

RESOLUTION NO. 97-590

ADOPTED BY THE SACRAMENTO CITY COUNCIL

ON DATE OF OCT 21 1997

**A RESOLUTION OF THE CITY OF SACRAMENTO CITY COUNCIL CERTIFYING
THE ENVIRONMENTAL IMPACT REPORT, ADOPTING THE ATTACHED
CEQA STATEMENT OF FINDINGS OF FACT
AND STATEMENT OF OVERRIDING CONSIDERATIONS, AND
ADOPTING THE MITIGATION MONITORING PLAN FOR THE
THE SACRAMENTO RIVER PARKWAY PLAN UPDATE (M91-006)**

The City Council of the City of Sacramento does hereby find, determine, and resolve as follows:

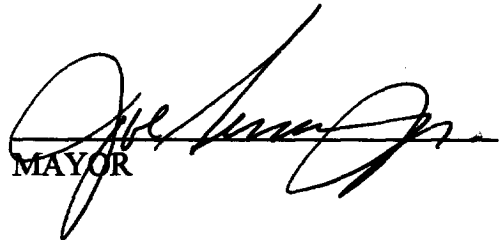
1. The City Council has considered the Final Environmental Impact Report for the Sacramento River Parkway Plan Update (herein FEIR), which consists of the Draft Environmental Impact Report, the Final Environmental Impact Report (dated September 1996) and Mitigation Monitoring Plan.
2. The City Council certifies that the Final Environmental Impact Report for the proposed Sacramento River Parkway Plan Update (herein FEIR) which consists of the Draft Environmental Impact Report, Final Environmental Impact Report, and Mitigation Monitoring Plan, constitutes an adequate, accurate, objective, and complete Final Environmental Impact Report, completed in accordance with the requirements of the California Environmental Quality Act (CEQA), the State CEQA Guidelines, and the Sacramento Local Environmental Procedures.
3. The City Council certifies that the FEIR has been presented to it and that the City Council has reviewed it and considered the information contained therein prior to acting on the proposed project.
4. To support the approval of the Sacramento River Parkway Plan Update and the FEIR, the City Council hereby adopts the attached CEQA Statement of Findings of Fact and Statement of Overriding Considerations and the attached Mitigation Monitoring Plan.
5. The City of Sacramento, as lead agency, caused an Environmental Impact Report ("EIR") on the Project to be prepared pursuant to the California Environmental Quality Act, Public Resources Code, Section 21000 *et seq.* (CEQA), the CEQA Guidelines, Code of California Regulations, Title XIV, Section 15000 *et seq.*, and the City of Sacramento environmental guidelines.

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6. The Sacramento River Parkway Plan Update and the Draft Environmental Impact Report and Final Environmental Impact Report were heard by City of Sacramento Planning Commission on November 14, 1996.
7. The Sacramento River Parkway Plan Update and the Draft Environmental Impact Report and Final Environmental Impact Report were heard by the City of Sacramento City Council on January 14, 1997, March 4, 1997, May 27, 1997, September 16, 1997 and October 21, 1997.
8. The City of Sacramento has prepared Findings as per CEQA Guidelines, Section 15091.
9. The following information is incorporated by reference and made part of the record supporting these findings:
 - A. The Draft Environmental Impact Report and Final Environmental Impact Report.
 - B. The City Council staff report for October 21, 1997 includes a determination that removal of the Private Inholdings Area (PIA) designation from the Sacramento River Parkway Plan Update does not affect the FEIR conclusions. The FEIR is adequate to support adoption of the Sacramento River Parkway Plan Update as revised per Council's direction (September 16, 1997) to delete the PIA.
10. The findings, determinations, and certifications contained in this resolution reflect the independent judgment of the City Council of the City of Sacramento.


MAYOR

ATTEST:


CITY CLERK

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CEQA STATEMENT OF FINDINGS OF FACT

FOR

The Sacramento River Parkway Plan Update

EIR (M91-006)

(State Clearinghouse Number 9310286)

Prepared By:

City of Sacramento Planning Services Division

October 1997

RESOLUTION No. 97-590

OCT 21 1997

**FINDINGS OF FACT REGARDING THE FINAL ENVIRONMENTAL IMPACT REPORT FOR THE
SACRAMENTO RIVER PARKWAY PLAN UPDATE**

The Environmental Impact Report for the Sacramento River Parkway Plan Update, prepared in compliance with the California Environmental Quality Act, evaluates the potentially significant and significant adverse environmental impacts which could result from adoption of the project or alternatives to the project.

Because the EIR indicates the implementation of the project (or project alternatives) would result in certain unavoidable adverse impacts, the City is required under CEQA, and the State and City guidelines adopted pursuant thereto, to make certain findings with respect to these impacts. The required findings appear in the following sections of this document. This document lists all identified potentially significant and significant impacts of the project. Each of the remaining potentially significant or significant impacts is considered acceptable by the City Council based on a determination that the benefits of the project (listed in the Statement of Overriding Considerations, Section V) outweigh the risks of the potentially significant environmental effects of the project.

I. SIGNIFICANT IMPACTS WHICH CAN BE AVOIDED

Finding - As authorized by Public Resources Code Section 21081 and Title 14, California Administrative Code Sections 15091, 15092, and 15093, the City finds that changes or alterations have been required in, or incorporated into, the Project which mitigate or avoid the significant environmental impacts listed below, as identified in the EIR.

These findings are supported by substantial evidence in the record of proceedings before the City as stated below.

The "Facts in Support of Finding" are numbered consecutively for each EIR section, e.g., Land Use. The number that follows references the mitigation measure number listed in the DEIR.

AIR QUALITY

Significant Impacts

6.3-4 Construction Dust and Particulate Matter

Construction activities associated with future development in the Parkway will result in the generation of fugitive dust and particulate matter which will temporarily increase PM-10 levels in the vicinity of the project site. Dust emissions from development of the Parkway will vary depending on the type of construction project, the equipment used and its size. Additional construction impacts, if any, will be determined at the time that specific construction projects undergo environmental review. It is anticipated that construction activities will create a significant avoidable PM-10 impact.

Land use sensitivity of adjacent land uses to temporary construction impacts is greatest in the Greenhaven Pocket area where residential uses are directly adjacent to the Parkway and a potential alignment for the multi use trail. Due to the close proximity of a sensitive receptor population to the Parkway, careful dust control and minimization of idling or stationary combustion equipment must be practiced during Parkway construction projects.

Facts in Support of Finding

The significant effect listed above will be reduced to a less than significant level with the following mitigation measures:

The significance threshold for PM₁₀ is 275 pounds per day. At a program level, it is not known what the total level of construction related PM-10 will be. The SMAQMD does however, suggest methods to reduce construction related PM-10 emissions. Employment of these measures should reduce impacts to a less than significant level. These mitigation measures are however, developed at a program level of review. Further project specific analysis and mitigation may be required when design details and construction methods of the proposed project area available.

- (1) Prior to issuance of a special permit for construction of any phase of the project, a separate analysis of construction related PM-10 emissions shall be conducted.
- (2) Based on the project specific analysis (see item (1) above) the following types of mitigation measures shall be employed:
 - (a) Water all unpaved construction areas at least twice per day during demolition and excavation to reduce dust emissions. Additional watering should be carried out on hot or windy days. Water twice daily or cover stockpiles of sand, soil, and similar materials with a tarp.
 - (b) Cover trucks hauling dirt and debris to reduce spillage onto paved surfaces.
 - (c) Increase the frequency of City street cleaning along streets in the vicinity of the construction site.
 - (d) Work should be restricted or banned on days of high winds (> 30 mph) or when air quality violations are expected (as determined by the SMAQMD).
 - (e) On-site vehicle speed on unpaved surfaces shall be limited to 15 miles per hour.
 - (f) Require construction contractors to designate a person or persons to oversee the dust abatement program and to order increased watering, as necessary.
 - (g) Revegetation of construction areas and staging areas shall take place immediately following completion of each project component.

NOISE

Significant Impacts

6.4-1 Noise Generation - Project Specific Impacts

Adoption of the Parkway Plan may increase noise levels in the area due to Parkway users. Long term noise may be created by bicyclists, equestrians and pedestrians using the public recreation access, especially off-street trails. Sensitive receptors in the vicinity of the Plan area are primarily residential uses. The Parkway access points and trail system will be closed from sunset to sunrise so that Parkway-related nighttime noise should not be a problem for adjacent residents.

The location of off-street trails and public access points near residential areas is likely to generate additional human activity, and therefore, additional long term noise. Although bicycles, pedestrians and equestrians are quiet modes of transportation, communication between users could occur and annoy nearby residents. Additional noise could result from neighborhood dogs barking at the off-street trail users.

Unlawful use of the off-street trail by motorized vehicles may occur on occasion. Use of bikeways by motorized vehicles would be of particular concern in areas where bikeways intersect with surface streets which allow motorists to gain access to the trails without traffic controls. Motorized vehicles would increase noise levels on off-street trails. Barriers and signage at access points and patrol of the area should reduce this impact to less-than-significant.

Noise associated with Parkway users is expected to be intermittent and not violate local Noise Ordinance. However, it is likely that any additional noise from Parkway users may be considered a nuisance.

Facts in Support of Finding

The significant effect listed above will be reduced to a less than significant level with the following mitigation measures:

1. Sound barriers (fencing and landscaping) shall be used, where feasible, to buffer residents from Parkway user noise.
2. All access points and the off-street trail system shall be closed to the public from sunset to sunrise to reduce evening noise.
3. Site off-street trails as far away from residential receivers as possible without impacting wildlife habitat value.

6.4.2 Noise Generation - Cumulative

It is expected that there will be cumulative noise impacts from the implementation of the Parkway Plan. Although the Parkway Plan does not propose construction activities, the implementation of future construction projects within the Parkway will create a situation that increases Parkway users. The main cumulative impacts are expected to be associated with bicycle and pedestrian uses of the Parkway as the off-street trail and access points are implemented.

Vehicle traffic is not anticipated to contribute significantly to the cumulative noise impact. Access points within residential areas, with the exception of existing developed parks, will not provide access for motor vehicles. Policies in the Parkway Plan and mitigation measures in this EIR will discourage vehicle access to the Parkway except at major access points that do not impact residential neighborhoods.

Facts in Support of Finding

The significant effect listed above will be reduced to a less than significant level with the following mitigation measures:

Refer to Mitigation Measure 6.4-1 within this section as the mitigation recommended for the proposed project and all development alternatives to reduce the magnitude of the noise impact to less-than-significant.

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BIOLOGICAL RESOURCES

Significant Impacts

6.5-3 Special Status Species - Swainson's Hawk

Implementing the Parkway Plan is not likely to result in the loss of nesting habitat given that a goal of the Parkway Plan is to retain riparian habitat. The Parkway Plan contains the following policies which addresses protection of special status species.

