OPUS AT FOLSOM AND ELVAS PROJECT

Mitigation Monitoring Plan

Introduction

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

The following is the Mitigation Monitoring Plan (MMP) for the Opus at Folsom and Elvas project. The intent of the MMP is to track and successfully implement the mitigation measures identified within the 65th Street Station Area Plan EIR and the Addendum to the 65th Street Station Area Plan EIR prepared for the Opus at Folsom and Elvas project.

Mitigation Measures

The mitigation measures are taken from the 65th Street Station Area Plan EIR and the Addendum to the 65th Street Station Area Plan EIR prepared for the Opus at Folsom and Elvas project and are assigned the same number as in those documents. The MMP describes the actions that must take place to implement each mitigation measure, the timing of those actions, and the entities responsible for implementing and monitoring the actions.

MMP Components

The components of the attached tables, which contain applicable mitigation measures, are addressed briefly, below.

Impact: This column summarizes the impact stated in the 65th Street Station Area Plan EIR and the Addendum to the 65th Street Station Area Plan EIR prepared for the Opus at Folsom and Elvas project.

Mitigation Measure: All mitigation measures identified in the 65th Street Station Area Plan EIR and the Addendum to the 65th Street Station Area Plan EIR prepared for the Opus at Folsom and Elvas project are presented and numbered accordingly.

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

Implementing Party: This item identifies the entity that will undertake the required action.

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

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

Impact	Mitigation Measure	Action(s)	Implementing Party	Timing	Monitoring Party
Air Quality					•
Potential exceedance of nitrogen oxide (NOx), particulate matter (PM ₁₀), and toxic air contaminant (TAC) emissions thresholds during project construction activities	a) The project contractor shall provide a plan, for approval by the SMAQMD, demonstrating that the heavy-duty (> 50 horsepower) off-road vehicles to be used in the construction project, including owned, leased and subcontractor vehicles, would achieve a project wide fleet-average 20% NOx reduction and 45% particulate reduction compared to the most recent CARB fleet average at time of construction.	Prepare, obtain approval for, and implement plans to ensure project construction meets or exceeds applicable air quality and health risk standards	Project applicant and prime contractor	Prior to approval of grading plan and during construction	Sacramento Metropolitan Air Quality Management District and City of Sacramento Community Development Department
	b) The project contractor shall submit to SMAQMD a comprehensive inventory of all offroad construction equipment, equal to or greater than 50 horsepower, that shall be used an aggregate of 40 or more hours during any phase of the construction project. The inventory shall include the horsepower rating, engine production year, and projected hours of use or fuel throughput 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 developer and/or contractor shall provide SMAQMD with the anticipated construction timeline, including start date and name and phone number of the project manager and on-site foreman. Acceptable options for reducing emissions include the use of latemodel engines, low-emission diesel products, alternative fuels, particulate matter traps, engine retrofit technology, after treatment products, and/or such other options as become available.				
	c) The project contractor shall ensure that emissions from all off-road diesel powered equipment used on the project site do not exceed 40% opacity for more than three minutes in any one hour. Any equipment found to exceed 40% opacity (or Ringelmann 2.0) shall be repaired immediately and SMAQMD shall be notified within 48 hours of identification of non-compliant equipment. A visual survey of all in-operation equipment shall be made at least weekly by contractor personnel certified to perform opacity readings, and a				

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	monthly summary of the visual survey results a submitted to the SMAQMD throughout the durthe project, except that the monthly summary a be required for any 30-day period in which no construction activity occurs. The monthly summar shall include the quantity and type of vehicles surveyed as well as the dates of each survey. above shall not supersede other SMAQMD or rules and regulations.	ation of shall not mary The			
	d) Limit vehicle idling time to five minutes or less.				
	e) The City shall pay into the SMAQMD's construmitigation fund to offset construction-generated emissions of NOx for construction of any projecomponents or group of components with conconstruction that exceed daily emission thresh 85 lbs/day. The project developer shall coording the SMAQMD for payment of fees into the Heal Low-Emission Vehicle Program designed to reconstruction related emissions within the region shall be paid based upon the then current SMAFee (dollars per ton of NOx emissions generated the time of ground disturbance. This fee shall be prior to the issuance of grading or other permit date acceptable to the SMAQMD. The City shall track of actual equipment use and their NOx expected on a monthly basis and reported to the SMAQB Based on these monthly NOx emissions repormitigation fees can be adjusted accordingly for payment to the SMAQMD.	d ct current old of nate with avy-Duty duce n. Fees AQMD eed) at pe paid s or at a all keep missions MD. ts,			
	EIR Mitigation Measure 4.1-2 (as revised by Add Mitigation Measure AQ-1)	endum			
	Future project components shall comply with SMAO Rule 403, Fugitive Dust, for demolition and construct phases to reduce emissions of fugitive dust. To ensicompliance with Rule 403, approval to commence proconstruction shall not be given until the contractor of a construction dust mitigation plan deemed satisfact the City and the SMAQMD. This plan shall specify of measures that shall be implemented to ensure that emissions of fugitive dust from being airborne beyon property line from which the emission originates, demonstrate the availability of needed equipment a personnel, and identify a responsible individual who	etion ure project ubmits tory by control and the			

