaic rock, serpentine or naturally-occurring asbestos is the area to be disturbed.

  Where feasible and appropriate, the dust mitigation should include the following elements:
  - Specify how the operation will minimize emissions;
  - Prevent visible emissions from crossing the project boundaries;
  - Limit vehicle speeds;
  - Apply water prior to and during ground disturbance;
  - Keep storage piles wet or covered;
  - Prevent track-out and removal; and
  - Use dust control measures appropriate to the presence of NOA.

DISCUSSION: Mitigation Measure HAZ-1 applies to areas known to contain NOA. There is no evidence that the project site contains NOA. The Phase I ESA does not identify naturally occurring asbestos risk (it does assess the potential for man-asbestos and finds the impact to be less than significant). According SMAQMD, the “areas most likely to contain naturally occurring asbestos are the eastern parts of Sacramento County, Folsom and Rancho Murieta.” (Sacramento Metropolitan Air Quality management District, “Asbestos in Soil,” http://www.airquality.org/compliance/asbestosNaturallyOccurring.shtml, accessed January 30, 2014). Therefore, Mitigation Measure HAZ-1 does not apply to the project.

(30) Mitigation Measure HAZ - 2: Determine if project sites are included on a government list of hazardous materials sites pursuant to Government Code Section 65962.5.

The implementing agency should determine whether specific project sites are listed on government lists of hazardous materials and/or waste sites compiled pursuant to Government Code Section 65962.5. Implementing agencies should require preparation of a Phase I ESA that meets ASTM standards for any listed sites or sites with the potential of residual hazardous materials and/or waste as a result of location and/or prior uses. Implementing agencies should require that recommendations of the Phase I ESA be fully implemented. If a Phase I ESA indicates the presence or likely presence of contamination, the implementing agency should require a Phase II ESA, and recommendations of the Phase II ESA should be fully implemented.

DISCUSSION: The project site is not listed in any of the computerized regulatory databases searched by EDR and is not on the list of sites complied pursuant to California Government Code Section 65962.5. In addition, a Phase I ESA was prepared for the project site. The Phase I ESA did not identify a significant risk of contamination, and did not recommend preparation of a Phase II ESA. Nevertheless, mitigation measures were incorporated into the EIR to reduce the potential impact of disturbing unidentified contamination during construction. (DEIR, Mitigation Measure 4.4-1, pp. 4.4-36 and 4.4-37.) Therefore, the project incorporates Mitigation Measure HAZ-2.

(31) Mitigation Measure HYD-1: Manage stormwater runoff and other surface drainage.

The implementing agency should require projects to direct stormwater run-off and other surface drainage into an adequate on-site system or into a municipal system with capacity to accept the project drainage. This should be demonstrated by requiring consistency with local stormwater drainage master plans or a project-specific drainage analysis satisfactory to the jurisdiction's engineer of record.

DISCUSSION: The project would construct a series of drainage inlets and storm drainage pipes. On-site Low Impact Development (LID) and runoff reduction would be incorporated into the project design, where feasible. The project would incorporate separated stormwater infrastructure that would connect to two detention basins designed to detain and limit flows during large storm events to minimize any potential overflows. In addition, the project is required to submit a Storm Drainage Master Plan to the City of Sacramento Department of Utilities for review and approval in compliance with the City's Design and Procedures Manual, as part of the Tentative Map submittal. The Storm Drainage Master Plan must have sufficient information to determine the ROW requirements for proposed drainage facilities as well as the hydrology, hydraulics, pumping requirement, and detention storage information. The EIR finds that the change in stormwater runoff would not be a significant impact to either water quality or surface

runoff quantity. (DEIR, Impacts 4.5-2 and 4.5-6, pp. 4.5-37 through 4.5-48.) The project therefore complies with Mitigation Measure HYD-1.

(32) Mitigation Measure HYD-2: Use best management practices to treat water quality.

The implementing agency should require the use of BMPs or equivalent measures to treat water quality at on-site basins, prior to leaving the project site, and/or at the municipal system as necessary to achieve local or other applicable standards. This should be demonstrated by requiring consistency with local standards and practices for water quality control and management of erosion and sedimentation, and/or other applicable standards, including the CBC and UBC regulations and guidelines and/or local NPDES. Implementation of Mitigation Measure GEO-1 will also help mitigate this impact.