- N8 Endangered or threatened species and their habitat shall be protected from encroachment by designating the areas Riparian Habitat Preserve or Nature Study.
- R3 Recreational activities which are hazardous or incompatible with Parkway natural habitat and uses, or detrimental to adjacent and surrounding habitat are prohibited.

Construction activities and public access related to implementation of the Plan may, however, depending on the site, result in disturbance to nesting activities. Any disturbance or loss of habitat would be considered a significant impact.

Facts in Support of Finding

The significant effect listed above will be reduced to a less than significant level with the following mitigation measures:

At a program level, the following mitigation measures would reduce potential impacts to Swainson's Hawk species and habitat to a less-than-significant level:

1. Prior to approval of development plans under the Parkway Plan policies, a determination shall be made regarding the sensitivity and suitability of the project area for Swainson's Hawk habitat. If the project site is sensitive, California Fish and Game shall be consulted and a habitat survey prepared. Impacts to this species shall be avoided or mitigated in consultation with the United States Fish and Wildlife Service and the California Department of Fish and Game.
2. Development projects in the Parkway that may impact Swainson's Hawk habitat shall be required to prepare a mitigation and operation plan for Swainson's hawk nesting habitat affected by proposed projects. The mitigation and operation plan shall be submitted to DFG for review and approval prior to construction of projects.
3. Nesting habitat lost shall be replaced in accordance with requirements imposed by DFG for mitigation for loss of nesting habitat.

NOTE: The DFG mitigation guidelines (revised 1992) for Swainson's hawk specify that no disturbance shall occur within a half-mile of an active nest between March 1 and August 15 to avoid construction of other project related activities which may cause nest abandonment or adverse disturbance to nearby active nest during the breeding season. There are known nesting sites within the Parkway.

4. Prior to construction of any Parkway development, hire a qualified biologist to conduct a survey within a ½ mile radius of the site to determine the location of active nests.
5. Avoid construction of any Parkway development project during the breeding/nesting season of the Swainson's hawk of March 1 through August 15 to avoid disturbance of nesting pairs within a half-mile radius of the project site.

6.5-4 Special Status Species - Valley Elderberry Longhorn Beetle (VELB)

The Valley Elderberry Longhorn Beetle (VELB) makes exclusive use of elderberry shrubs as host and use mature shrubs with stems having diameter greater than one inch to complete their life cycle. Elderberry bushes are abundant in many parts of the Plan area, and occurrences of the beetles have been recorded.

While specific projects are not identified by the Parkway Plan, implementation of Parkway Plan policies and land use designations will result in increased public access and development of facilities in the Plan area. The Plan policies propose controlled public access in areas that are sensitive to habitat issues. In addition, the plan proposes the following policies for preservation and restoration of vegetation.

N1 Although the Parkway is to be developed for human use, the natural environment shall be protected, preserved and enhanced to the fullest extent possible, especially large aggregations of riparian vegetation and wildlife.

N4 Areas designated for habitat restoration shall be planted with native or indigenous species.

Implementation of the policies is expected to reduce potential impacts to vegetation, however, specific guidelines for implementation of these policies have not been included in the Plan. Therefore, the project could have a significant impact on the VELB.

Facts in Support of Finding

The significant effect listed above will be reduced to a less than significant level with the following mitigation measures:

At a program level, the following mitigation measures would reduce potential impacts to VELB species and habitat to a less-than-significant level:

1. Prior to approval of development plans under the Parkway Plan policies, a determination shall be made regarding the sensitivity and suitability of the project area for VELB habitat. If the project site is sensitive, California Department of Fish and Game shall be consulted and a habitat survey prepared. Impacts to this species shall be avoided or mitigated in consultation with the United States Fish and Wildlife Service and the California Department of Fish and Game.

6.5-5 Impacts to Shaded Riverine Aquatic (SRA) Habitat

Two potential sources for adverse impacts to SRA exist in the Parkway Plan area; these are public access to the riverbank and riverfront development projects. Currently, public access is uncontrolled in most segments of the proposed Parkway Plan area. This uncontrolled access often results in trampling of vegetation, loosening of soil or compaction of soils on repeatedly used areas causing soil erosion and subsequent loss of vegetation.

It is the stated goal of the Plan "To preserve, protect and enhance the natural and cultural resources of the Parkway." However, the Parkway Plan will facilitate recreational access to the river in the Plan area through implementation of its policies which provide for development of trails and public access points. Although the Plan policies recommend controlled access, there may be an increase in the numbers of anglers fishing from shore or other casual users wishing to get to the water's edge as a result of plan implementation. Such activities have the potential to result in bank trampling, branch cutting, fires and littering. At a program level of review, there is the potential for loss or degradation of SRA habitat which is a potentially significant impact.

Waterfront developments in areas of existing SRA habitat would result in direct adverse effects to this habitat type. The Parkway Plan, however, does not propose specific waterfront development projects and does not increase the potential for river front development over existing conditions. The previously listed Parkway Plan policies address natural resource protection, erosion control and recreational use, and provide guidance for protection of the sensitive habitat areas including the SRA habitat.

Facts in Support of Finding

The significant effect listed above will be reduced to a less than significant level with the following mitigation measures:

The following mitigation measures will reduce program level impacts to a less-than-significant level:

1. Prior to approval and implementation of the individual Parkway Plan development projects, an assessment of SRA habitat shall be made to determine if such habitat is on site or would be affected by development. Facilities which could directly or indirectly affected SRA habitat shall minimize impacts in accordance with guidelines established by the State Lands Commission and other trustee agencies. Actions to minimize impacts shall include, but are not limited to:
 - a) design modifications to avoid direct impacts and disturbance to SRA habitat.
 - b) retention or replanting of canopied, multi-story vegetation along the riverbank to maintain a shaded habitat.
 - c) erosion control measures on site (both during construction and long term operation) to avoid run-off, debris and turbidity in the identified SRA area. (See also Water Quality Mitigation Measure 6.6-1).

IMPACT 6.5-6 Impacts to Aquatic Habitat and Fisheries From Increased Erosion of the Riverbank and Siltation of Adjacent Receiving Waters (Water Pollution)

Water pollution from siltation in the lower Sacramento River can potentially adversely affect aquatic biota through acute or chronic toxicity, through effects on behavior, or smothering or choking by siltation.

The Parkway Plan will facilitate recreational access to the river in the Plan area through implementation of its policies which provide for development of trails and public access points. Increased public access could result in trampling of vegetation and subsequent exposure of the riverbank to the erosive processes of rainfall runoff, and wave action. This in turn can lead to increased run-off, siltation and turbidity which can affect aquatic habitats. Policies are however, included in the Parkway Plan that reduce the potential for water quality impacts (See discussion of polices under Impact 6.5-1). These policies will reduce impacts, but, may not reduce them to a less-than significant level. As such, the potential exists for significant impacts to aquatic habitats resulting from increased erosion from implementation of individual Parkway projects. As such, program level

mitigations are proposed to reduce program level impacts and guide project specific development. Each project specific development will also be subject to separate project level environmental review which may result in additional mitigation measures.

Facts in Support of Finding

The significant effect listed above will be reduced to a less than significant level with the following mitigation measures:

At a program level, no direct impacts can be determined, however, implementation of individual Parkway development projects may result in impacts. To reduce impacts to the aquatic environment, implement Mitigation Measure 6.6-1 of the Water Quality Chapter. Implementation of this mitigation measure will reduce program level impacts to less than significant.

IMPACT 6.5-7 - Special Status Species (Delta Smelt and Winter Run Chinook Salmon)

The adoption of the Parkway Plan will not result in direct mortality or the loss of occupied habitat. Impacts to special status species and their habitat are most likely to occur as a result of construction and operations of recreational facilities along or near the river. Siltation and loss of habitat would adversely effect these species.

As such, the potential exists for significant impacts to aquatic habitats resulting from increased erosion from implementation of individual Parkway projects. As such, program level mitigations are proposed to reduce program level impacts and guide project specific development. Each project specific development will also be subject to separate project level environmental review which may result in additional mitigation measures.

Facts in Support of Finding

The significant effect listed above will be reduced to a less than significant level with the following mitigation measures:

At a program level, no direct impacts can be determined, however, implementation of individual Parkway development projects may result in impacts. To reduce impacts to the aquatic environment, implement Mitigation Measure 6.6-1 of the Water Quality Chapter. Implementation of this mitigation measure will reduce program level impacts to less than significant.

WATER QUALITY

Significant Impacts

6.6-1 Run-off and Erosion from Public Access Routes and Parking

The proposed project is a policy document which, in and of itself, does not directly result in physical development activities. The Plan does propose however, limited trails, accessways and parking areas along the river. Although the precise design of these accessways and facilities is not known, some potential program level impacts may be identified. More specific environmental review prior to facility development may identify additional impacts. At a program level, runoff from paved road surfaces, such as parking areas for recreation areas, may include hydrocarbons, rubber, metals, and sediments which are washed directly into storm drains and drainage channels. Clearing and grading could increase erosion potential in the area by channelizing surface flow and exposing soil. Sediments from erosion would be carried through drainage channels to the river. Run-

off, erosion and sedimentation are considered significant adverse water quality impacts. The Proposed Plan includes the following policies to reduce erosion:

- E1 Reduce indiscriminate foot and bicycle traffic on levee slopes by providing trails, fencing and signage to channel traffic to key points.*
- E2 Avoid use of soil sterilents or herbicides over large areas as this would encourage surface erosion.*
- E3 Indigenous grasses and other native vegetation should be used to stabilize the soil and reduce rain water runoff.*
- E4 Close portions of the Parkway as needed to restore eroded areas.*

The proposed policies will reduce impacts of plan adoption, however, additional site specific mitigation measures may be required for individual developments. At a program level, there may be potential significant erosion and run-off impacts from implementation of facilities included in the Plan.

Facts in Support of Finding

The significant effect listed above will be reduced to a less than significant level with the following mitigation measures:

The following program level mitigation measures are standard procedures for reducing run-off and erosion which may be applied as appropriate to most facility developments. Once designs are developed for each facility, detailed project specific environmental review may identify refinements or additions to these mitigations based on the specifics of the project. These mitigation measures will reduce potential program level impacts to less-than-significant.

1. To the extent possible, use indigenous plants to landscape new and/or enlarged parking facilities and create a vegetation buffer to collect and treat such parking lot runoff before it enters the river.
2. For new parking lot areas or large impervious surface areas, incorporate into the drainage plan inlet catch basins containing grease/sediment traps.
3. For new parking lot areas or large impervious surface areas, implement a parking lot cleaning and maintenance program designed to minimized the introduction of toxic materials into the Sacramento River from parking lot runoff. Instruct maintenance personnel to promptly clean any oil/grease or other toxic deposits discovered on the premises.
4. Require erosion control and on-going maintenance in order to prevent and repair damage and erosion caused by use. Implement trail maintenance and erosion control measures and monitor for effectiveness.
5. Implement landscape maintenance program to integrate Best Management Practices which eliminate, reduce and minimize the use of pesticides and herbicides which contribute to non point source pollution.

