Swanston Station Transit Village Specific Plan Final Environmental Impact

SCH # 2007062130

Prepared for:

City of Sacramento

August 2009

Swanston Station Transit Village Specific Plan Final Environmental Impact Report

SCH # 2007062130

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CHAPTER 1 INTRODUCTION

Chapter 1 Introduction

1.1 PURPOSE OF THIS DOCUMENT

This document includes all agency and public comments received on the Draft Environmental Impact Report (Draft EIR) for the proposed Swanston Station Transit Village Specific Plan (proposed project). Written comments were received by the City of Sacramento during the public comment period held from February 23, 2009 to April 24, 2009. This document includes written responses to substantive comments received on the adequacy of the Draft EIR. The responses correct, clarify, and amplify text in the Draft EIR, as appropriate. These changes do not alter the conclusions of the Draft EIR.

This document also provides revisions to the Draft EIR made in response to comments, staff review, and/or changes to the proposed project.

This Final EIR document has been prepared in accordance with the California Environmental Quality Act (CEQA) and together with the Draft EIR (and Appendices) constitutes the EIR for the proposed project.

1.2 SUMMARY OF THE PROPOSED PROJECT

Project Overview

The project proposes adoption and implementation of the proposed Swanston Station Transit Village Specific Plan (proposed Swanston TVSP project) and approval of related entitlements. The proposed project is a long-range urban design and implementation plan that guides public and private improvements in the Swanston TVSP project area over the next 20-25 years and beyond. At the heart of the specific plan area is the Swanston Light Rail Station along the Sacramento Regional Transit District's Northeast Corridor. The Swanston TVSP project area is roughly bounded by El Camino Avenue on the north, Arden Way on the south, and the Capital City Freeway (Business 80) on the east. Beaumont and Erickson Streets define the western edge of the Swanston TVSP project area. The proposed Swanston TVSP project addresses land use, traffic and circulation, infrastructure, financing strategies, and implementation measures that are needed to support the vision for future development and investment in the Swanston TVSP project area.

The Swanston TVSP proposes new land use designations and zoning for the project area. The City of Sacramento approved the 2030 General Plan subsequent to the preparation and public review of the Draft EIR for the Swanston Station Transit Village Specific Plan. Because the General Plan update was underway concurrently with the Swanston TVSP, the General Plan designations within the project area are varied and reflect the mixture of uses recommended in the Swanston TVSP. In general, the new

General Plan land use designations accommodate the uses and intensities proposed in the Swanston TVSP.

The proposed Swanston TVSP project area is divided into two areas. The smaller area, the Strategic Plan area, is expected to develop first, with planned buildout for this area occurring around 2025. The remainder of the Swanston TVSP area, the Long-Term Plan area, is expected to develop after 2025. Because this project is a specific plan, the analyses include assumptions about the level of development that could occur within these respective areas. Development within the Strategic Plan area is based on the development assumptions derived in a market analysis prepared for the Swanston Station Specific Plan. For the Long-Term Plan area, the assumptions are based on the proposed land uses and the amount of development that would be allowed, based on the proposed zoning.

Project Approval

This Environmental Impact Report (EIR) has been prepared to assess the potential environmental impacts associated with construction and implementation of the proposed project in accordance with the principles, goals, and policies set forth in the Specific Plan. As required under the CEQA, the Draft EIR evaluates and describes potentially significant environmental impacts, identifies mitigation measures to avoid or reduce the significance of potential impacts, and evaluates the comparative effects of potentially feasible alternatives to the proposed Specific Plan.

Project approval requires the City of Sacramento to approve the proposed project and to issue required City permits or affirm compliance with other agency requirements. Below are summarized the discretionary actions sought by the project applicant for the Swanston TVSP project that the City of Sacramento will consider during its review. The City actions associated with the approval of this project are:

- certification of an EIR pursuant to the California Environmental Quality Act and associated Guidelines;
- adoption of findings of fact and statement of overriding considerations;
- adoption of a Mitigation Monitoring Plan;
- adoption of the Swanston Station Specific Plan;
- approval of a General Plan Amendment designating property within the Specific Plan area as Residential Mixed Use (46.5± gross acre.) and Mixed Use. (187± gross acre);
- approval of a zoning amendment to rezone certain property within the Specific Plan area to Residential Mixed Use Transit Overlay (RMX [TO]) or General Commercial Transit Overlay (C-2 [TO]).
- approval of amendments to Chapter 17.178 Transit Overlay Zone relating to Specific Plan area setbacks.

In addition to the approvals required from the City of Sacramento, development of the proposed project would require entitlements, approvals, and permits from other local and state agencies. Such other project approvals may include, but are not limited to the following:

- California Air Resources Board,
- Sacramento Air Quality Management District,
- State Water Resources Control Board,
- Central Valley Regional Water Quality Control Board, and
- Sacramento Housing and Redevelopment Agency.

In addition to the above agencies, the California Department of Fish and Game has been identified as a trustee agency with potential jurisdiction over the proposed Swanston TVSP project. The U.S. Army Corps of Engineers (Corps) may also have permitting authority over a drainage that potentially could be a wetland in the Swanston TVSP project area.

1.3 DOCUMENT ORGANIZATION

The Final EIR is organized as follows:

Chapter 1 – Introduction: This chapter summarizes the project under consideration and describes the contents of the Final EIR.

Chapter 2 – Index to Comments and Responses: This chapter provides an index of all of the comments received on the Draft EIR and where responses to each of the comments can be found within the Final EIR. This chapter also contains a list of all of the agencies or persons who submitted comments on the Draft EIR during the public review period, ordered by date.