DISCUSSION: The project must comply with the City's Stormwater Quality Improvement Plan (SQIP), a requirement of the City's NPDES permit from the Regional Water Quality Control Board (Draft EIR, p. 4.5-37 through 4.5-40.) The SQIP includes best management practices (BMPs) per Mitigation Measure HYD-2. (DEIR, p. 4.5-26). Therefore, the project is consistent with Mitigation Measure HYD-2.

(33) Mitigation Measure HYD-4: Conduct hydrology studies for projects in floodplains.

The implementing agency should conduct or require project-specific hydrology studies for projects proposed to be constructed within floodplains to demonstrate compliance with applicable federal, state, and local agency flood-control regulations. These studies should identify project design features or mitigation measures that reduce impacts to either floodplains or flood flows to a less than significant level. For the purposes of this mitigation, less than significant means consistent with Federal, State, and local regulations and laws related to development in the floodplain.

DISCUSSION: The Draft EIR contains an extensive analysis of the site hydrology, including potential impacts to floodplain or hazards to persons or structures within a floodplain. (DEIR, pp. 4.5-2 through 4.5-16.) The project site is not located with the 100 year floodplain, and is therefore consistent with Federal, State, and local floodplain best management practices regarding floodplain development. (DEIR, Impact 4.5-4, p. 4.5-41.) The Draft EIR also looks at the effects of adding additional openings to the UPRR embankment (for transportation access) to adjoining properties and finds the impact to be less than significant. (DEIR, Impact 4.5-5, p. 4.5-46.) The project is consistent with Mitigation Measure HYD-4.

(34) Mitigation Measure HYD-6: In areas of existing or potential future land subsidence due to groundwater pumping, establish cooperative regional relationships to define and manage sustainable yield.

Implementing agencies should establish cooperative regional relationships to define and manage sustainable yield in areas of existing or potential future land subsidence due to groundwater pumping. At a minimum this effort should involve the following:

1. regional coordination and cooperative agreements within groundwater basins to study and define sustainable yield, undertake regular monitoring, and reach agreement regarding management of groundwater withdrawal pursuant to sustainable yield objectives;
2. development and implementation of recharge programs in areas where land subsidence is, or is likely to become, a problem;
3. cooperate regionally to consider use of surface water resources; and
4. ensure that new land uses do not exacerbate the potential for land subsidence, and strive to avoid increase in subsidence.

DISCUSSION: The project is not located within an area of subsidence, and would not include or rely upon groundwater pumping. The project would not significantly interfere with groundwater recharge, and would not contribute to subsidence. (Draft EIR, Impact 4.5-7, p. 4.5-48.) Mitigation Measure HYD-6 therefore does not apply.

(35) Mitigation Measure NOI-1: Employ measures to reduce noise from new land uses and transportation projects.

For projects that have not undergone previous noise study and that exceed acceptable noise thresholds, the implementing agency should conduct a project-level evaluation of noise impacts in accordance with applicable federal, state, and local noise standards.

Where significant impacts are identified, mitigation measures should be implemented, where feasible, to reduce noise to be in compliance with applicable noise standards. Measurements that can be implemented include but are not limited to:

- constructing barriers in the form of sound walls or earth berms to attenuate noise at adjacent residences;
- using land use planning measures, such as zoning, restrictions on development, site design, and buffers to ensure that future development is compatible with adjacent transportation facilities and land uses;
- constructing roadways so that they are depressed below-grade of the existing sensitive land uses to create an effective barrier between new roadway lanes, roadways, rail lines, transit centers, park-n-ride lots, and other new noise generating facilities;
- maximizing the distance between noise-sensitive land uses and new noise-generating facilities and transportation systems;
- improving the acoustical insulation of dwelling units where setbacks and sound barriers do not sufficiently reduce noise; and
- using rubberized asphalt or “quiet pavement” to reduce road noise for new roadway segments, roadways in which widening or other modifications require re-pavement, or normal reconstruction of roadways where repavement is planned.

DISCUSSION: The Draft EIR analyzes potential operational and transportation-related noise impacts and concludes the project impacts would be less than significant. (DEIR, pp. 4.6-26 to 4.6-37, 4.6-39 to 4.6-40.) Therefore, by undertaking a noise analysis demonstrating that the project will result in less than significant noise impacts, the project incorporates, and is consistent with, Mitigation Measure NOI-1.

(36) Mitigation Measure NOI-3: Reduce noise, vibration, and groundborne noise generated by construction activities.