IMPACT 6.6-2 Construction Silt and Erosion

The Parkway Plan adoption, in and of itself, will not directly result in construction activities. The Plan does, however, include policies and concepts for riverfront access and use which may result in future development projects. Each of these potential development projects will be subjected to individual site specific environmental review prior to implementation. At a program level, however, mitigation measures are proposed to guide the design and implementation of such projects. The primary construction impact on water quality would result from site grading activities. Construction activities may require either removal, or scarification and recompaction of surface soils in several areas. These activities could disturb existing vegetation and enable erosion to occur to exposed soil surfaces. Several factors could affect the amount and severity of soil eroded, including the time of year, weather conditions, and construction practices utilized for the project. If the eroded soils are allowed to enter the Sacramento River, a negative impact on water quality due to increased turbidity levels could occur. However, if this would occur it would likely be during storm events when the turbidity level of the Sacramento River is already high due to upstream erosion.

The Parkway Plan recommends some public facility development along the river to allow for habitat appreciation and recreation. Facilities include parking areas, and trails. The disturbed areas adjacent to new parking lots and trails, and exposed and disturbed soil associated with new and rehabilitated trails would contribute to siltation for the first one or two rainy seasons subsequent to construction, and could adversely affect the water quality of onsite drainage. This could generate significant impacts, however these impacts would be reduced to less-than-significant levels by mitigation proposed.

Facts in Support of Finding

The significant effect listed above will be reduced to a less than significant level with the following mitigation measures:

The following mitigation measure will reduce program level impacts to a less-than-significant level:

1. Restrict any construction grading to the dry season between May 1 and September 30.
2. All construction activities shall be done in accordance with the City's Grading, Erosion and Sediment Control (GESCC) Ordinance 93-068 and shall include grading techniques which control excessive runoff during construction.
3. Dust and soil erosion control measures shall be implemented during the construction phase of the proposed project. These measures are intended to minimize soil erosion and fugitive dust emissions. Suggested measures include:
 - a. watering exposed soils;
 - b. covering exposed soils with straw or other materials;
 - c. Adopting measures to prevent construction vehicles from tracking mud onto adjacent roadways;
 - d. Covering trucks containing loose and dry soil;
 - e. Providing interim drainage measures during the construction period.
4. In non-pavement areas, any vegetation covered or removed during construction (including slope protection) should be replanted following construction.
5. Depending upon the magnitude and location of individual Parkway projects, consideration should be given to installation of a silt curtain during construction of the slope protection in order to minimize increases in turbidity resulting from construction activities in the water.

6. All construction materials which have the potential to contaminate the riparian habitat-- such as fuels, paints, solvents, cement additives--should be identified in advance of construction. A plan should be provided by each contractor using such materials covering storage, use and clean up for all such materials. An emergency response plan should be provided by the lead contractor or supervising agency to cover spills of such materials.
7. Post construction BMP's as approved by the Department of Utilities for the long term enhancement of stormwater run-off shall be implemented.

IMPACT 6.6-4 Litter and Debris

Litter from boats and from land-based activities can impact the Sacramento River's water quality. This is an existing problem, and the proposed project and all of the alternatives (except AA, no project) could exacerbate the impact. Litter resulting from land-based uses of the project site that is improperly disposed of can end up in the river either directly, or by wind or rain action. The more intensive the use of the project site, the greater potential of the impact due to litter.

Facts in Support of Finding

The significant effect listed above will be reduced to a less than significant level with the following mitigation measures:

The following mitigation measures must be implemented in order to lessen project impacts from litter to a less than significant level for the proposed project, and alternatives.

1. Trash receptacles sufficient to handle waste generated by users of the project shall be placed in convenient locations in order to facilitate their use. Consistent maintenance to dispose of overflowing trash containers should be undertaken particularly during peak use season.
2. In public use areas, require education and signage as part of the development to inform users of the importance of proper litter disposal.

II. **SIGNIFICANT IMPACTS WHICH CANNOT BE AVOIDED**

Impact 6.7-3 **Public Safety - Flood Risks**

The Project is located in the FEMA designated Zone AE of the 100 year flood plain. Occupation of buildings, restaurant or marina by employees or patrons during flood conditions would expose the occupants to risk of injury or death. According to CEQA, a project will have a significant impact if it will "create a potential public health hazard...." Additionally, the City of Sacramento Land Use Planning Policy Draft EIR states that "a significant impact would occur if, as the result of the project, any deaths and/or property damage occurred during a 100-year or lesser flood...."

The proposed project and alternatives are located in an area of the City determined to have less than 100-year flood protection resulting in exposure to flood hazards. Implementation of the project will therefore, expose people and/or property to the risk of injury and damage in the event of a 100-year or lesser flood. These risks are considered significant adverse impacts under CEQA.

The adoption of the Parkway Plan will encourage the public to visit the Sacramento River which would potentially increase the risk to public safety during a flood event. The Plan does contain policies that would reduce the risk to public safety. In addition, emergency flood measures, including patrols of the levees, already implemented by the California State Reclamation Board, in conjunction with the mitigation measure listed below, would reduce the public safety impact. Risks will be reduced, however, since Sacramento is a high flood risk area, risks will remain a significant impact.

Facts in Support of Finding

Development under the Proposed Plan and Alternatives will be required to comply with all requirements of the "City/County Land Use Policy within the 100 Year Flood Plain". The City Council has evaluated these impacts in the Environmental Impact Report (EIR) prepared in connection with the Land Use Planning Policy Within the 100-Year Floodplain (M89-054) adopted by the City Council on February 6, 1990. A Program EIR addressing the flood-related risks to people and property created by new development in the 100-year floodplain in the City was prepared for and certified by the City. The flood-related risks created by the proposed project fall within the scope of the Program EIR. Accordingly, the findings adopted by the Council in connection with its certification of the Program EIR and its adoption of the Policy are applicable to the proposed project. These findings are forth in the Findings of Fact/Statement of Overriding Considerations for the Land Use Planning Policy Within the 100-Year Floodplain in the City of Sacramento.

For the Proposed Project which include non-residential uses, the applicable provisions of the Sacramento City Code permit development on the project site provided applicants, by agreement with the City, assume the risk of all flood-related damage to any permitted new construction, agree to notify subsequent purchasers of the flood risk, and ensure that any new construction complies with City-imposed design restrictions aimed at reducing the risk of flood-related property damage and personal injury.

Impact 6.9-1

Public Safety: Security of Private Property

The safety of trail neighbors is an area of concern for the Parkway. Potential impacts of parkway and trail construction would be use of the trail to gain unlawful access to adjacent properties. Trail neighbors have concerns regarding increased trespass and loss of privacy for adjacent property owners. The Parkway Plan includes the following policy measures which address potential safety and use conflicts:

General Policies

- G6 *The Parkway shall be protected from injurious or incompatible elements associated with adjacent land uses.*
- G7 *Land adjacent to the Parkway shall be protected from injurious or incompatible elements associated with Parkway land uses.*

Recreational Use Policies

- R2 *"Recreational Area" activities and facilities shall be accommodated only at designated locations which afford minimal conflict with adjacent land uses, natural and cultural resources.*
- R3 *Recreational activities which are hazardous or incompatible with Parkway natural habitat and uses, or detrimental to adjacent and surrounding habitat are prohibited.*

Trail Policies

- T8 *Trail segments should be implemented with sufficient funds to provide for operations, maintenance and security of that segment of the Parkway.*

Public Access Policies

- P4 *Boundaries between public and private land within the Parkway shall be identified with signage and appropriate barriers.*
- P5 *Public access to the Parkway shall be limited to daylight hours (dawn to dusk). Hours of operation for the Parkway shall be posted at all access points.*
- P6 *All access points shall have gates to control and prevent vehicle access. The gate design shall conform to board of Reclamation requirements. The Board and local law enforcement shall have keys to all public access gates.*
- P7 *Motorized vehicles, with the exception of maintenance and emergency vehicles, shall not be allowed within the Parkway except at established parking lots, boat ramps and other designated areas.*
- P8 *Access points and associated improvements shall be designed to minimize impact upon adjacent land uses.*

Security Policies

The Parkway Plan recognizes that residential property owners along the Parkway are concerned about privacy and security as the Parkway is developed. To that end, the City of Sacramento will not contest applications to the State Department of Water Resources for private fences in the Parkway provided that: 1) the fence is located on private property; 2) the fence request is in an area for which recreation easements are not planned for acquisition in the short term; and 3) the fence does not extend below the mean high water mark below which is the jurisdiction of State Lands Commission (SLC). In addition the following policies are designed to minimize the impact of Parkway development on the security and privacy of residential property owners within and adjacent to the Parkway.

SE1 All public access points will be closed at sunset.

SE2 The Parkway shall be patrolled on a regular basis. Patrols should be increased during the summer when the Parkway gets the most use.

SE3 In order to minimize potential security and privacy problems for land owners adjacent to the Parkway, vegetative screening, fencing or other security measures should be implemented in tandem with Parkway development.

SE4 The boundary between private and public property within the Parkway boundaries shall be clearly identified with fencing and signage.

Implementation of the proposed Parkway policies will provide neighbors with some level of security, however, whether funding will always be available for public safety officers to patrol the Parkway is uncertain. A recent ballot measure (Measure B) to provide additional funding for Park Rangers in the American River Parkway was not successful and the County was recently forced to eliminate Sheriff's Department patrols in the American River Parkway due to budget constraints. Due to the limited amount of patrol presence proposed in the Draft Parkway Plan and the current uncertainty of funding for patrols, implementation of the Parkway Plan is considered a potentially significant impact to public safety.

Facts In Support of Findings:

The following mitigation measure will reduce impacts to a less than significant level.

Prior to implementation of new portions of the trail or bikeway, the policies and mitigation measures of the recently adopted 2010 Bikeway Master Plan shall be incorporated into the design.

However, funding for implementation of identified security measures is uncertain at this time. The City is not able, from a legal and financial standpoint, to commit at this time to future funding of security measures. The City intends to implement such measures to the extent legally and financially feasible, and while the City anticipates efforts will be made to that end, implementation of Mitigation Measure 6.9-1 is infeasible at this time because of the constraints identified above. Therefore, impact 6.9-1 is considered significant and unavoidable.