Chapter 3 – Changes to the Draft EIR Text and Figures: This chapter summarizes the text changes to the Draft EIR. These revisions are in response to comments made on the Draft EIR and staff-initiated text changes. Changes in this chapter also acknowledge that the City has adopted a new General Plan and that prior information contained in the Draft EIR specifically related to consistency with plan policies and the No Project Alternatives are no longer relevant. Changes to the text of the Draft EIR are shown by either a line through the text that has been deleted or underlining where new text has been inserted. The revisions contain clarification, amplification, and corrections that have been identified since publication of the Draft EIR. The text revisions do not result in substantive changes in the analysis and conclusions presented in the Draft EIR.

Chapter 4 – Comment Letters and Responses to Comments: This chapter contains the comment letters received on the Draft EIR. Each comment letter is presented with brackets indicating how the letter has been divided into individual comments. Each comment is given a binomial with the letter number appearing first, followed by the comment number. For example, comments in Letter 1 are

numbered 1-1, 1-2, 1-3, and so on. Following each bracketed letter are the responses to that comment letter.

1.4 PUBLIC PARTICIPATION AND REVIEW

The City of Sacramento notified all responsible and trustee agencies and interested groups, organizations, and individuals that the Draft EIR on the proposed project was available for review. The following list of actions took place during the preparation, distribution, and review of the Draft EIR:

- A Notice of Preparation (NOP) for an EIR was filed with the State Clearinghouse on June 29, 2007. The 30-day public review comment period for the NOP ended on July 30, 2007.
- A Notice of Completion (NOC) and copies of the Draft EIR were filed with the State Clearinghouse on February 18, 2009. An official 45-day public review period for the Draft EIR was established by the State Clearinghouse, ending on April 24, 2009 and a Notice of Availability (NOA) was distributed to interested groups, organizations, and individuals.

CHAPTER 2 INDEX TO COMMENTS AND RESPONSES

Chapter 2

Index to Comments and Responses

Six comment letters addressing the Draft EIR were received. Each written comment letter has been assigned a letter number and a comment number which corresponds with the specific issue identified in the letters (Comment 2.3 refers to the third comment identified in Comment Letter #2 as identified in the list of commenters).

The City prepared responses addressing all comments relating to each substantive issue. Each of these responses provides some background regarding the specific issue, how the issue was addressed in the Draft EIR, and additional clarification and explanation as appropriate in response to the concerns raised in the comments. An index is included below to assist the commenter in determining where the response to his or her specific comment is located in Chapter 4.

- 1. Matthew G. Darrow, Sacramento County Department of Transportation
- 2. Elizabeth Obon, Sacramento Regional County Sanitation District
- 3. Keith G. Wagner, Sacramento Audubon Society
- 4. Moses Stites, California Public Utilities Commission
- 5. Nancy Bosley
- 6. Terry Roberts, Governor's Office of Planning and Research

CHAPTER 3 CHANGES TO THE DRAFT EIR

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Chapter 3 Changes to the Draft EIR

3.1 Introduction

This chapter presents minor corrections and revisions made to the Draft EIR initiated by the public, staff, and/or consultants based on their on-going review. New text is indicated in <u>underline</u> and text to be deleted is reflected by a strike through. Text changes are presented in the page order in which they appear in the Draft EIR.

The changes identified below are clarifications or amplification of the information and analysis contained in the Draft EIR. None of the changes identified below results in a significant impact that was not already identified in the Draft EIR. Furthermore, none of the impacts identified in the Draft EIR were found to be substantially more severe as the result of the following revisions. For these reasons, recirculation of the Draft EIR is not warranted.

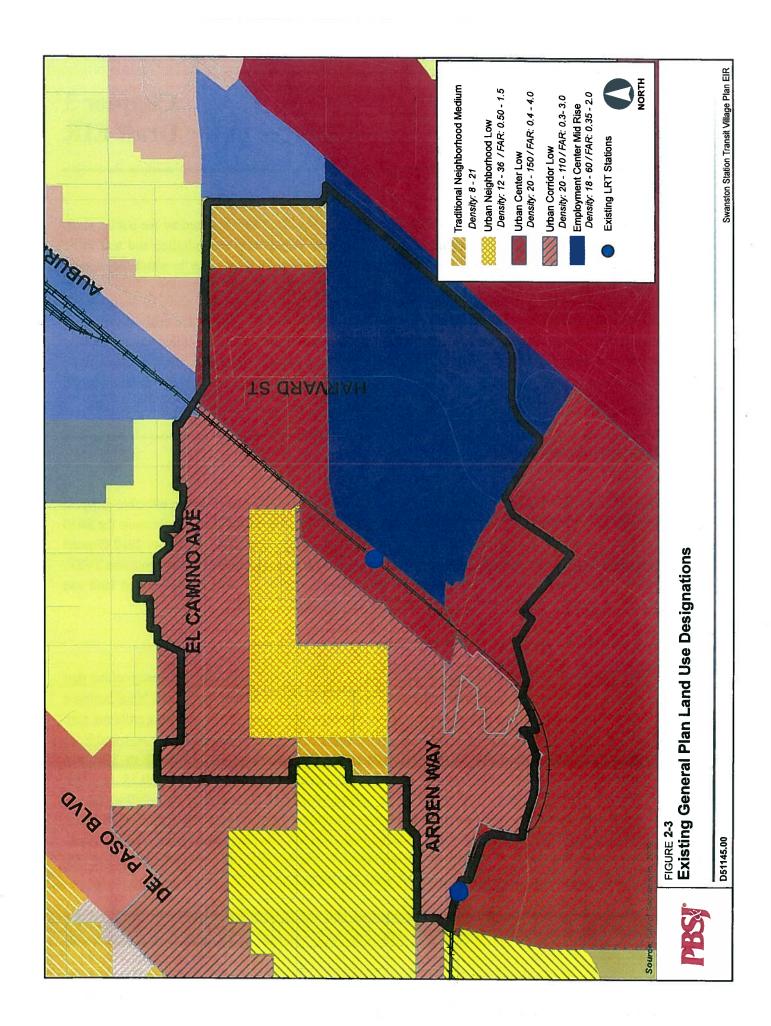
3.2 DRAFT EIR REVISIONS

The City Council approved the 2030 General Plan in March 2009, and the Plan became effective in April. The analysis in the Swanston TVSP Draft EIR was based on the 1988 General Plan. Because the 2030 General Plan was underway concurrently with the processing of the Swanston TVSP, the 2030 General Plan designations within the project area reflect the mixture of land uses proposed in the Swanston TVSP. As a result, the proposal in the Draft EIR for the Swanston TVSP to amend project area land use designations to Residential Mixed Use and Mixed Use are no longer relevant.