The implementing agency should reduce noise, vibration, and groundborne noise generate by construction activities by taking the following (or equivalent) actions:

- restrict construction activities to permitted hours in accordance with local jurisdiction regulations;
- properly maintain construction equipment and outfit construction equipment with the best available noise suppression devices (e.g., mufflers, silencers, wraps);
- prohibit idling of construction equipment for extended periods of time in the vicinity of sensitive receptors;
- locate stationary equipment such as generators, compressors, rock crushers, and cement mixers as far from sensitive receptors as possible; and
- predrill pile holes to the maximum feasible depth, provided that pile driving is necessary for construction.

DISCUSSION: The Draft EIR analyzes the noise and vibration effects of construction and concludes the impact would be less than significant. (DEIR, p. 4.6-38.) Mitigation Measure NOI-3 therefore does not apply to the project, as additional measures are not required by CEQA to reduce any potential impact already deemed to be less than significant.

(37) Mitigation Measure PS-1 / HYD-5 / USS-1 / USS-2: Ensure adequate public services and utilities will be available to satisfy levels identified in local general plans or service master plans.

The implementing agency should ensure that public services and utilities will be available to meet or satisfy levels identified in the applicable local general plan or service master plan. This shall be documented in the form of a capacity analysis or provider will-serve letter.

DISCUSSION: The project would install on-site utilities, including water, wastewater, storm drainage, solid waste services, and energy infrastructure. These impacts were examined in the Draft EIR in terms of capacity and supply, and compared to general plan standards (Draft EIR, pp. 4.8-2 through 4.8-37.) The impacts were all less than significant (DEIR, Impacts 4.8-1 through 4.8-11). Thus, the project would meet public service levels, and is consistent with Mitigation Measure PS-1/HYD-5/USS-1/USS-2.

(38) Mitigation Measure TRN – 3: Apply best practice strategies to reduce the localized impact from construction activities on the transportation system.

Apply best practice strategies to reduce the localized impact from construction activities on the transportation system.

The implementing agency should implement some or all of the following strategies in order to reduce the localized transportation system impacts from construction activities.

- Apply special construction techniques (e.g., directional drilling or night construction) to minimize impacts to traffic flow and provide adequate access to important destinations in the area.
- Develop circulation and detour plans to minimize impacts to local street impacts from construction activity on nearby major arterials. This may include the use of signing and flagging to guide vehicles through and/or around the construction zone.
- Establish truck "usage" routes that minimize truck traffic on local roadways to the extent possible.
- Schedule truck trips outside of peak morning and evening commute hours.
- Limit the number of lane closures during peak hours to the extent possible.
- Identify detours for bicycles and pedestrians in all areas potentially affected by project construction and provide adequate signage to mark these routes.
- Install traffic control devices as specified in the California Department of Transportation Manual of Traffic Controls for Construction and Maintenance Work Zones.
- Develop and implement access plans for potentially impacted local services such as police and fire stations, transit stations, hospitals, schools and parks. The access plans should be developed with the facility owner or administrator. To minimize disruption of emergency vehicle access, affected jurisdictions should be asked to identify detours for emergency vehicles, which will then be posted by the contractor.
- Store construction materials only in designated areas that minimize impacts to nearby roadways.
- Coordinate with local transit agencies for temporary relocation of routes or bus stops in works zones, as necessary.
- Provide a shuttle to detour travelers around road blocks.
- Conduct a public information campaign about how to use transit and other methods of reducing driving.

DISCUSSION: Draft EIR Mitigation Measure 4.9-5 requires the preparation of a construction traffic and parking management plan to the satisfaction of City Traffic Engineer and subject to review by all affected agencies. The plan must ensure acceptable operations on all roadway and freeway facilities. Necessary components of the plan include a description of trucks (including: number and size of trucks per day, expected arrival/departure times, truck circulation patterns), and a description of street closures and/or bicycle and pedestrian facility closures (including: duration, advance warning and posted signage, safe and efficient access routes for emergency vehicles, and use of manual traffic control, and include several elements) in

accordance with measures suggested in Mitigation Measure TRN-3. (DEIR, p. 4.9-62.) Much of the construction work will also occur within an area with minimal disruption to existing city roadway facilities, therefore having minimal impact on the existing roadway network. With implementation of this mitigation, the project is consistent with Mitigation Measure TRN-3.