Impact 6.9-2 Conflict of Land Uses

The proposed Parkway Plan give policy direction to develop additional access points along the Sacramento River including both lateral access (river trail and length of levee), where feasible, and vertical accessways at selected locations. Although the Parkway Plan builds on many of the existing developed access and recreation points along the river, the Plan also introduces a few new accessways. Introduction of new land uses in existing developed areas has the potential to result in land use conflicts. Areas where residents have commented during

the NOP process regarding possible land use conflicts include: Little Pocket area and the Pocket area north of Pocket Canal. In this area residential uses back-up or immediately face the levee. In other sections of this area, private property lines extend to the river high water mark and private docks, boathouses, picnic areas or shade structures have been developed on or immediately adjacent to the levee and river. Residents in these area are concerned that the multi-use trail proposed by the Parkway plan will conflict with existing private residential uses. Introduction of new public trails and park areas in existing developed areas have raised public concern regarding crime, nuisances, litter, safety, vandalism, loitering and loss of privacy. In general, development of park open space and recreational facilities is compatible with residential uses. However, design criteria and use controls are necessary to ensure that the boundary (physical or visual) between public areas and private areas is clear.

Intermediate and Neighborhood access points located adjacent to or in residential areas have the potential to increase traffic and parking conflicts between residents and Parkway users. Intermediate access points are proposed at Seymour park (northern extension), Shore Park, the Pocket Drainage Canal, the property adjacent to the Elks Lodge at Northpointe Way and Arabella Way next to the Garcia Bend Marina. Potential Neighborhood access points are proposed for ~~Portinao Circle~~ and Sleepy River Drive.

Facts In Support of Findings:

The following mitigation measures will reduce impacts to a less than significant level.

- 1) Prior to ~~removal of the PLA designation for~~ Parkway development, the following conditions shall be met prior to the off-street trail being developed in the area:
 - a) The trail will not significantly impact native riparian habitat.
 - b) All feasible security and privacy measures will be implemented,
- 2) Where access points are near or adjacent to residential areas, residential street parking shall be monitored and if warranted, resident preferential parking system restrictions shall be instituted and enforced.

However, funding for implementation of identified security and parking monitoring and enforcement measures is uncertain at this time. The City is not able, from a legal and financial standpoint, to commit at this time to future funding of security and parking monitoring and enforcement measures. The City intends to implement such measures to the extent legally and financially feasible, and while the City anticipates efforts will be made to that end, implementation of Mitigation Measure 6.9-2 is infeasible at this time because of the constraints identified above. Therefore, impact 6.9-2 is considered significant and unavoidable.

III. ALTERNATIVES

A range of alternatives were reviewed by the EIR including the required "Alternative A1: Existing Conditions" (No change in the existing environment - no project); "Alternative A2: Existing Plan" (Development would occur in accordance with existing plans and policies such as the 1975 Parkway Plan); "Alternative B" which reroutes the bike trail from the levee to an alternative route between Captain's Table (25th Avenue) on the north and the Pocket Canal on the south; and "Alternative C" which prohibits public access and the construction of new public facilities on the waterfront side of the levee crown.

CEQA Guidelines require that an environmentally superior development alternative be identified if the No Project is the environmentally superior alternative. In this case, the No-Project Alternative - Alternative A1 may be argued to be the environmentally superior alternative. Therefore, the environmentally superior development alternative is Alternative C which restricts development to the landward side of the levee, inclusive of the levee crown.

1. No-Project Alternative - Alternative A1

Under Alternative A1, a Sacramento River Parkway Plan would not be adopted and no further change in the existing environment would occur. Therefore, this alternative, while not impacting the environment, would not achieve any of the goals of the Parkway Plan.

Finding

Alternative A-1 would not achieve any of the habitat preservation/restoration or controlled public access goals of the Parkway Plan. The environmentally superior development alternative is the Alternative C - "Restrict Parkway Development Between the Levee Crown and the River's Edge" Alternative.

2. No-Project Alternative - Alternative A2

Under Alternative A2, development would occur according to adopted plans and policies, including the 1975 Sacramento River Parkway Plan. This alternative would achieve the goals of the Plan, but would not provide updated policies to support the goals of the Plan, nor would it include the South Natomas area in its boundaries.

Finding

Alternative A-2 would achieve the goals of the Parkway Plan, but without the advantage of updated policies contained in the proposed project.

3. Alternative B - Remove Off-Street River Trail from Captain's Table to the Pocket Canal

Under Alternative B, the on-river trail segment from Captain's Table on the north to the Pocket Canal on the south would be rerouted to follow the existing Riverside Boulevard on-street trail and existing off-street trails south to the Seymour Parkway and then to the Pocket Canal trail to reconnect with the on-river trail north of River Village Drive and Garcia Bend Park. All other aspects of the proposed Parkway Plan would be incorporated into this alternative.

Finding

Alternative B would achieve the habitat restoration/preservation and public access goals of the Parkway Plan except in the PIA segment of the Pocket area. Potential impacts to noise, plant/animal life, noise and cultural resources would be reduced under this alternative.

4. Alternative C - Restrict Parkway Development Between the Levee Crown and the River's Edge

Alternative C proposes to remove all proposed Parkway development that is located between the crown of the levee and the river's edge, not inclusive of the levee crown. Existing and adopted development would not be affected. This alternative would eliminate development of the Riverside Rest Area and potentially portions of the multi-use trail from the Parkway.

Finding

The habitat restoration/preservation goal would be achieved, but the public access goal would not be fully achieved. Potential impacts to plant/animal life, noise, cultural resources and air quality would be significantly reduced in comparison to the other alternatives, making this the environmentally superior alternative.

IV. FINDINGS REGARDING GROWTH INDUCING AND CUMULATIVE IMPACTS

As required by CEQA, the EIR evaluates the growth inducing impacts of the proposed project and the cumulative impacts of the proposed project (See, CEQA Guidelines §§15126 and 15130). These growth inducing and cumulative impacts, together with appropriate mitigation measures and findings, are set forth in Section IV.

A. GROWTH INDUCING IMPACTS.

The growth inducing potential of a project is generally considered to have a significant impact if the project has the potential to either induce growth or create the capacity for growth above and beyond the levels permitted by the public planning policies or anticipated by public or independent projects. However, a project's growth inducing potential does not automatically result in growth. Growth at the local level is fundamentally controlled by the land use policies of local jurisdictions. Accordingly, the growth pressure is transformed into actual growth only by the actions of elected decision makers.

Under CEQA, growth inducement may not be considered necessarily a detrimental, beneficial or insignificant consequence (CEQA Guidelines §15126). Induced growth is considered a significant impact only if it directly or indirectly affects the ability of local agencies to provide needed public services, or if it can be demonstrated that the potential growth in some other way significantly effects the environment.

The proposed Sacramento River Parkway Master Plan Update would not foster any economic or population growth or the construction of new housing. Land uses under the Parkway Plan are the same as the City of Sacramento General Plan. The Parkway Plan does not change planned land uses, require public service expansion (water, sewer and other infrastructure) or induce new growth.

B. CUMULATIVE IMPACTS

IMPACT 9.1 LOSS OF RIPARIAN AND RIVERINE HABITAT

The Sacramento River may be subjected to a variety of cumulative adverse environmental effects. The majority of these effects result from uses already planned in existing General Plans or Community Plans. The Parkway Plan does not change the underlying General Plan designation, but does provide additional policies to protect river resources. The Plan does not propose new public marinas. The Plan does propose increased public access to the river. Policies and mitigation measures are included in the Plan and this EIR which mitigate adverse effects to water quality and riparian and other river habitats. As such, the Parkway Plan itself assists in the mitigation of cumulative effects to the area.

STATEMENT OF OVERRIDING CONSIDERATIONS

Notwithstanding the disclosure of the significant impacts and their mitigation described, the City has determined pursuant to Section 15093 of the State CEQA Guidelines that the benefits of the Project outweigh the adverse impacts, and the Project should be approved.

With reference to the above findings and in recognition of those facts which are included in the record, the City has determined that the Project would contribute to noise, plant and animal life, water quality, hydrology, cultural resources, and potential conflicts between uses and safety impacts which are considered significant adverse impacts, as disclosed in the Final EIR prepared for the Project.

The City, specifically finds and makes this Statement of Overriding Considerations that, as part of the approval provisions, the Project has eliminated or substantially lessened all significant effects on the environment where feasible, and has determined that any remaining significant effects on the environment found to be unavoidable are acceptable due to overriding considerations as described below:

1. The Project will support the City's long-term goal of a continuous parkway along the Sacramento River.
2. The Project will support and implement the goals of the City General Plan to:
 - Conserve and protect the planned open space areas along the American and Sacramento Rivers, floodways and undevelopable floodplains to the extent feasible. (Goal C, Sec. 6-14)
 - Retain the habitat areas where known endangered wildlife exists to the extent feasible. (Policy 1, Sec. 6-14)
 - Conserve and protect the Sacramento and American Rivers, their shorelines and parkways. (Goal A, Sec. 6-16)
 - Implement the goals and policies of the Sacramento River Parkway Plan, and amend the Plan to include updated information and recommendations from the Sacramento River Carrying Capacity Study. (Policy 2, Sec. 6-16)
 - Continue to work toward providing a levee system which protects the community from flood related hazards and makes uses of its open space areas where appropriate. (Goal A, Sec. 6-18)
3. The Project will support and implement the goals and objectives of the 1989 Parks Master Plan Update:
 - Complete acquisitions and easements for the Sacramento River Parkway as funding permits. (Objective D, page 57)
4. The Project will support the adopted 2010 City/County Bikeway Master Plan.

MITIGATION MONITORING PLAN (MMP)
FOR
THE SACRAMENTO RIVER PARKWAY PLAN
PROGRAM LEVEL
ENVIRONMENTAL IMPACT REPORT

Prepared By:

PLANNING DYNAMICS GROUP

Prepared For:

City of Sacramento, Office of Environmental Affairs

September 1997

Adopted By:

City of Sacramento, City Council

Date: October 21, 1997

RESOLUTION No. 97-590

OCT 21 1997

**SACRAMENTO RIVER PARKWAY PLAN PROGRAM EIR
MITIGATION MONITORING PLAN**

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**CITY OF SACRAMENTO
MITIGATION MONITORING PLAN
SACRAMENTO RIVER PARKWAY PLAN PROGRAM EIR**

This Mitigation Monitoring Plan (MMP) has been required by and prepared for the Department of Planning and Development, Office of Environmental Affairs, 1231 I Street, Room 300, Sacramento, CA 95814, pursuant to CEQA Guidelines Section 21081.

SECTION 1 : PROJECT IDENTIFICATION

Project Name/File Number: Sacramento River Parkway Plan Update

Applicant: City of Sacramento, Department of Neighborhoods,
Planning and Development Services
Planning Division

Address: 1231 I Street, Suite 300
Sacramento, California

Project Description Summary

The project is the Sacramento River Parkway Plan Update (Plan). The Plan updates City of Sacramento's 1975 Parkway Plan in order to reflect changes in the Parkway, and the scope of the Parkway. Specifically, the South Natomas area of the City was added to the Plan. This area was not included in the original 1975 Plan. Some of the issues to be addressed in the update include: the South Natomas Community Area; proposed redevelopment projects along the River; clarifying Parkway policy; and adding Parkway land use designations to be applied to publicly owned lands.