Page 2-4, paragraphs 1 and 2 are revised as follows:

As illustrated in Figure 2-3, the City of Sacramento's General Plan land use designations that became effective April 2009 for the Swanston TVSP project area are Traditional Neighborhood Medium (8-21 dwelling units per acre); Urban Neighborhood Low (12-36 dwelling units per acre and FAR of 05.-1.5); Urban Center Low, which permits 20-150 dwelling units per acre and FAR of 0.4-4.0; Urban Corridor Low (20-110 dwelling units per acre and FAR 0.3 to 3.0); and Employment Center Mid-Rise (18-60 dwelling units per acre and FAR 0.35 to 2.0). Commerce/Neighborhood Commercial and Office, Regional Commercial and Office, Heavy Commercial/Warehouse, Industrial Employee Intensive, Low Density Residential, Medium Density Residential, Parks Recreation Open Space, Special Planning District, and Public/Quasi-Public Miscellaneous. As shown in Figure 2-4, the project area is currently zoned for commercial, office, industrial, residential, and open space uses.

While $t\underline{T}$ he above lists of land use designations and zoning districts suggest a diverse land use mix within the Swanston TVSP project area., Figures 2-3 shows that the land use designations are



similar to those proposed by the Swanston TVSP, because the General Plan update and the Swanston TVSP preparation occurred concurrently, and Figure 2-4 shows the area to be planned and zoned predominantly for heavy commercial and manufacturing type uses, with general commercial uses primarily along El Camino Avenue; and residential areas concentrated in the western portion of the project area along Dixieanne Avenue and in the eastern portion between El Camino Avenue and Silica Avenue.

Page 2-26, paragraph 2, sentence 4 is revised as follows:

The SRWTP currently has a permitted capacity of 181 million gallons per day (mgd), with flows of approximately 155 mgd. Development that could occur within the Strategic Plan area would generate a net increase of 0.07 mgd of dry weather flows. The SRWTP has adequate capacity to serve the full project Swanston TVSP project development.

Pages 4-2, 4-4, and 4-7 regarding the City of Sacramento General Plan are deleted and replaced by the following text that reflects the 2030 General Plan that was adopted in March 2009 and became effective in April 2009.

City of Sacramento General Plan

The land use goals and policies from the General Plan that are applicable to the Swanston Station Transit Village Specific Plan are listed below.

Goal LU2.1 City of Neighborhoods. Maintain a city of diverse, distinct, and well-structured neighborhoods that meet the community's needs for complete, sustainable, and high-quality living environments, from the historic downtown core to well-integrated new growth areas.

Policies

LU 2.1.6 Neighborhood Enhancement. The City shall promote infill development, redevelopment, rehabilitation, and reuse efforts that contribute positively (e.g., architectural design) to existing neighborhoods and surrounding areas. (RDR)

Goal LU2.5 City Connected and Accessible. Promote the development of an urban pattern of well-connected, integrated, and accessible neighborhoods corridors, and centers.

Policies

LU 2.5.1 Connected Neighborhoods, Corridors, and Centers. The City shall require that new development, both infill and greenfield, maximizes connections and minimizes barriers between neighborhoods corridors, and centers within the city. (RDR)

Goal LU2.6 City Sustained and Renewed. Promote sustainable development and land use practices in both new development and redevelopment that provide for the transformation of Sacramento into a sustainable urban city while preserving choices (e.g., where to live, work, and recreate) for future generations.

Policies

LU 2.6.1 Sustainable Development Patterns. The City shall promote compact development patterns, mixed use, and higher-development intensities that use land efficiently; reduce pollution and automobile dependence and the expenditure of energy and other resources; and facilitate walking, bicycling, and transit use, (RDR)

Goal LU 4.1 Neighborhoods. Promote the development and preservation of neighborhoods that provide a variety of housing types, densities, and designs and a mix of uses and services that address the diverse needs of Sacramento residents of all ages, socio-economic groups, and abilities.

Policies

LU 4.1.1 Mixed-Use Neighborhoods. The City shall require neighborhood design that incorporates a compatible and complementary mix of residential and nonresidential (e.g., retail, parks, schools) uses that address the basic daily needs of residents and employees. (RDR)

LU 4.1.9 Residential Diversity. The City shall avoid concentrations of single-use highdensity multifamily residential uses (e.g., apartments and condominiums) in existing or new neighborhoods. (RDR)

As illustrated in Figure 4-2, the 2030 General Plan land use designations for the Swanston TVSP project area are Traditional Neighborhood Medium (8-21 dwelling units per acre); Urban Neighborhood Low (12-36 dwelling units per acre and FAR of 05.-1.5); Urban Center Low, which permits 20-150 dwelling units per acre and FAR of 0.4-4.0; Urban Corridor Low (20-110 dwelling units per acre and FAR 0.3 to 3.0); and Employment Center Mid-Rise (18-60 dwelling units per acre and FAR 0.35 to 2.0).

Page 4-19 through page 4-23, including Table 4-1, regarding the Swanston TVSP consistency with the City of Sacramento General Plan is replaced to reflect the 2030 General Plan.

City of Sacramento General Plan and Smart Growth Principles

General Plan Consistency. The land use designations shown in Figure 4-2 indicate visions of a mixed use, transit oriented development, which is consistent with the proposals in the Swanston Station Transit Village Specific Plan.