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	me min	eded, can authorize the implementation of additional asures. The following measures shall be included, at a himum, to reduce fugitive dust emissions in compliance in Rule 403:				
	a)	All disturbed areas, including storage piles that are not being actively used for construction purposes, shall be watered with sufficient frequency as to maintain soil moistness.				
	b)	All on-site unpaved roads and off-site unpaved access roads shall be effectively stabilized of dust emissions using water or a chemical stabilizer or suppressant.				
	c)	When materials are transported off-site, they shall be covered, effectively wetted to limit visible dust emissions, or maintained with at least 6 inches two feet of freeboard space from the top of the container.				
	d)	All operations shall limit or expeditiously remove the accumulation of project-generated mud or dirt from adjacent public streets at least once every 24 hours when operations are occurring.				
	e)	Following the addition of materials to, or the removal of materials from, the surfaces of outdoor storage piles, the storage piles shall be effectively stabilized of fugitive dust emissions using sufficient water or a chemical stabilizer or suppressant.				
	f)	On-site vehicle speeds on unpaved roads shall be limited to 15 miles per hour (mph)				
	g)	Wheel washers shall be installed for all trucks and equipment exiting from unpaved areas or wheels shall be washed manually to remove accumulated dirt prior to leaving the site.				
	h)	Sandbags or other erosion control measures shall be installed to prevent silt runoff to public roadways from adjacent project areas with a slope greater than 1 percent.				
	i)	Excavation and grading activities shall be suspended when winds exceed 20 mph.				
	j)	The extent of areas simultaneously subject to excavation and grading shall be limited, wherever possible, to the minimum area feasible.				

Impact	Mit	igation Measure	Action(s)	Implementing Party	Timing	Monitoring Party
	k)	Water all exposed surfaces two times daily. Exposed surfaces include, but are not limited to soil piles, graded areas, unpaved parking areas, staging areas, and access roads.				
	l)	Use wet power vacuum street sweepers to remove any visible trackout mud or dirt onto adjacent public roads at least once a day. Use of dry power sweeping is prohibited.				
	m)	All roadways, driveways, sidewalks, parking lots to be paved should be completed as soon as possible. In addition, building pads should be laid as soon as possible after grading unless seeding or soil binders are used.				
	Ad	dendum Mitigation Measure AQ-2				
	per app der cor ave of c sha	or to the issuance of any demolition, grading, or building mits (whichever occurs the earliest), the project olicant shall prepare a construction operations plan that monstrates that the off-road equipment used on-site to instruct the project would at minimum achieve a fleet-wide erage 95-percent reduction in mass of exhaust emissions diesel particulate matter (DPM). Specifically, this plan all include, but is not limited to, the measures identified ow:				
	a)	All diesel-powered off-road equipment larger than 25 horsepower operating on the site for more than two days continuously shall, at a minimum, meet U.S. EPA particulate matter emissions standards for Tier 4 engines with CARB-certified Level 3 Diesel Particulate Filters, or equivalent. Exceptions could be made for equipment that includes CARB-certified Level 3 Diesel Particulate Filters or equivalent. Equipment that is electrically powered or uses non-diesel fuels would also meet this requirement				
	b)	Provide electric power to avoid use of diesel-powered generator sets and other portable equipment. Off-road equipment descriptions and information shall be provided, including, but not limited to, equipment type, equipment manufacturer, equipment identification number, engine model year, engine certification (Tier rating), horsepower, and engine				