The Sacramento River Parkway Plan is a twenty year policy guide for habitat preservation and restoration and recreational development for lands adjacent to the River. The Plan identifies existing conditions in the Parkway, a vision for the future, and land use goals, policies and implementation measures to achieve the vision. The Plan recognizes the multiple use aspect of the Parkway. Recreation uses allowed in the Parkway include walking, bicycling, nature study, and equestrian use. A general policy to allow equestrian use in the Parkway is included in the Plan. Specific policies to guide equestrian use will be developed at a later date.

A general trail corridor along the Sacramento River is identified in the Plan, but a specific alignment for the trail system has not been developed. A portion of the adopted bikeway system is located in the Sacramento River Parkway. This Class I (off-street) bikeway will be paved per City of Sacramento standards and will accommodate pedestrian use. A separate multi use trail which would accommodate equestrians and pedestrians is proposed, but further study is required to determine the alignment. The State Reclamation Board would prefer that the multi use trail should be located on

the waterside berm of the river levee instead of the levee crown in order to reduce impacts to the levee structure. Using the landside berm of the levee would increase conflict with adjacent private residential uses in the area. The Plan strives to reduce as much as possible conflicts with residential uses.

Planning Area and Location

The Plan area is located along the easterly bank of the Sacramento River within the City limits of the City of Sacramento. It is 17 miles in length and encompasses approximately 820 acres. The boundaries of the area generally are the City limits inclusive of South Natomas to the north; the Sacramento River on the west; the City limits at Freeport to the south. The east boundary is either the Interstate 5 Freeway; 10 feet landside of the landward toe of the Sacramento River levee or the inland boundary of public land along the River, whichever is most appropriate for land use issues.

The Sacramento River Parkway is divided into planning areas within the Plan. These planning areas were determined by several factors including: Community Plan Area boundaries; existing land use; and land ownership patterns. The Area Plans describe the application of Plan goals and policies to the planning areas and are accompanied by maps which show the application of land use designations and Parkway facilities.

South Natomas. The northern boundary of the City to and including Discovery Park.

Downtown/Land Park. Jibboom Street Bridge to Captain's Table at 25th Avenue.

Pocket. 25th Avenue to the Freeport Reservoir at the south end of the Pocket near Freeport.

Freeport. South of the Freeport Reservoir to the Freeport Bridge.

Plan Purpose and Objectives

The Sacramento River Parkway Plan is a policy document for the management of the Sacramento River Parkway. The Sacramento River Parkway Plan is a twenty year policy guide for habitat preservation and restoration and recreational development for lands adjacent to the River. The Plan identifies existing conditions in the Parkway, a vision for the future, and land use goals, policies and implementation measures to achieve the vision. The Plan is proposed to be adopted as part of the City's General Plan to guide land use decisions regarding public lands near the Sacramento River.

The objectives of the Plan are:

- 1) To develop a 20-year policy guide for habitat preservation and restoration and recreational development for lands adjacent to the Sacramento River.
- 2) To describe existing conditions, develop a vision for the future, and identify programs and actions to achieve the vision.

- 3) Revise and update the 1975 Parkway Plan to reflect current conditions.

Goals of the Plan

The Draft Sacramento River Parkway Plan goals are as follows:

- ▶ To recognize the multiple use aspect of the Sacramento River Parkway for recreation, habitat preservation and flood control.
- ▶ To preserve, protect and enhance the natural and cultural resources of the Parkway.
- ▶ To provide appropriate access and facilities for the enjoyment of the Parkway by present and future generations.
- ▶ To create a continuous, lineal Parkway with *bicycle and pedestrian access* along the Sacramento River from the City limits at I-80 and Garden Highway in South Natomas to the City limits at Freeport.

Natural resource protection and enhancement is the main goal of the Parkway and will take precedence over public access recreation in the Parkway. Trails and other facilities will be developed so as not to significantly impact native riparian habitat. Prime habitat area will be protected from human encroachment.

The Parkway is envisioned as a major recreational and public access resource, linking the American River Parkway with the Sacramento River Parkway and eventually connecting with the Laguna area. The Plan promotes as much access to the River as possible, while maintaining sensitivity to the private residential inholdings in the Parkway. The Plan strives to improve public access by developing proposed public access points, building trails, and by directing people to public areas.

Required Discretionary Actions

The Plan and associated EIR represent the first program level series of actions necessary to adopt the policy and land use framework for publicly owned lands (or lands which are acquired for public use) along the river. Although conceptual development proposals are recommended in the plan, these proposals will be subject to further project specific design development and public and environmental review. At this early policy and program phase the following actions are necessary:

1. **Certification of the Environmental Impact Report.** The document must be completed in compliance with CEQA and CEQA guidelines, Section 15050.
2. **Adoption of the 1993 Update to the Parkway Plan** by the City of Sacramento.
3. **General Plan Amendment** to add the 1993 Update to the Parkway Plan to the General Plan.

4. **Amendment of the 2010 City/County Bikeway Plan and Circulation Element of the General Plan** to show the final alignment of the Pocket Area trail in accordance with the City Council's final action on the Parkway Plan.

Once the plan is adopted, the implementation of specific projects will require additional phases of design and project specific environmental review.

A full description of the proposed plan is included in the Draft Program Level Environmental Impact Report (EIR) for the Sacramento River Parkway Plan Update dated February 6, 1996 (State Clearinghouse Number 93102086).

SECTION 2 : GENERAL INFORMATION

The project as approved includes the mitigation measures adopted as part of the Findings of Fact for this project. The intent of this Mitigation Monitoring Plan (MMP) is to prescribe and enforce a means for properly and successfully implementing the mitigation measures as identified within the Environmental Impact Report for this project.

The following mitigation measures are based on a program level of environmental analysis. The analysis is based on the level of detail provided in the proposed Parkway Plan Update. The Plan Update, is a policy level document, and does not include detailed design information. As such, the EIR and the mitigation measures address the reasonable impacts which might occur as a result of the adoption of the policies of the plan. Additional project level review will be necessary to develop more specific mitigation measures as individual development projects are identified and detailed project designs becomes available.

Prior to implementation of a Parkway development project, a proposed project must be reviewed for compliance with the Parkway Plan policies, these program level mitigation measures and any additional project specific mitigation measures identified specifically for the individual development project. For example, the program level EIR includes mitigation measures to reduce impacts to shaded riverine habitats through proper site design which avoids disruption of such habitats to the maximum extent possible, and through replanting of canopied trees to recreate habitat. Individual project specific developments will be required to comply with the program level mitigation as well as project specific mitigation which might for instance, delineate a specific change to the project's design, or a site specific habitat restoration plan for the project site.

It is also important to note that the Parkway Plan itself includes policies which assist in mitigation of impacts. Although these policies minimize effects, they are not considered mitigation measures, since they are part of the project. For many program level effects, adherence to the Plan's policies regarding resource protection avoids potential program level impacts. Future site specific projects, therefore, must be reviewed not only for consistency the program level EIR mitigation measures, and any additional project level mitigation measures, but also for consistency with the Parkway Plan policies.

SECTION 3 : MITIGATION MONITORING PLAN

This section describes all adopted mitigation measures, identifies the entity responsible for monitoring the implementation of the measures and the procedures for monitoring the mitigation measure. The measures are identified in accordance with their number in the associated Draft and Final EIR to allow easy reference to the impact discussion for which the mitigation measure has been developed.

The following acronyms are used in this MMP to refer to agencies who will be responsible for implementation of the measures:

- NPDS D City of Sacramento Department of Neighborhoods, Planning and Development Services (NPDS D). This Department includes planning, building, and parks and landscape architecture. This Department will bear primary responsibility for ensuring implementation of these mitigation measures.
- PWD City of Sacramento Public Works Department
- OEA City of Sacramento Office of Environmental Affairs. This Office is responsible for monitoring the City's compliance with these measures and for determining if additional project specific mitigation measures are required for future Parkway development projects.
- CDFG California Department of Fish and Game
- USFWS United States Fish and Wildlife Service

TRANSPORTATION MITIGATION MEASURES

Mitigation 6.2-2 Bikeway and Trail Safety

Off-street Bike Trail Sections: Implement mitigation measure 6.9 of this EIR to reduce risks to bicycle safety. Implementation of these measures should reduce trail safety impacts to a less than significant level. Also implementation of the adopted 2010 City County Bikeways Master Plan mitigation measures further reduces impacts.

Multi-use (Equestrian) Designation: There are no standards of significance for the impact of equestrian use on river trailways. However, the potential impact of equestrian use on the trail system may be reduced by developing standards for safe multi-use of trails. It is recommended that prior to designation of equestrian trail sections that the City establish a Task Force comprised of equestrian users, other trail users, maintenance and regulatory representatives such as the Reclamation District, park and recreation specialists and adjacent property owners to develop standards for equestrian use. Consideration should be given to identification of trail segments which lend themselves to multi-use; providing separation between the bikeway and the multi use trail wherever possible, identification of staging areas, and minimization of impacts to the integrity of the levee and natural riparian habitat areas. Depending on the standards developed, subsequent and more detailed environmental review may be necessary.

Entities Responsible for Ensuring Compliance:

- The City of Sacramento, Department of Neighborhoods, Planning and Development Services, Planning Division and Parks, Trees and Landscape Architecture Division
- The City of Sacramento, Public Works Technical Services Division (site plans), and Traffic Engineering Section

Monitoring Program for Off-street Trails:

Project Specific Design Phase: Prior to approval of any design plans for construction or alteration of off-street biketrails, the proposed design shall be reviewed for consistency with the adopted Parkway Plan policies, and the policies of the adopted 2010 City County Bikeways Master Plan by NPDS Parks, Trees and Landscape Architecture Division and PWD Technical Services Section. The Office of Environmental Affairs (OEA) shall determine if additional project specific mitigation measures may be required.

Construction Phase: All mitigation measures shall be reflected in the final project design prior to the City Council authorizing bidding or construction of the project. The trail shall be constructed in accordance with the adopted standards and designations of the adopted 2010 City/County Bikeway Master Plan and approved by City of Sacramento PWD Technical Services Section. The OEA shall

verify that these steps have been undertaken.

Monitoring Program for Multi-use (Equestrian) Trails Mitigation:

Within a year of the adoption of the Parkway Plan, the City of Sacramento Department of Neighborhoods, Planning and Development (NPDS) shall establish a Task Force comprised of equestrian users, other trail users, maintenance and regulatory representatives such as the Reclamation District, park and recreation specialists and adjacent property owners to develop standards for equestrian use. As an initial phase of work the Task Force shall consider the appropriateness of equestrian use on existing trails. Consideration should be given to identification of trail segments which lend themselves to multi-use; providing separation between the bikeway and the multi use trail wherever possible, identification of staging areas, and minimization of impacts to the integrity of the levee and natural riparian habitat areas. Depending on the standards developed, subsequent and more detailed environmental review may be necessary.