Table 4-1 below contains a more detailed, policy-by-policy assessment of the consistency of the Swanston Station Specific Plan with relevant General Plan policies. In general, development within the Strategic Plan area would accommodate the development that could occur based on a market overview and begin to make the circulation, infrastructure, and open space improvements envisioned by the Swanston Station Specific Plan at buildout. Development in this area is the critical first step towards creating a vibrant transit village. As such, comments made below in Table 4-1 regarding the consistency of development within the proposed Strategic Plan area with the 2009 adopted Sacramento General Plan would be applicable to the Long-Term Plan area as well.

Table 4-1 Consistency of the Swanston Station Specific Plan with Relevant Sacramento General Plan Policies

Consistency with

General Plan Policy Development Proposed in the Strategic Plan Area

Consistency with

Development Proposed
in the Long-Term Plan Area

Land Use and Urban Design Element

Goal LU2.1 City of Neighborhoods. Maintain a city of diverse, distinct, and well-structured neighborhoods that meet the community's needs for complete, sustainable, and high-quality living environments, from the historic downtown core to well-integrated new growth areas.

LU 2.1.6 Neighborhood
Enhancement. The City shall promote infill development, redevelopment, rehabilitation, and reuse efforts that contribute positively (e.g., architectural design) to existing neighborhoods and surrounding areas. (RDR)

The proposed TO zoning regulations contain additional development standards to enable residential uses to be more compatible with commercial and rail operations. Furthermore, the TO regulations require plan review by the City Planning Director to further ensure appropriate design features are incorporated to protect residential uses. In general, the Strategic Plan area is predominantly residential with a fine-grained development pattern, and future development is to respect the smallscale character of the Dixieanne neighborhood.

The urban design concept seeks to protect the residential character within and surrounding the project area. In particular, lower density, smaller-scale residential uses are located near the existing neighborhoods of Dixieanne, South Hagginwood, and Ben Ali. Specifically, Swanston Station Specific Plan Design Guideline 2Aiv-2 calls for future development to "respect the scale and grain of existing residential developments in the Dixieanne and Ben Ali neighborhoods with the massing and scale of new residential development." Further, Swanston Station Specific Plan Design Guideline 2Ax-4 seeks to "encourage primarily residential uses west of the tracks between Arden Way and El Camino Avenue."

Goal LU2.5 City Connected and Accessible. Promote the development of an urban pattern of well-connected, integrated, and accessible neighborhoods corridors, and centers.

LU2.5.1ConnectedNeighborhoods, Corridors, andCenters. The City shall require

Circulation improvements are proposed that would serve as the initial building blocks for a

Development envisions a major transit plaza and promenades that would define Swanston Station as a

Table 4-1 Consistency of the Swanston Station Specific Plan with Relevant Sacramento General Plan Policies

General Plan Policy

Consistency with Development Proposed in the Strategic Plan Area

Consistency with Development Proposed in the Long-Term Plan Area

that new development, both infill and greenfield, maximizes connections and minimizes barriers between neighborhoods corridors, and centers within the city. (RDR)

comprehensive circulation network that would enhance accessibility to Swanston Station.

major destination in the Specific Plan area.

Goal LU2.6 City Sustained and Renewed. Promote sustainable development and land use practices in both new development and redevelopment that provide for the transformation of Sacramento into a sustainable urban city while preserving choices (e.g., where to live, work, and recreate) for future generations.

Policy LU 2.6.1 Sustainable
Development Patterns. The City
shall promote compact development
patterns, mixed use, and higherdevelopment intensities that use land
efficiently; reduce pollution and
automobile dependence and the
expenditure of energy and other
resources; and facilitate walking,
bicycling, and transit use.

The land use designations would allow mixes of residential, retail, and office land uses that could support transit operations.

The Long-Term Plan area encompasses much of the area within ¼ mile of the Swanston Station. Much of the existing land uses shown in Figure 4-1 are vacant or underutilized. Major land use changes in this area would accommodate much more intensive land uses, consistent with the General Plan designations. Policy C1 under Planning Strategy C "Maximize TOD Potential" of the Swanston Station Specific Plan encourages the City to "allow for higher-density, market-friendly, nonauto-oriented development near transit, by reducing parking requirements and associated building costs and allowing for more development."

Goal LU 4.1 Neighborhoods. Promote the development and preservation of neighborhoods that provide a variety of housing types, densities, and designs and a mix of uses and services that address the diverse needs of Sacramento residents of all ages, socio-economic groups, and abilities.

Policy LU 4.1.1 Mixed-Use
Neighborhoods. The City shall
require neighborhood design that
incorporates a compatible and
comprehensive mix of residential
and nonresidential (e.g., retail, parks,
and schools) uses that address the
basic daily needs of residents and
employees.

The proposed land uses for the
Strategic Plan area would allow for the
development of residential mixed use
development that supports a mix of
residential densities, as well as
commercial and office uses.

The proposed land uses for the Long-Term Plan area would allow for the development of a mixture of residential, office, commercial, and open space land uses. The Swanston Specific Plan is intended to promote coordinated and cohesive site planning that maximizes transit supportive land uses.

Policy LU 4.1.9 Residential
Diversity. The City shall avoid
concentrations of single-use highdensity multifamily residential uses

Table 4-1 Consistency of the Swanston Station Specific Plan with Relevant Sacramento General Plan Policies

Consistency with

Development Proposed
in the Strategic Plan Area

Consistency with
Development Proposed
in the Long-Term Plan Area

General Plan Policy

(e.g., apartments and condominiums) in existing or new neighborhoods.

Source: MIG, 2009. PBS&J, 2008.