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	serial number. Prior to the issuance of the any demolition, grading, or building permit (whichever comes first), the project applicant shall submit the construction operations plan and records of compliance to SMAQMD.				
Biological Resources					
Potential impacts to special-status species and/or habitat	EIR (Initial Study) Mitigation Measure MM-4 The City of Sacramento shall ensure that any ground disturbance (outside of existing rights-of-way) associated with installation or construction of any project component shall comply with the following requirements: a) Prior to the initiation of any ground-disturbing or vegetation-clearing activities or issuance of a grading permit, the City of Sacramento shall retain a qualified botanist to conduct surveys for special-status plant species and their habitat in the area of disturbance. b) The botanist shall conduct surveys for these special-status plant species at the appropriate time of year when the target species would be in flower and therefore clearly identifiable (i.e., blooming periods). Surveys shall be conducted following the California Department of Fish and Wildlife (CDFW) and California Native Plant Society (CNPS) approved protocol for surveying for special-status plant species. c) If no special-status plants or their habitat are found during focused surveys, the botanist shall document the findings in a letter report to the City of Sacramento, and no further mitigation shall be required. d) If special-status plants are found, the following measures shall be implemented: • If the populations can be avoided, they shall be clearly marked in the field, using pin flags, by a qualified botanist for avoidance during construction activities. After the area has been marked, orange exclusion fencing shall be installed a minimum of one foot away from the pinflagged locations. The location of the plant population shall also be recorded on construction plans and specs.	Conduct preconstruction surveys, consult with applicable agencies as required, prepare and implement approved measures to avoid or minimize impacts to special-status species and/or habitat	Project applicant and prime contractor	Prior to approval of grading plan and during construction	City of Sacramento Community Development Department, CDFW, and USFWS

Impact	Mitigation Measure	Action(s)	Implementing Party	Timing	Monitoring Party
	If special-status plant populations cannot be avoided, consultations with CDFW and/or U.S. Fish and Wildlife Service (USFWS) shall be required depending on the listing status of the species present. These consultations shall determine appropriate mitigation measures for any populations that would be affected by implementation of the proposed project. Appropriate measures may include the creation of offsite populations through seed collection or transplanting, preservation and enhancement of existing populations, or restoration or creation of suitable habitat in sufficient quantities to compensate for the impact. The results of the consultation with CDFW and/or the USFWS shall be provided to the City.				
	EIR (Initial Study) Mitigation Measure MM-6				
	The City of Sacramento shall ensure that construction of all project improvements comply with the following requirements:				
	a) Prior to any building demolition, the City of Sacramento shall retain a qualified biologist to conduct a focused survey for bats and potential roosting sites in buildings to be demolished and/or buildings located within 50 feet of construction activities. If no roosting sites or bats are found within the project area, a letter report confirming absence shall be sent to the City of Sacramento and no further mitigation is required.				
	b) If bats are found roosting at the site outside of nursery season (May 1 through October 1), then they shall be evicted as described under (c) below. If bats are found roosting during the nursery season, then they shall be monitored to determine if the roost site is a maternal roost. This could occur by either visual inspection of the roost bat pups, if possible, or monitoring the roost after the adults leave for the night to listen for bat pups. If the roost is determined to not be a maternal roost, then the bats shall be evicted as described under (c). Because bat pups cannot leave the roost until they are mature enough, eviction of a maternal roost cannot occur during the nursery season. A 250-foot (or as determined in consultation with CDFW)				

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	buffer zone shall be established around the roosting site within which no construction shall occur. This boundary shall be added to the construction plans and specs. Depending on the location, and in order to not adversely affect ongoing residential and commercial activities, the boundary shall be marked using stakes and environmental flagging, or another method determined to be appropriate in consultation with CDFW.				
	c) Eviction of bats shall be conducted using bat exclusion techniques, developed by Bat Conservation International (BCI) and in consultation with CDFW, that allow the bats to exit the roosting site but prevent re-entry to the site. This would include but not be limited to the installation of one-way exclusion devices. The devices shall remain in place for seven days and then the exclusion points and any other potential entrances shall be sealed. This work shall be completed by a BCI recommended exclusion professional.				
	EIR (Initial Study) Mitigation Measure MM-7				
	The City of Sacramento shall ensure that all project improvements comply with the following requirements:				
	a) For construction activities proposed within 500 feet of a potential nesting tree, undeveloped habitat, or under US-50 during the nesting season (February 1 through August 31), the City shall retain a qualified biologist to conduct focused preconstruction surveys for protected birds, including, burrowing owl, Swainson's hawk, white tailed kite and purple martin and other birds protected under the Migratory Bird Treaty Act. Surveys shall occur within 30 days before the onset of construction. A pre-construction survey report shall be submitted to CDFW and the City of Sacramento that includes, at a minimum: (1) a description of the methodology including dates of field visits, the names of survey personnel with resumes, and a list of references cited and persons contacted; and (2) a map showing the location(s) of any bird nests observed on the project area. If no active nests of MBTA, CDFW, or USFWS covered species are identified then no further mitigation is required.				