AIR QUALITY MITIGATION MEASURES

Mitigation 6.3-4 Construction Dust and Particulate Matter

The significance threshold for PM₁₀ is 275 pounds per day. At a program level, it is not known what the total level of construction related PM-10 will be. The SMAQMD does however, suggest methods to reduce construction related PM-10 emissions. Employment of these measures should reduce impacts to a less than significant level. These mitigation measures are however, developed at a program level of review. Further project specific analysis and mitigation may be required when design details and construction methods of the proposed project area available.

- (1) Prior to issuance of a permit for construction of any phase of the project, a separate analysis of construction related PM-10 emissions shall be conducted.
- (2) Based on the project specific analysis (see item (1) above) the following types of mitigation measures shall be employed:
 - a. Water all unpaved construction areas at least twice per day during demolition and excavation to reduce dust emissions. Additional watering should be carried out on hot or windy days. Water twice daily or cover stockpiles of sand, soil, and similar materials with a tarp.
 - b. Cover trucks hauling dirt and debris to reduce spillage onto paved surfaces.
 - c. Increase the frequency of City street cleaning along streets in the vicinity of the construction site.
 - d. Work should be restricted or banned on days of high winds (> 30 mph) or when air quality violations are expected (as determined by the SMAQMD).
 - e. On-site vehicle speed on unpaved surfaces shall be limited to 15 miles per hour.
 - f. Require construction contractors to designate a person or persons to oversee the dust abatement program and to order increased watering, as necessary.
 - g. Revegetation of construction areas and staging areas shall take place immediately following completion of each project component.

Entities Responsible for Ensuring Compliance:

- The City of Sacramento, NPDS, Office of Environmental Affairs, and Parks, Trees and Landscape Architecture Division.

Monitoring Program:

Project Specific Design Phase: Prior to City Council approval of new public access or open space development in the Parkway area, the Office of Environmental Affairs (OEA) shall ensure that a project specific analysis of PM10 and construction dust has been undertaken. Prior to bidding and construction of each phase of Parkway Plan implementation, the NPDS Parks, Trees and Landscape Architecture Division shall be responsible for ensuring that appropriate dust control measures are applied to the project as mitigation measures and included in the specifications for the construction documents.

NOISE MITIGATION MEASURES

Mitigation 6.4-1 Noise Generation - Project Specific Environment

1. Sound barriers (fencing and landscaping) shall be used, where feasible, to buffer residents from Parkway user noise.
2. All access points and the off-street trail system shall be closed to the public from sunset to sunrise to reduce evening noise.
3. Site off-street trails as far away from residential receivers as possible without impacting wildlife habitat value.

Entities Responsible for Ensuring Compliance:

The City of Sacramento, NPDS Planning Division, Parks, Trees and Landscape Architecture Division and the Office of Environmental Affairs (OEA)

Monitoring Program:

Project Specific Design Phase: The NPDS Planning Division and Parks, Trees and Landscape Architecture Division shall be responsible for ensuring that new proposed public recreation, access and open space development projects include feasible noise buffer and attenuation features as part of the project design. The Office of Environmental Affairs (OEA) shall be responsible for reviewing the project and determining if any additional project specific mitigation measures to reduce operational and construction period noise impacts to sensitive receptors are required. Parks, Trees and Landscape Architecture Division shall ensure that project specific mitigation measures are implemented.

BIOLOGICAL RESOURCES MITIGATION MEASURES

The following mitigation measures address impacts identified at a program or concept plan level of review. Additional project specific environmental review may be required which would identify that additional project mitigation measures are required. Implementation of the following measures will be required to reduce significant program level impacts. However, these measures are not intended to preclude the necessity for detailed environmental analysis at the specific project design and approval phase.

Mitigation 6.5-3 Special Status Species - Swainson's Hawk

At a program level, the following mitigation measures would reduce potential impacts to Swainson's Hawk species and habitat to a less-than-significant level:

1. Prior to approval of development plans under the Parkway Plan policies, a determination shall be made regarding the sensitivity and suitability of the project area for Swainson's Hawk habitat. If the project site is sensitive, California Fish and Game Department shall be consulted and a habitat survey prepared. Impacts to this species shall be avoided or mitigated in consultation with the United States Fish and Wildlife Service and the California Department of Fish and Game (CDFG).
2. Development projects in the Parkway that may impact Swainson's Hawk habitat shall be required to prepare a mitigation and operation plan for Swainson's hawk nesting habitat affected by proposed projects. The mitigation and operation plan shall be submitted to CDFG for review and approval prior to construction of projects.
3. Nesting habitat lost shall be replaced in accordance with requirements imposed by CDFG for mitigation for loss of nesting habitat.

NOTE: The CDFG mitigation guidelines (revised 1992) for Swainson's hawk specify that no disturbance shall occur within a half-mile of an active nest between March 1 and August 15 to avoid construction of other project related activities which may cause nest abandonment or adverse disturbance to nearby active nest during the breeding season. There are known nesting sites within the Parkway.

4. Prior to construction of any Parkway development, hire a qualified biologist to conduct a survey within a ½ mile radius of the site to determine the location of active nests.
5. Avoid construction of any Parkway development project during the breeding/nesting season of the Swainson's hawk of March 1 through August 15 to avoid disturbance of nesting pairs within a half-mile radius of the project site.

Entity Responsible for Ensuring Compliance

The City of Sacramento, NPDS, Office of Environmental Affairs

Monitoring Program:

Project Specific Design Phase: Prior to approval of development plans for any Parkway Plan project, the Office of Environmental Affairs shall be responsible for ensuring that a biological investigation of the site is conducted and that coordination with the USFWS and CDFG have occurred to implement the above mitigation measures and any additional site specific mitigation measures that result from site specific environmental review.

Mitigation 6.5-4 Special Status Species (VELB)

At a program level, the following mitigation measures would reduce potential impacts to VELB species and habitat to a less-than-significant level:

1. Prior to approval of development plans under the Parkway Plan policies, a determination shall be made regarding the sensitivity and suitability of the project area for VELB habitat. If the project site is sensitive, California Fish and Game shall be consulted and a habitat survey prepared. Impacts to this species shall be avoided or mitigated in consultation with the United States Fish and Wildlife Service and the California Department of Fish and Game.

Entity Responsible for Ensuring Compliance

The City of Sacramento, NPDS, Office of Environmental Affairs

Monitoring Program:

Project Specific Design Phase: Prior to approval of development plans for any Parkway Plan project, the NPDS Office of Environmental Affairs shall be responsible for ensuring that a biological investigation of the site is conducted and that coordination with the USFWS and CDFG have occurred to implement the above mitigation measures and any additional site specific mitigation measures that result from site specific environmental review.

Mitigation 6.5-5 Impacts to Shaded Riverine Aquatic (SRA) Habitat

The following mitigation measures will reduce program level impacts to a less-than-significant level:

1. Prior to approval and implementation of the individual Parkway Plan development projects, an assessment of SRA habitat shall be made to determine if such habitat is on site or would be affected by development. Facilities which could directly or indirectly affected SRA habitat shall minimize impacts in accordance with guidelines established by the State Lands Commission and other trustee agencies. Actions to minimize impacts shall include, but are not limited to:

- a) design modifications to avoid direct impacts and disturbance to SRA habitat.
- b) retention or replanting of canopied, multi-story vegetation along the riverbank to maintain a shaded habitat.
- c) erosion control measures on site (both during construction and long term operation) to avoid run-off, debris and turbidity in the identified SRA area. (See also Water Quality Mitigation Measure 6.6-1).

Entity Responsible for Ensuring Compliance

The City of Sacramento, NPDSO, Office of Environmental Affairs

Monitoring Program:

Project Specific Design Phase: Prior to approval of development plans for any Parkway Plan project, the NPDSO Office of Environmental Affairs shall be responsible for ensuring that a biological investigation of the site is conducted and that coordination with the USFWS and CDFG have occurred to implement the above mitigation measures and any additional site specific mitigation measures that result from site specific environmental review. (See also Water Quality Mitigation Measure 6.6-1).

Mitigation 6.5-6 - Loss of Aquatic Habitat and Fisheries Due to Water Pollution

At a program level, no direct impacts can be determined, however, implementation of individual Parkway development projects may result in impacts. To reduce impacts to the aquatic environment, implement Mitigation Measure 6.6-1 of the Water Quality Chapter. Implementation of this mitigation measure will reduce program level impacts to less than significant.

Entity Responsible for Ensuring Compliance

- The City of Sacramento, NPDSO, Office of Environmental Affairs, and Parks, Trees and Landscape Architecture Division.
- The City of Sacramento, Utilities Department, Water and Sewer Division.

Monitoring Program:

Project Specific Design Phase: Prior to approval of development plans for any Parkway Plan project, the NPDSO Office of Environmental Affairs shall be responsible for ensuring that a biological investigation of the site is conducted and that coordination with the USFWS and CDFG have occurred to implement the above mitigation measures and any additional site specific mitigation measures that result from site specific environmental review. Additional water quality mitigation measures shall be the responsibility of the Utilities Department, Water and Sewer Division. (See also Water Quality Mitigation Measures and Monitoring Program.)

Mitigation 6.5-7 Special Status Species - Delta Smelt and Winter Run Chinook Salmon

At a program level, no direct impacts can be determined, however, implementation of individual Parkway development projects may result in impacts. To reduce impacts to the aquatic environment, implement Mitigation Measure 6.6-1 of the Water Quality Chapter. Implementation of this mitigation measure will reduce program level impacts to less than significant.

Entity Responsible for Ensuring Compliance

- The City of Sacramento, NPDSO, Office of Environmental Affairs, and Parks, Trees and Landscape Architecture Division.
- The City of Sacramento, Utilities Department, Water and Sewer Division.

Monitoring Program:

Project Specific Design Phase: Prior to approval of development plans for any Parkway Plan project, the NPDSO Office of Environmental Affairs shall be responsible for ensuring that a biological investigation of the site is conducted and that coordination with the USFWS and CDFG have occurred to implement the above mitigation measures and any additional site specific mitigation measures that result from site specific environmental review. Additional water quality mitigation measures shall be the responsibility of the Utilities Department, Water and Sewer Division. (See also Water Quality Mitigation Measures and Monitoring Program.)

WATER QUALITY MITIGATION MEASURES

Mitigation 6.6-1 Run-off and Erosion Control for Public Access Routes and Parking

The following program level mitigation measures are standard procedures for reducing run-off and erosion which may be applied as appropriate to most facility developments. Once designs are developed for each facility, detailed project specific environmental review may identify refinements or additions to these mitigation measures based on the specifics of the project. These mitigation measures will reduce potential program level impacts to less-than-significant.