Page 6.3-1, paragraph 1, new text inserted before the last sentence in the paragraph:

In addition, information from the Sacramento Audubon Society has been used to supplement background data on the bird species in the Swanston TVSP project area.¹

Airola, D.A., D. Kopp and S. Kostka, Purple Martin population status and colonization patterns in the Sacramento Region in 2004, Central Valley Bird Club Bulletin 7:71-77, 2004; Airola, D.A., and B.D.C. Williams, Purple Martin (*Progne subis*). *In*: California Bird Species of Special Concern: A ranked assessment of species, subspecies, and distinct populations of birds of immediate conservation concern in California, W.D. Shuford and T. Gardali (editors), Studies of Western Birds 1. Western Field Ornithologists, 2008; Airola, D.A., D. Kopp, and K. Thomas, Population status, reproduction, and mortality of Purple Martins in Sacramento during 2007, Central Valley Bird Club Bulletin 11:25-36, 2008.

Page 6.3-1, paragraph 3, sentence 1 has been revised as follows:

The only recorded occurrences of a special-status species within the Swanston TVSP project area is purple martin, a bird that nests under the El Camino Avenue and Arden Way overcrossings.

Page 6.3-5, Table 6.3-1, second row was deleted as follows (only part of Table 6.3-1 has been reproduced to show the revised text):

Table 6.3-1 Special Status Species Potentially Occurring within Swanston Station Transit Village Specific Plan Area

Common Name Scientific Name

Status Fed/CA/CNPS

Habitat

Likelihood of Occurrence Within the Swanston TVSP Project Area

Birds

Table 6.3-1 Special Status Species Potentially Occurring within Swanston Station Transit Village Specific Plan Area

Common Name	Scientific Name	Status Fed/CA/CNPS	Habitat	Likelihood of Occurrence Within the Swanston TVSP Project Area
Burrowing owl	Athene cunicularia	FSC/CSC/none	Grasslands, open areas near human habitation; nests in old burrows of ground squirrels or other small mammals.	Low. The Swanston TVSP project area provides potential foraging habitat for this species, and ground squirrel burrows provide suitable nesting habitat.
Cooper's hawk	Accipiter cooperi	none/CSC/ none	Dense stands of live oak and riparian deciduous forest, frequently near water; nest in deciduous trees along riparian areas near streams.	Low. The Swanston TVSP project area does not provide suitable nesting habitat for this species. However, the Swanston TVSP project area does provide potential foraging habitat.
Swainson's hawk	Buteo swainsoni	none/ST/none	Grasslands and cultivated lands with scattered trees; nests in large trees or open riparian forest.	Low (nesting). Suitable nest trees are present along the street trees in the Swanston TVSP project area. Vacant lots in the Swanston TVSP project area provide potential foraging habitat for this species.

Page 6.3-7, paragraph 2 has been revised as follows:

Cooper's Hawk. Cooper's hawk (Accipiter cooperii) is a CDFG Species of Special Concern that breeds throughout most of the wooded portion of the state—from sea level to above 2700 m (0-9000 ft)—and most frequently inhabits dense stands of live oak, riparian deciduous, or other forest habitats near water. While there is no suitable nesting habitat in the Swanston TVSP project area, there is suitable foraging habitat for this species, which has been recorded approximately three miles from the project area. However, given the discontinuous patches of ruderal vegetation within the undeveloped lots, their small size (less than approximately two acres), and the high level of urban disturbance, the Swanston TVSP project area does not provide significant foraging habitat for this species.

Page 6.3-8, paragraph 2, last two sentences have been revised as follows:

There <u>are is a colonyies</u> of purple martins that <u>are is known to use the underside of the El Camino Avenue and the Arden Way overcrossings within the Swanston TVSP project area. Thise area by the El Camino Avenue overpass has been used by purple martins since 2002 and at least 20 pairs were observed in a 2007 survey (Dan Airola, 2007). <u>Similarly, the Arden Way overpass has supported 3 to 13 nesting pairs from 2004 through 2008 (Dan Airola et al, 2004, 2008).</u></u>

Page 6.3-17, under Impact BIO-3, paragraph 2, new text after sentence 5 is inserted as follows:

In addition, a nesting colony uses the Arden Way overpass. Surveys between 2004 and 2008 identified 3 to 13 nesting pairs supported by this bridge.

Page 6.3-17, under Impact BIO-3, paragraph 2, new text before the last sentence is inserted as follows:

At the Arden Way overpass, the Swanston TVSP project proposes sidewalk improvements on both sides of the road, and a transit plaza and promenade on the north side of the overpass. Construction of these improvements could affect the purple martins in a manner similar to those effects identified for the purple martins using the El Camino Avenue bridge.

Page 6.3-17, Mitigation Measure BIO-3.1 has been revised as follows:

BIO-3.1 Construction Limits Around the Purple Martin Nests. Although purple martins are tolerant of human activities, if active nests are present, no construction shall be conducted within 120 feet of the edge of the purple martin colony (determined by the closest active nest hole to the construction activity) during the beginning of the purple martin breeding season from March 15 to May 15 April 1 to August 1. The buffer area shall be avoided to prevent destruction or disturbance of the nest(s) or until it is no longer active, as determined by a biologist experienced in working with purple martins. In addition, no equipment taller than 9 feet in height shall be parked or stored beneath the El Camino Avenue or Arden Way overcrossings within 100 horizontal feet of nest holes from April 15 to July 31.