Impact	Mitigation Measure	Action(s)	Implementing Party	Timing	Monitoring Party
	b) Should active nests of protected bird species be identified during the survey conducted in accordance with Mitigation Measure MM-7(a), the City of Sacramento in consultation with the CDFW, shall delay construction in the vicinity of active nest sites during the breeding season (February 1 through August 31) while the nest is occupied with adults and/or young. A qualified biologist shall monitor any occupied nest to determine when the nest is no longer used. If construction cannot be delayed, avoidance shall include the establishment of a non-disturbance buffer zone around the nest site. The size of the buffer zone shall be determined in consultation with the CDFW, but shall be a minimum of 200 feet. The buffer zone shall be delineated by highly visible temporary construction fencing.				
	c) If demolition/construction activities are unavoidable within the buffer zone, the City of Sacramento shall retain a qualified biologist to monitor the nest site to determine if construction activities are disturbing the adult or young birds. If abandonment occurs the biologist shall consult with CDFW or USFWS for the appropriate salvage measures. This could include taking any nestlings to a local wildlife rehabilitation center.				
Conflicts with local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance	Addendum Mitigation Measure BIO-1 Prior to the initiation of project construction, the project applicant shall obtain a tree permit from the City pursuant to the requirements identified in Section 12.56.050, Tree Permits, of the Sacramento City Code.	Obtain a tree permit	Project applicant and prime contractor	Prior to approval of grading plan	City of Sacramento Arborist

Impact	Mitigation Measure	Action(s)	Implementing Party	Timing	Monitoring Party
Cultural Resources					
Potential impacts to previously unknown subsurface archaeological resources, tribal cultural resources, or human remains during project construction activities	EIR (Initial Study) Mitigation Measure MM-12 a) In the event that any prehistoric subsurface archeological features or deposits, including locally darkened soil ("midden"), that could conceal cultural deposits, animal bone, obsidian and/or mortars are discovered during construction-related earth-moving activities, all work within 100 feet of the resource shall be halted, and the City shall consult with a qualified archeologist to assess the significance of the find. Archeological test excavations shall be conducted by a qualified archeologist to aid in determining the nature and integrity of the find. If the find is determined to be significant by the qualified archeologist, representatives of the City and the qualified archeologist shall coordinate to determine the appropriate course of action. All significant cultural materials recovered shall be subject to scientific analysis and professional museum curation. In addition, a report shall be prepared by the qualified archeologist according to current professional standards. b) If a Native American site is discovered, the evaluation process shall include consultation with the appropriate Native American representatives. If Native American archeological, ethnographic, or spiritual resources are involved, all identification and treatment shall be conducted by qualified archeologists, who are certified by the Society of Professional Archeologists (SOPA) and/or meet the federal standards as stated in the Code of Federal Regulations (36 CFR 61), and Native American representatives, who are approved by the local Native American community as scholars of the cultural traditions. In the event that no such Native American is available, persons who represent tribal governments and/or organizations in the locale in which resources could be affected shall be consulted. If historic archeological sites are involved, all identified treatment is to be carried out by qualified historical archeologists, who shall meet either Register of Professional	Implement measures to avoid or minimize impacts to previously unknown subsurface archeological resources, tribal cultural resources, or human remains during project construction activities	Project applicant and prime contractor	During ground-disturbing project construction activities	City of Sacramento Community Development Department, County Coroner, Native American Heritage Commission

Impact	Mitigation Measure	Action(s)	Implementing Party	Timing	Monitoring Party
	c) If a human bone or bone of unknown origin is found during construction, all work shall stop within 100 feet the find, and the County Coroner shall be contacted immediately. If the remains are determined to be Native American, the Coroner shall notify the Native American Heritage Commission, who shall notify the person most likely believed to be a descendant. The most likely descendant shall work with the contractor to develop a program for re-internment of the human remains and any associated artifacts. No additional work is to take place within the immediate vicinity of the find until the identified appropriate actions have taken place.				
Geology and Soils					
Impacts related to the potential for ground rupture, earth shaking, and liquefaction due to seismic events, as well as expansive soils	Addendum Mitigation Measure GEO-1 Prior to issuance of a building permit, the project applicant shall conduct a geotechnical investigation of the project site to determine the potential for ground rupture, earth shaking, and liquefaction due to seismic events, as well as expansive soils problems. As required by the City, recommendations identified in the geotechnical report for the proposed development shall be implemented.	Conduct a geotechnical investigation of the project site to determine the potential for ground rupture, earth shaking, and liquefaction due to seismic events, as well as expansive soils problems	Project applicant and prime contractor	Prior to and during ground- disturbing project construction activities	City of Sacramento Community Development Department
Hazards and Hazardous I	Materials				
Potential for construction workers and/or the general public to be exposed to unusual or excessive risks related to contaminated soils	EIR (Initial Study) Mitigation Measure MM-10 If discolored soil, storage tanks, or other evidence of potential soil contamination is unearthed during construction-related earthwork, or if noxious odors are encountered during such earthwork, construction activities shall immediately cease at the construction site, and a qualified firm shall be called in by the applicant to collect and analyze soil samples from the construction site. If contaminants are identified in the samples, the applicant shall coordinate with the Sacramento County Hazardous Materials Division, or the appropriate agencies, for direction on appropriate remediation measures and procedures before construction activities are continued.	Implement measures to avoid construction workers and/or the general public to be exposed to unusual or excessive risks related to contaminated soils	Project applicant and prime contractor	During ground- disturbing project construction activities	Sacramento County Hazardous Materials Division