1. To the extent possible, use indigenous plants to landscape new and/or enlarged parking facilities and create a vegetation buffer to collect and treat such parking lot runoff before it enters the river.
2. For new parking lot areas or large impervious surface areas, incorporate into the drainage plan inlet catch basins containing grease/sediment traps and other on-site stormwater quality control measures (per September 1996 Final EIR).
3. For new parking lot areas or large impervious surface areas, implement a parking lot cleaning and maintenance program designed to minimize the introduction of toxic materials into the Sacramento River from parking lot runoff. Instruct maintenance personnel to promptly clean any oil/grease or other toxic deposits discovered on the premises.
4. Require erosion control and on-going maintenance in order to prevent and repair damage and erosion caused by use. Implement trail maintenance and erosion control measures and monitor for effectiveness.
5. Implement landscape maintenance program to integrate Best Management Practices which eliminate, reduce and minimize the use of pesticides and herbicides which contribute to non point source pollution.

Entities Responsible for Ensuring Compliance:

- The City of Sacramento, Department of Neighborhoods, Planning and Development Services (NPDS), Office of Environmental Affairs and Parks, Trees and Landscape Architecture Division
- The City of Sacramento, Utilities Department, Water and Sewer Division.

Monitoring Program:

Project Specific Design Level: At the project specific level, the City NPDS and Office of Environmental Affairs shall ensure that project specific environmental review is completed, which includes an assessment of potential water quality impacts, and where appropriate the incorporation of the above mitigation measures.

During Construction: The NPDS and City Department of Utilities, Water and Sewer Division shall be responsible for ensuring that the construction plans and specifications include any required mitigation measures, and shall assign a construction inspector to monitor the construction site including monitoring for required practices to reduce erosion and run-off.

Post Construction: The NPDS, Parks Division, shall be responsible for ensuring that operating and maintenance program for any proposed public access site, trail, parking lot or other facility includes best management practices to reduce run-off, erosion and pesticides and herbicide non-point source pollution.

Mitigation 6.6-2 Construction Water Quality Impacts

The following mitigation measures will reduce program level impacts to less than significant.

1. Restrict any construction grading to the dry season between May 1 and September 30.
2. All construction activities shall be done in accordance with the City's Grading, Erosion and Sediment Control (GESC) Ordinance 93-068 and shall include grading techniques which control excessive runoff (erosion, sediment and pollution) during construction. (Per September 1996 Final EIR)
3. Dust and soil erosion control measures shall be implemented during the construction phase of the proposed project. These measures are intended to minimize soil erosion and fugitive dust emissions. Suggested measures include:
 - a. watering exposed soils;
 - b. covering exposed soils with straw or other materials;
 - c. Adopting measures to prevent construction vehicles from tracking mud onto adjacent roadways;
 - d. Covering trucks containing loose and dry soil;
 - e. Providing interim drainage and sediment control measures during the construction period. (Per September 1996 Final EIR)
4. In non-pavement areas, any vegetation covered or removed during construction (including slope protection) should be replanted following construction.
5. Depending upon the magnitude and location of individual Parkway projects, consideration should be given to installation of a silt curtain during construction of the slope protection in

order to minimize increases in turbidity resulting from construction activities in the water.

6. All construction materials which have the potential to contaminate the riparian habitat-- such as fuels, paints, solvents, cement additives--should be identified in advance of construction. A plan should be provided by each contractor using such materials covering storage, use and clean up for all such materials. An emergency response plan should be provided by the lead contractor or supervising agency to cover spills of such materials.
7. Post construction BMP's as approved by the Department of Utilities for the long term enhancement of stormwater run-off shall be implemented.

Entities Responsible for Ensuring Compliance:

- The City of Sacramento, Department of Neighborhoods, Planning and Development Services (NPDS), Planning Division, Parks, Trees and Landscape Architecture Division and Office of Environmental Affairs (OEA)
- The City of Sacramento, Utilities Department, Water and Sewer Division.

Monitoring Program:

Project Specific Design Level: At the project specific level, the City NPDS Office of Environmental Affairs (OEA), and the Department of Utilities, Water and Sewer Division shall ensure that project specific environmental review is completed, which includes an assessment of potential water quality impacts, and where appropriate the incorporation of the above mitigation measures.

During Construction: The NPDS Parks, Trees and Landscape Architecture Division shall be responsible for ensuring that the construction plans and specifications include any required water quality mitigation measures, and shall assign a construction inspector to monitor the construction site including monitoring for required practices to reduce erosion and run-off.

Post Construction: The NPDS, the Parks, Trees and Landscape Architecture Division, shall be responsible for ensuring that operating and maintenance program for any proposed public access site, trail, parking lot or other facility includes best management practices to reduce run-off, erosion and pesticides and herbicide non-point source pollution.

Mitigation 6.6-4 Litter

The following mitigation measures must be implemented in order to lessen project impacts from litter to a less than significant level for the proposed project:

1. Trash receptacles sufficient to handle waste generated by users of the project shall be placed in convenient locations in order to facilitate their use. Consistent maintenance to dispose of overflowing trash containers should be undertaken particularly during peak use season.
2. In public use areas, require education and signage as part of the development to inform users of the importance of proper litter disposal.

Entities Responsible for Ensuring Compliance:

- The City of Sacramento NPDS, Office of Environmental Affairs (OEA) and Parks, Trees and Landscape Architecture Division.

Monitoring Program:

Project Specific Design Level: At the project specific level, the City NPDS Office of Environmental Affairs (OEA), shall ensure that project specific environmental review is completed, which includes an assessment of potential litter and debris impacts, and that, where appropriate, the above mitigation measures are included in the project design.

During Construction: The NPDS Parks, Trees and Landscape Architecture Division shall be responsible for ensuring that the construction plans and specifications include any required mitigation measures, and shall assign a construction inspector to monitor the construction site including monitoring for required practices to litter and construction debris.

Post Construction: The NPDS, Parks, Trees and Landscape Architecture Division shall be responsible for ensuring that operating and maintenance program for any proposed public access site, trail, parking lot or other facility includes best management practices to collect and dispose of litter and to educate the public.

HYDROLOGY MITIGATION MEASURES

Mitigation 6.7-3 **Flood Risk and Public Safety**

Development under the Proposed Plan will be required to comply with all requirements of the "City/County Land Use Policy within the 100 Year Flood Plain". The City Council has evaluated these impacts in the Environmental Impact Report (EIR) prepared in connection with the Land Use Planning Policy Within the 100-Year Floodplain (M89-054) adopted by the City Council on February 6, 1990. A Program EIR addressing the flood-related risks to people and property created by new development in the 100-year floodplain in the City was prepared for and certified by the City. The flood-related risks created by the proposed project fall within the scope of the Program EIR. Accordingly, the findings adopted by the Council in connection with its certification of the Program EIR and its adoption of the Policy are applicable to the proposed project. These findings are forth in the Findings of Fact/Statement of Overriding Considerations for the Land Use Planning Policy Within the 100-Year Floodplain in the City of Sacramento.

For the Proposed Project, which include non-residential uses, the applicable provisions of the Sacramento City Code permit development on the project site provided the project sponsor assumes the risk of all flood-related damage to any permitted new construction, agrees to notify subsequent purchasers of the flood risk, and ensure that any new construction complies with City-imposed design restrictions aimed at reducing the risk of flood-related property damage and personal injury.

Entities Responsible for Ensuring Compliance:

- The City of Sacramento, Department of Neighborhoods, Planning and Development Services, Parks, Trees and Landscape Architecture Division and Office of Environmental Affairs (OEA)

Monitoring Program for Off-street Trails:

Project Specific Design Phase: As part of the design phase of every City project, consideration is given to flood risk and prevention. Flood proof or flood tolerant uses will need to be incorporated into the design of individual development projects which are located in the 100 year flood plain. The NPDS Parks, Trees and Landscape Architecture Division shall be responsible for the planning, and programming of City owned public recreation and open space in a manner which reduces flood risk. The City's OEA shall be responsible for project specific review of flood risk. The Parks, Trees and Landscape Architecture Division will be responsible for the incorporation of project specific mitigation as projects arise.

CULTURAL RESOURCES MITIGATION MEASURES

Mitigation 6.8-1 Prehistoric Resources

The following mitigation measure should be applied to all Parkway development projects at the project specific environmental review level in order to reduce the potential impact to prehistoric resources to a less-than-significant level.

1. A qualified archeologist shall be retained by the project sponsor to monitor all subsurface excavations during construction and to assess and record any subsurface artifacts or features that might be unearthed.
2. If subsurface archaeological or historical remains (including unusual amounts of bones, stones, or shells) are discovered during excavation or construction of the site, work in the affected area shall stop immediately and a qualified archaeologist and a representative of the Native American Heritage Commission shall be consulted to develop, if necessary, further mitigation measures to reduce any archaeological impact to a less-than-significant level before construction continues.

Entities Responsible for Ensuring Compliance:

- City of Sacramento, Department of Neighborhoods, Planning & Development, Parks, Trees and Landscape Architecture Division and Office of Environmental Affairs.

Monitoring Program:

Prior to Construction: At the project specific review level, the City of Sacramento NPDS Office of Environmental Affairs shall ensure that the above mitigation measures are referenced as mitigation measures or conditions of the project prior to approval of final construction drawings.

During Construction: The NPDS Parks, Trees and Landscape Architecture Division shall insure that the construction inspectors assigned to the project have the telephone number of the assigned archaeologist in the project records. The archaeologist shall monitor the construction site during the excavation of the site to monitor for buried cultural resources. In the event that any artifacts are located in the excavation, the inspector shall verify that all work has ceased and that the required investigations completed prior to work re-commencing on the site.

Mitigation 6.8-2

Historic/Cultural Resources

The following mitigation measure should be applied to all Parkway development projects at the project specific environmental review level in order to reduce the potential impact to prehistoric resources to a less-than-significant level.

1. A qualified archeologist shall be retained by the project sponsor to monitor all subsurface excavations during construction and to assess and record any subsurface artifacts or features that might be unearthed.
2. If subsurface archaeological or historical remains (including unusual amounts of bones, stones, or shells) are discovered during excavation or construction of the site, work in the affected area shall stop immediately and a qualified archaeologist and a representative of the Native American Heritage Commission shall be consulted to develop, if necessary, further mitigation measures to reduce any archaeological impact to a less-than-significant level before construction continues.

Entities Responsible for Ensuring Compliance:

- City of Sacramento, Department of Neighborhoods, Planning & Development, Parks, Trees and Landscape Architecture Division and the Office of Environmental Affairs.