Page 6.10-3, paragraph 1, references to sanitation providers are revised as follows:

from "Sacramento Regional County Services District" to "Sacramento Regional County Sanitation District"

from "Sacramento County Sanitation District" to "Sacramento Area Sewer District"

Page 6.10-4, paragraph 2, reference to sanitation provider is revised as follows:

from "Sacramento Regional County Services District" to "Sacramento Regional County Sanitation District"

Page 6.10-32, under Impact UT-7, paragraph 1, is revised as follows:

At buildout, development that could occur in the Long-Term Plan area would generate a net increase of approximately 0.577 mgd of wastewater (Table 6.10-15). As the SRWTP currently treats 155 mgd and has the capacity to treat 181 mgd, the net increase in wastewater from development during the Long-Term Plan phase is not expected to require expansion of the SRWTP facilities. However, as noted by the SRCSD, flows to the SRWTP are on a "first come, first served basis." Therefore, flows to the plant not anticipated in the SRWTP 2020 Master Plan

could result in capacity constraints for new development within the Long-Term Plan area. SRCSD periodically updates the Master Plan on an as-needed basis to account for increased development and growth in population, and with that, plans for the expansion and upgrading of SRCSD facilities. Any necessary changes to capacity would occur incrementally, as regional population growth demands greater treatment capacity. Future updates to the Master Plan will recognize the growth allowed by the Long-Term Plan and plan for the necessary improvements to SRCSD facilities. Accordingly, it is not expected that the Long-Term Plan would result in a significant wastewater treatment plant impact. Therefore, the Long-Term Plan would not require or result in the construction of new or expanded wastewater treatment facilities, the construction of which could cause significant environmental effects.

Page 6.10-38, under Impact UT-11, paragraph 1, last three sentences are revised as follows:

In addition, the Master Plan is updated every five years to account for changes in existing and projected population. SRCSD periodically updates the Master Plan on an as-needed basis to account for increased development and growth in population, and with that, plans for the expansion and upgrading of SRCSD facilities. Any necessary changes to capacity would occur incrementally, as regional population growth demands greater treatment capacity. Therefore, the cumulative impact of future development on SRWTP treatment facilities would be less than significant.

Pages 8-5 through 8-10, concerning the No Project Alternative, are deleted in recognition of the City's adoption of a new General Plan in March 2009. The previous 1988 General Plan had served as the No Project Alternative in the Swanston TVSP Draft EIR. Since the 1988 General Plan is no longer relevant, it is not an appropriate No Project Alternative, which represents conditions that could be reasonably expected to occur in the foreseeable future in the absence of the proposed project. If the Swanston TVSP were not adopted, then development in the Swanston TVSP would occur in conformance with the recently adopted General Plan. As presented in revisions to Chapter 4 in this Final EIR, the adopted General Plan shares the same vision as the Swanston TVSP to create a mixed use, transit-oriented development in the project area. Because the General Plan update and the Swanston TVSP were prepared concurrently, the policies, development program, and growth assumptions are similar, and thus the No Project Alternative is now virtually identical to the proposed project in terms of policy and land use goals. The primary difference is that the General Plan allows more intensive residential and commercial development than permitted by the Specific Plan. As a result, the No Project Alternative would not reduce significant impacts identified for the proposed Swanston TVSP.

8.3 NO PROJECT ALTERNATIVE

Potential Development under No Project Alternative

Under CEQA, the "No Project Alternative" must evaluate not only existing conditions, but also development that could be reasonably expected to occur in the foreseeable future. For the purposes of

this EIR, the "No Project" Alternative is defined by continuation of the 2030 General Plan, which was adopted in March 2009 and became effective April 2009. The 2030 General Plan land use designations for the Swanston TVSP project area are illustrated in Figure 2-3 and anticipate that the area would be developed as a mixed used, transit-oriented development, allowing much greater residential densities and commercial building intensities than presently on the site and allowed by current zoning districts and regulations. Because the 2030 General Plan (i.e., the No Project Alternative) and the Swanston TVSP were prepared concurrently, the detailed development assumptions and market overview used for the Swanston TVSP project area were incorporated into the General Plan development assumptions. As a result, the potential development under the No Project Alternative is essentially the same as that assumed for the Swanston TVSP.

Impact Assessment

This section evaluates whether the No Project Alternative would have greater or lesser environmental impacts than the proposed Swanston TVSP project. Because the No Project Alternative (i.e., adopted General Plan) and the Swanston TVSP share virtually the same visions for the project area (i.e., mixed use, transit oriented development), policies (see Table 4-1 in Chapter 4 of this document), and growth (see discussion immediately above), the impacts of the two alternatives are expectedly similar. The primary difference is that the No Project Alternative would permit greater residential densities and commercial building intensities than identified in the Swanston TVSP. As a result, it is possible that the Swanston TVSP project area would accommodate even greater population and jobs under the No Project Alternative than under the proposed Specific Plan. In this event, the population- and employment-based impacts such as transportation, public services, utilities, air quality, etc. would be greater under the No Project Alternative than under the Swanston TVSP.

For impacts that are based on the location of development such as biological resources, cultural resources, geology, and hydrology, the No Project Alternative would result in impacts similar to those identified for the proposed Specific Plan, because the areas identified for development are the same. In addition, federal, state, and local regulations that govern development in areas with biological or cultural resources or with seismic, hydrologic, or environmental hazards apply equally to development that would occur under the No Project Alternative or the Swanston TVSP.

In light of the above considerations that affect development and impacts under the No Project Alternative, there is no substantial reduction in significant impacts that would result from the No Project Alternative compared to the proposed Swanston TVSP. In fact, the development intensities under the No Project Alternative could result in greater impacts than identified for the proposed project.

Page 8-10, paragraph 2 is revised as follows:

The No Project Alternative <u>may</u> results in greater impacts to the environment, primarily because it <u>could</u> allow greater development since the residential densities and commercial building intensities permitted by the 2030 General Plan are greater than permitted by the proposed project, results in greater vehicular traffic and related noise and air quality impacts than under the proposed Swanston TVSP project. In

many other respects, the No Project Alternative is similar to the proposed Swanston TVSP, primarily in emphasizing addition, benefits to pedestrian and bicycle circulation that are identified for the proposed Swanston TVSP project would not be realized. The proposed Swanston TVSP project would introduce environmental friendly, low impact design for stormwater runoff management that are not part of the No Project Alternative. Finally, the opportunities to create a new image for the area and to promote revitalization of the area as a mixed use, transit village. would not be possible under a scenario with the existing General Plan land use designations and zoning. Therefore In light of the greater development potential and resulting impacts associated with the No Project Alternative, the proposed Swanston TVSP project would be environmentally superior to the No Project Alternative.