Impact	Mitigation Measure	Action(s)	Implementing Party	Timing	Monitoring Party
Hydrology and Water Qua	lity		-		
Potential introduction of contaminants into local waterways, either during construction or operation	Prior to issuance of a grading permit, the City of Sacramento Department of Transportation shall prepare a water quality mitigation plan for each project component to be reviewed and approved by the City of Sacramento Department of Utilities. This plan shall provide details regarding construction and operational Best Management Practices (BMPs), in compliance with the City's NPDES permit, which reduce urban contaminants in stormwater runoff.	Implement measures to avoid introduction of contaminants into local waterways, either during construction or operation	Project applicant and prime contractor	During project construction and operation	City of Sacramento Department of Utilities
Transportation					
Potential impacts to the local transportation system	a) At the time of issuance of building permits, all future development within the project area shall be required to participate in the 65 th Street Station Area Finance plan or whatever financing mechanism is in place to fund, on a fair-share basis, the cost of the City of Sacramento Traffic Operations Center to implement ITS improvements on all major streets including Elvas Avenue, Folsom Boulevard, and 65 th Street. b) All future development within the project area shall be required to participate in the 65 th Street Station Area Finance plan or whatever financing mechanism is in place to fund, on a fair-share basis, the cost of designated pedestrian and bicycle improvements in the study area.	Require all future development within the project area to participate in the 65 th Street Station Area Finance plan	City of Sacramento Department of Transportation	At the time of issuance of building permits	City of Sacramento Community Development Department
Potential impacts to freeway operations	EIR Mitigation Measure 4.3-3 All future development within the project area shall be required to participate in the 65 th Street Station Area Finance plan or whatever financing mechanism is in place to fund, on a fair-share basis, the cost of widening the westbound US-50 off-ramp at 65 th Street.	Require all future development within the project area to participate in the 65 th Street Station Area Finance plan	City of Sacramento Department of Transportation	At the time of issuance of building permits	City of Sacramento Community Development Department

Impact	Mitigation Measure	Action(s)	Implementing Party	Timing	Monitoring Party	
Potential construction- related transportation impacts	EIR Mitigation Measure 4.3-7 Before issuance of construction permits for any transportation improvements or any development projects in the project area, the City/developers shall prepare a detailed Traffic Management Plan that would be subject to review and approval by the City Department of Transportation, Regional Transit, and local emergency service providers, including the City of Sacramento fire and police departments. The plan shall ensure maintenance of acceptable operating conditions on local roadways and transit routes during all construction activities. At a minimum, the plan shall include:	Prepare a detailed Traffic Management Plan	City of Sacramento Department of Transportation	Before issuance of construction permits for any transportation improvements or any development projects in the project area	City of Sacramento Department of Transportation, Regional Transit, City of Sacramento Police Department, City of Sacramento Fire Department	
	The number of truck trips, time, and day of street closures;					
	Time of day of arrival and departure of trucks;					
	Limitations on the size and type of trucks; provision of a staging area with a limitation on the number of trucks that can be waiting;					
	Provision of a truck circulation pattern;					
	 Provision of an access plan to maintain safe vehicular, pedestrian, and bicycle movements (e.g., steel plates, minimum distances of open trenches, and private vehicle pick up and drop off areas); 					
	Safe and efficient access routes for emergency vehicles;					
	Efficient and convenient transit routes;					
	Manual traffic control when necessary;					
	Proper advance warning and posted signage concerning street closures;					
	Provisions for pedestrian safety; and					
	Provisions for temporary bus stops, if necessary.					
	A copy of the construction traffic management plan shall be submitted to local emergency response agencies and these agencies shall be notified at least 14 days before the commencement of construction that would partially or fully obstruct roadways.					