Monitoring Program:

Prior to Construction: At the project specific review level, the City of Sacramento NPDS Office of Environmental Affairs (OEA) shall ensure that the above mitigation measures are referenced as mitigation measures or conditions of the project prior to approval of final construction drawings.

During Construction: The NPDS Parks, Trees and Landscape Architecture Division shall insure that the construction inspectors assigned to the project have the telephone number of the assigned archaeologist in the project records. The archaeologist shall monitor the construction site during the excavation of the site to monitor for buried cultural resources. In the event that any artifacts are located in the excavation, the inspector shall verify that all work has ceased and that the required investigations completed prior to work re-commencing on the site.

POTENTIAL CONFLICTS BETWEEN USES AND SAFETY MITIGATION MEASURES

Mitigation 6.9-1 Public Safety and Security of Private Property

In accordance with the Findings of Fact for this project, the following mitigation measure has been determined to reduce program level impacts but not a less than significant level:

1. Prior to implementation of new portions of the trail or bikeway, the policies and mitigation measures of the recently adopted 2010 Bikeway Master Plan shall be incorporated into the design. These policies include:

When necessary to prevent trespassing and to protect adjacent property, trail corridors shall be fenced at the time the project is developed (Chapter 3, Page 7, 2010 Bikeway Master Plan)

Recognize private property rights and the safety of bicyclists when locating off-street bikeways (Chapter 5, Page 9, 2010 Bikeways Master Plan).

Entities Responsible for Ensuring Compliance:

- The City of Sacramento, Department of Neighborhoods, Planning and Development Services, Office of Environmental Affairs, and Parks, Trees and Landscape Architecture Division.
- The City of Sacramento, Public Works Department, Technical Services Division.

Monitoring Program for Off-street Trails:

Project Specific Design Phase: Prior to approval of any design plans for construction or alteration of off-street trails, the proposed design shall be reviewed for consistency with the adopted Parkway Plan policies, and the policies of the adopted 2010 City County Bikeways Master Plan by NPDS and the PWD Technical Services Division. The Office of Environmental Affairs (OEA) shall determine if additional project specific mitigation measures may be required.

Construction Phase: All mitigation measures and project conditions shall be reflected in the final project design prior to the City Council authorizing bidding or construction of the project. The trail shall be constructed in accordance with the adopted standards and designations of the adopted 2010 City/County Bikeway Master Plan and approved by City of Sacramento. The NPDS, Parks, Trees and Landscape Architecture Division shall verify that these steps have been undertaken.

Mitigation 6.9-2 Conflict of Land Uses

In accordance with the Findings of Fact for this project, the following mitigation measures have been determined to reduce program level impacts but not a less than significant level:

- 1) Prior to any Parkway Plan project specific development, the following conditions shall be met prior to the off-street trail being developed in the Area:
 - a. The trail will not significantly impact native riparian habitat;
 - b. All feasible security and privacy measures will be implemented,
- 2) Where access points are near or adjacent to residential areas, residential street parking shall be monitored and if warranted, resident preferential parking system restrictions shall be instituted and enforced.

Entities Responsible for Ensuring Compliance:

- The City of Sacramento, Department of Neighborhoods, Planning and Development Services, Office of Environmental Affairs (OEA), and Parks, Trees and Landscape Architecture Division.
- The City of Sacramento, Public Works Department, Technical Services Division.

Monitoring Program

Project Specific Design Phase: Prior to project specific development of any section of the proposed a riverfront trail, the Office of Environmental Affairs (OEA) shall make an environmental determination and specific findings that the proposed trail project will not significantly affect riparian habitat and that all feasible security and privacy measures will be implemented. Additionally, the OEA shall determine if additional project specific mitigation measures are be required. The NPDS Parks, Trees and Landscape Architecture Division shall ensure that the design of the trail includes all feasible measures to reduce privacy and land use conflicts.

Construction Phase: All mitigation measures shall be reflected in the final project design prior to the City Council authorizing bidding or construction of the project. The trail shall be constructed in accordance with the adopted standards and designations of the adopted 2010 City/County Bikeway Master Plan, and any additional project specific mitigation measures. The PWD Technical Services Division shall verify that these steps have been undertaken.

**PARKWAY PLAN PROGRAM LEVEL EIR
MITIGATION RESPONSIBILITY SUMMARY WORKSHEET**
(Review Specific Mitigation Monitoring Program Text for Full Implementation and Monitoring Responsibility)

Mitigation Measure	NPDS Office of Environmental Affairs	NPDS Parks, Trees and Landscape Architecture	PWD, Technical Services Section	Department of Utilities, Water and Sewer Division	California Fish and Game	U S Fish and Wildlife Service
Mitigation 6.2-2 Bikeway and Trail Safety	Conduct project specific environmental review	Ensure design meets Bikeway Master Plan and Parkway Plan policies	Ensure design meets Bikeway Master Plan and Parkway Plan policies			
Mitigation 6.3-4 Construction Dust and Particulate Matter	Conduct project specific environmental review	Ensure project specific mitigation measures and dust control measures are incorporated into design and construction.				
Mitigation 6.4-1 Noise Generation	Conduct project specific environmental review	Ensure project specific mitigation measures and noise control measures are incorporated into project design and construction.				
Mitigation 6.5-3 Swainson's Hawk	Conduct project specific environmental review and coordination with USFWS and CDFG mitigation requirements	Ensure project specific mitigation measures and specific habitat protection measures are incorporated into project design and construction.			Coordination and development of project specific mitigation requirements	Coordination and development of project specific mitigation requirements

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PARKWAY PLAN PROGRAM LEVEL EIR

MITIGATION RESPONSIBILITY SUMMARY WORKSHEET

(Review Specific Mitigation Monitoring Program Text for Full Implementation and Monitoring Responsibility)

Mitigation Measure	NPDS Office of Environmental Affairs	NPDS Parks, Trees and Landscape Architecture	PWD, Technical Services Section	Department of Utilities, Water and Sewer Division	California Fish and Game	U S Fish and Wildlife Service
Mitigation 6.5-4 Special Status Species (VELB)	Conduct project specific environmental review and coordination with USFWS and CDFG mitigation requirements	Ensure project specific mitigation measures and specific habitat protection measures are incorporated into project design and construction.			Coordination and development of project specific mitigation requirements	Coordination and development of project specific mitigation requirements
Mitigation 6.5-5 Shaded Riverine Aquatic (SRA) Habitat	Conduct project specific environmental review and coordination with USFWS and CDFG mitigation requirements	Ensure project specific mitigation measures and specific habitat protection measures are incorporated into project design and construction.		Coordinate and incorporate project specific water quality mitigation measures with aquatic habitat protection measures.	Coordination and development of project specific mitigation requirements	Coordination and development of project specific mitigation requirements
Mitigation 6.5-6 Loss of Aquatic Habitat and Fisheries	Conduct project specific environmental review and coordination with USFWS and CDFG mitigation requirements	Ensure project specific mitigation measures and specific habitat protection measures are incorporated into project design and construction.		Coordinate and incorporate project specific water quality mitigation measures with aquatic habitat protection measures.	Coordination and development of project specific mitigation requirements	Coordination and development of project specific mitigation requirements

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**PARKWAY PLAN PROGRAM LEVEL EIR
MITIGATION RESPONSIBILITY SUMMARY WORKSHEET**
(Review Specific Mitigation Monitoring Program Text for Full Implementation and Monitoring Responsibility)

Mitigation Measure	NPDS Office of Environmental Affairs	NPDS Parks, Trees and Landscape Architecture	PWD, Technical Services Section	Department of Utilities, Water and Sewer Division	California Fish and Game	U S Fish and Wildlife Service
Mitigation 6.5-7 Delta Smeit and Winter Run Chinook Salmon	Conduct project specific environmental review and coordination with USFWS and CDFG mitigation requirements	Ensure project specific mitigation measures and specific habitat protection measures are incorporated into project design and construction.		Coordinate and incorporate project specific water quality mitigation measures with aquatic habitat protection measures.	Coordination and development of project specific mitigation requirements	Coordination and development of project specific mitigation requirements
Mitigation 6.6-1 Run-off and Erosion Control for Public Access Routes and Parking	Conduct project specific environmental review	Ensure project specific erosion control measures are incorporated into project design and construction.		Assist in the development of project specific mitigation measures and coordination with the Reclamation Board requirements to reduce erosion		

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**PARKWAY PLAN PROGRAM LEVEL EIR
MITIGATION RESPONSIBILITY SUMMARY WORKSHEET**
(Review Specific Mitigation Monitoring Program Text for Full Implementation and Monitoring Responsibility)

Mitigation Measure	NPDS Office of Environmental Affairs	NPDS Parks, Trees and Landscape Architecture	PWD, Technical Services Section	Department of Utilities, Water and Sewer Division	California Fish and Game	U S Fish and Wildlife Service
Mitigation 6.6-2 Construction Water Quality Impacts	Conduct project specific environmental review	Ensure project specific mitigation measures and water quality measures are incorporated into project design and construction.		Assist in the development of project specific mitigation measures and Best Management Practices in accordance with the City's NPDES program.		
Mitigation 6.6-4 Litter	Conduct project specific environmental review	Ensure project specific mitigation measures are incorporated into project design, construction and the on-going facility maintenance program for the project.				
Mitigation 6.7-3 Flood Risk and Public Safety	Conduct project specific environmental review	Ensure project specific mitigation measures are incorporated into project design, construction and the on-going facility maintenance program for the project.				

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**PARKWAY PLAN PROGRAM LEVEL EIR
MITIGATION RESPONSIBILITY SUMMARY WORKSHEET**

(Review Specific Mitigation Monitoring Program Text for Full Implementation and Monitoring Responsibility)

Mitigation Measure	NPDS Office of Environmental Affairs	NPDS Parks, Trees and Landscape Architecture	PWD, Technical Services Section	Department of Utilities, Water and Sewer Division	California Fish and Game	U S Fish and Wildlife Service
Mitigation 6.8-1 Prehistoric Resources	Conduct project specific environmental review and ensure mitigation measures are included in design and construction specifications.	Ensure project specific mitigation measures are incorporated into the construction documents and the on-going construction inspection program for the project.				
Mitigation 6.8-2 Historic/Cultural Resources	Conduct project specific environmental review and ensure mitigation measures are included in design and construction specifications.	Ensure project specific mitigation measures are incorporated into the construction documents and the on-going construction inspection program for the project.				
Mitigation 6.9-1 Public Safety and Security of Private Property	Conduct project specific environmental review	Ensure design meets Bikeway Master Plan and Parkway Plan policies	Ensure design meets Bikeway Master Plan and Parkway Plan policies			
Mitigation 6.9-2 Conflict of Land Uses	Conduct project specific environmental review	Ensure design meets Bikeway Master Plan and Parkway Plan policies	Ensure design meets Bikeway Master Plan and Parkway Plan policies			

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