DEVELOPMENT SERVICES DEPARTMENT

CITY OF SACRAMENTO CALIFORNIA

300 RICHARDS BOULEVARD 3rd FLOOR SACRAMENTO, CA 95811-0218

MEMORANDUM

Date:

February 20, 2009

To:

Interested Parties

From:

Jennifer Hageman, Senior Planner

Environmental Planning Services

SUBJECT:

Swanston Station Transit Village Specific Plan EIR

ERRATA

The following corrects the text in Chapter 1, Section 1.3, Page 1-4, of the Draft EIR and results in an insignificant modification to an adequate EIR. The technical analyses of the potential impacts due to development within the Strategic Plan area are at the project-level and focus on the changes in the environment that would result from all phases of the project (CEQA Guidelines Section 15161).

The text in the Draft EIR is correct that the technical analyses of the potential impacts due to development within the Long-Term Plan area are at the programmatic level. Development within this area must be examined in light of this EIR to determine whether additional environmental analysis is necessary (CEQA Guidelines Section 15168(c).

The following revisions correct the text in Section 1.3 and add text to explain a Project-Level EIR.

1.3 SCOPE OF THIS EIR

This EIR is both a "Project-Level EIR" and a "Program EIR," pursuant to Sections 15161 and 15168 of the CEQA Guidelines. A Project-Level EIR focuses on the changes in the environment that would result from all phases of the project, including planning, construction, and operation. The analysis of the potential impacts due to development within the Strategic Plan area is at the project level. A Program EIR examines the environmental impacts for a series of actions that is characterized by one large project or multiple or phased projects. This type of EIR analyzes changes in the environment that would result from implementation of the project, including construction and operation, while considering broader policy alternatives and program-wide mitigation measures early in the planning process. A Program EIR provides the City with greater consideration of effects of the entire



proposed Swanston TVSP and cumulative impacts, and reduces future duplication of paperwork for individual projects within the Swanston TVSP project Long-Term Plan area.

As discussed in Chapter 2, Project Description, the proposed Swanston TVSP project area is divided into two areas. The smaller area, the Strategic Plan Area, is expected to develop first, with planned buildout occurring around 2025. The remainder of the TVSP area, the Long-Term Plan Area, is expected to develop some time after 2025. Because this project is a specific plan, rather than a project, the analyses include assumptions about the level of development that could occur within the respective areas. Development within the Strategic Plan Area is based on the development assumptions derived in a market analysis prepared for the TVSP area. For the Long-Term Plan Area, the assumptions are based on the proposed land uses and the amount of development that would be allowed, based on the proposed zoning within each land use designation. In addition to the development of parcels, the public improvements needed for the TVSP, and based on the infrastructure evaluation of the TVSP area and the market analysis, are also analyzed in this EIR. Because the Specific Plan provides a long-range guide and implementation guide for public and private improvements in the Long-Term Plan area, the potential impacts are analyzed to the extent possible, with mitigations based on performance standards to ensure future implementation in the Long-Term Plan area.

Population and employment estimates required to analyze the impact of the proposed Swanston TVSP project can be derived based on the number dwelling units and non-residential space at buildout. Impacts to transportation and circulation, air quality impacts, and noise impacts can be evaluated in the context of regional and citywide traffic models and population/employment forecasts.

The City of Sacramento, as lead agency, is responsible for identifying potentially significant impacts that could result from implementation of the proposed Swanston TVSP project. Based on the NOP (see Appendix A), the City determined that this EIR address the following technical issue areas:

- Aesthetics
- Air Quality
- Biological Resources
- Cultural Resources
- Geology, Soils, and Seismicity
- Hazardous Materials

- Hydrology and Water Quality
- Noise
- Public Services
- Utilities
- Transportation and Circulation

CHAPTER 4 RESPONSES TO COMMENTS ON THE DRAFT EIR

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Municipal Services Agency Department of Transportation Michael J. Penrose, Director



Terry Schutten, County Executive Paul J. Hahn, Agency Administrator

LETTER 1

March 5, 2009

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1.4

Ms. Jennifer Hageman, Senior Planner City of Sacramento Development Services Department 300 Richards Boulevard Sacramento, CA 95811

SUBJECT: DRAFT ENVIRONMENTAL IMPACT REPORT FOR THE SWANSTON TRANSIT VILLAGE STATION SPECIFIC PLAN

Dear Ms. Hageman:

The Sacramento County Department of Transportation has reviewed the Draft Environmental Impact Report (DEIR) for the Swanston Station Transit Village Specific Plan, dated February 18, 2009. We appreciate the opportunity to review this DEIR, and have the following comments:

- 1. General Comment. The DEIR should include the detailed traffic study that was prepared for the project. Chapter 6.11 summarizes the results of the traffic study, but not all information is available for review. Appendix E only includes the calculations related to the traffic study, but not the traffic study itself.
- 2. Page 6.11-1, Introduction. Even thought the project site is less than 3000 feet from the County line, the DEIR does not analyze any County facilities. The DEIR should analyze the impacts of the Strategic Plan and the Long-Term Plan areas on the segments of El Camino Avenue, Arden Way, Alta Arden Expressway, and Ethan Way located within the County. The DEIR should also analyze the project impacts on the major County intersections along these routes.
- 3. Page 6.11-18, Trip Generation. The DEIR does not include a trip generation table for the project. Only the total number of trips generated by the Strategic Plan and the Long-Term Plan areas are presented. Please provide detailed trip generation tables for the Strategic Plan and the Long-Term Plan areas.
- 4. On Page 6.11-21, Net Effect. The DEIR concludes that the Strategic Plan area would result in approximately 1,332 fewer daily vehicle trips compared to the current trip rates. The DEIR also states that the existing uses that would be replaced by new development in the area have greater trip generation characteristics than the new uses. Does the



"Leading the Way to Greater Mobility"

Ms. Jennifer Hageman City of Sacramento March 5, 2009 Page 2

> Strategic Plan area result in fewer trips compared to the existing conditions, or compared to the existing general plan zoning? As shown on Table 5-1 of the DEIR, the potential development in the Strategic Plan and the Long-Term Plan areas would substantially increase the development levels in the area relative to the existing (2005) conditions. This table also states that the Strategic Plan area would, at best, replace 22 existing units. How was this reduction in trip generation calculated? Please show the detailed calculations that justify this conclusion.