(39) Mitigation Measure USS-3: Perform Project-Level Environmental Review for New Wastewater Treatment Plants, Landfills, and Similar Large Utility Facilities.

The implementing agency should undertake project-level review as necessary to provide CEQA clearance for new wastewater treatment plants, landfills, and similar large utility facilities.

DISCUSSION: The project would be served by existing facilities, including water treatment, wastewater treatment, and landfills. As the lead agency for any future expansion of such facilities, the City of Sacramento would be responsible for complying with CEQA at a project level. Thus, while Mitigation Measure USS-3 does not directly apply to the proposed project, these reviews would occur at the appropriate time.

MTP/SCS Mitigation Measures

As demonstrated in the Master EIR prepared for the City's 2030 General Plan, potential impacts of future development within the City can be mitigated through implementation of the goals, policies and programs included in the 2030 General Plan. Other than implementing goals, policies and programs included in the 2030 General Plan, the 2030 General Plan Master EIR only includes one mitigation measure that is applicable to land use projects proposed within the City:

Mitigation Measure 6.13-1: New development shall be prohibited from:

- using reflective glass that exceeds 50 percent of any building surface and on the ground three floors;
- using mirrored glass;
- using black glass that exceeds 25 percent of any surface of a building; and
- using metal building materials that exceed 50 percent of any street-facing surface of a primarily residential building.

(2030 General Plan Master EIR, p. 6.13-27.)

DISCUSSION: No buildings proposed as part of the project include any of the features prohibited by Mitigation Measure 6.13-1. Therefore, the project incorporates, and is consistent with, Mitigation Measure 6.13-1.

As stated above, for all other potential impacts analyzed in the 2030 General Plan Master EIR, the only potentially feasible measures identified to avoid the impacts are implementation of the goals, policies and programs included in the 2030 General Plan. (See, e.g., Master EIR, pp. 6.1-11, 13, 15, 17 to 22 [Air Quality Impacts]; *id*. at pp. 6.3-31 to 32, 6.3-35 to 36, 6.3-38 to 39, 6.3-

41, 6.3-44, 6.3-46 to 50, 6.3-52 [Biological Resource Impacts]; *id*. at pp. 6.4-26, 6.4-28, 6.4-30 to 31 [Cultural Resource Impacts]; *id*. at pp. 6.5-19, 6.5-21 to 22, 6.5-24 to 27 [Geology, Soils, and Mineral Resource Impacts]; *id*. at pp. 6.6-21, 6.6-24, and 6.6-27 [Hazards and Hazardous Materials Impacts]; *id*. at p. 6.7-24, 6.7-26, 6.7-29, 6.7-31 to 32, and 6.7-34 to 35 [Hydrology and Water Quality Impacts]; *id*. at pp. 6.8-27, 6.8-42 to 47, 6.8-49 to 51 [Noise and Vibration Impacts]; *id*. at pp. 6.10-11, 6.10-23, 6.10-41 to 43, 6.10-45, 6.10-54 to 55, 6.10-65, 6.10-67 [Public Services Impacts]; *id*. at pp. 6.9-19 to 20 [Recreation Impacts]; *id*. at pp. 6.12-79, 6.12-85 to 93 [Transportation and Traffic Impacts]; *id*. at pp. 6.11-32 to 33, 6.11-57, 6.11-59 to 60, 6.11-62, 6.11-74, 6.11-76, 6.11-85, 6.11-87, 6.11-93 to 94 [Utilities and Service Systems Impacts]; see also Mitigation Monitoring Plan, Attachment No. 1 to the Master EIR [Greenhouse Gas Emissions Impacts].)

As discussed in the Draft EIR, the McKinley Village Project is consistent with all applicable goals, policies and programs included in the 2030 General Plan (see Master Response, 8 General Plan Consistency). Therefore, the proposed project is consistent with, and incorporates, all applicable mitigation measures from the Master EIR for the 2030 General Plan.

CONCLUSION: As demonstrated above, the proposed project is consistent with all applicable mitigation measures from both the MTP/SCS Program EIR and the 2030 General Plan Master EIR. Because the proposed Project incorporates required mitigation measures from an applicable prior environmental document and the proposed Project is consistent with the MTP/SCS adopted by SACOG (see, e.g., DEIR, App. N, p. 1 [Oct. 10, 2013 SACOG Letter]), the proposed project qualifies for the streamlining benefits set forth in Public Resources Code Section 21159.28.