1.4 cont'd

The DEIR also concludes that the full implementation of the proposed Swanston Transit Village Station Specific Plan project would lead to the elimination of approximately 7,300 daily trips compared to existing zoning. Even though general discussions of internalization and mode split have been presented, the DEIR does not provide any detailed calculations showing that the project would generate less traffic than the existing land uses or the existing general plan zoning. The DEIR should provide detailed trip generation tables that clearly substantiate these conclusions.

1.5

5. 6.11-38, Cumulative Analysis. The DEIR should also evaluate the project impacts in comparison to the existing physical environment, and not just in comparison to the existing general plan and zoning. The case of Woodward Park Homeowners Association v. City of Fresno highlights that comparing the project impacts to the existing general plan can underestimate impacts. The DEIR only evaluates the cumulative impacts of the Long-Term Plan area and compares it to the existing general plan zoning. The DEIR also needs to analyze the impacts of the Long-Term Plan area on the existing physical environment.

1.5

We appreciate the opportunity to comment on this DEIR. If you have any questions, please call Angie Raygani at 916/874-5602.

Sincerely.

Matthew G. Darrow

Senior Transportation Engineer

Department of Transportation

MGD:ar

Dean Blank, SacDOT cc:

Steve Hong, IFS



LETTER 2

10545 Armstrong Avenue

Mather, CA 95655

Tele: [916] 876-6000

Fax: [916] 876-6160

Website: www.srcsd.com

Board of DirectorsRepresenting:

County of Sacramento

County of Yolo

City of Citrus Heights

City of Elk Grove

City of Folsom

City of Rancho Cordova

City of Sacramento

City of West Sacramento

Mary K. Snyder District Engineer

Stan R. Dean Plant Manager

Wendell H. Kido District Manager

Marcia Maurer Chief Financial Officer March 30, 2009

Jennifer Hageman
City of Sacramento
Development Services Department
300 Richards Boulevard
Sacramento, CA 95811

Dear Ms. Hageman:

Subject:

Swanston Station Transit Village Specific Plan - Draft

Environmental Report (DEIR) February 2009

SCH #: 2007062130

Sacramento Regional County Sanitation District (SRCSD) has reviewed the subject document and has the following comments:

The proposed project is a long-range urban design and implementation plan that would guide public and private improvements in the Swanston Station Transit Village Specific Plan (Swanston TVSP). The project area is generally bounded by El Camino Avenue, Arden Way, the Capital City Freeway, and Beaumont and Erickson Streets in the City of Sacramento (City).

SRCSD has the 72-inch Dry Creek Interceptor within the Beaumont Street public right-of-way.

Please find below comments and advisories regarding the subject project.

SRCSD Comments:

Page 2-25: Figure 2-14 – Proposed Water System Improvements
The figure depicts a proposed 8-inch water line within Beaumont Street,
where the 72-inch Dry Creek Interceptor is located. Plans regarding the
proposed 8-inch water line shall be sent to SRCSD for review and approval
when available. Close coordination between SRCSD and the applicant shall
be required to ensure minimal conflicts to the Dry Creek Interceptor.

Page 2-26: Sanitary Sewer, 2nd paragraph

Please remove the sentence "The SRWTP has adequate capacity to serve the full project Swanston TVSP project development."

Page 2-27: Figure 2-15 – Proposed Sanitary Sewer Improvements
The figure depicts a proposed 18-inch sewer line within Beaumont Street,
where the 72-inch Dry Creek Interceptor is located. Plans regarding the

2.1

2.2

Ms. Jennifer Hageman March 30, 2009 Page 2

proposed 18-inch sewer line shall be sent to SRCSD for review and approval when available. Close coordination between SRCSD and the applicant shall be required to ensure minimal conflicts to the Dry Creek Interceptor.

2.3 cont'd

Page 6.10.3: Wastewater, 1st paragraph

Please revise "Sacramento Regional County Services District" and "Sacramento County Sanitation District" to "Sacramento Regional County Sanitation District" and "Sacramento Area Sewer District," respectively.

2.4

Page 6.10.4: City of Sacramento Service Area, 2nd paragraph

Please revise "Sacramento Regional County Services District" to Sacramento Regional County Sanitation District."

Page 6.10-38: Cumulative Analysis – UT-11, 1st paragraph

Please remove "In addition, the Master Plan is updated every five years to account for changes in existing and projected population." SRCSD periodically updates the Master Plan on an asneeded basis to account for the increase in development and growth in population, and with that, plan for the expansion and upgrading of SRCSD facilities.

2.5

SRCSD Advisories:

Local sanitary sewer service for a portion of the proposed project site will be provided by the City of Sacramento's local sewer collection system. Ultimate conveyance to the Sacramento Regional Wastewater Treatment Plant (SRWTP) for treatment and disposal will be provided via the City Interceptor. Cumulative impacts of the proposed development will need to be quantified by the developer to ensure adequate wet weather and dry weather capacity within the City Interceptor.

In November 1980, the Operations and Maintenance Agreement between SRCSD and the City of Sacramento regarding the Combined Wastewater Control System (CWCS) was executed.

Section 3.F. Responsibilities of District in Operation of CWCS states:

1. ... The District agrees to accept flows via the City Interceptor from the following City service areas up to the maximum instantaneous flow rates indicated:

Service Area

Maximum Flow Rate

Sump 2

60 MGD

The parties to this Agreement acknowledge and agree that the 60 MGD maximum flow rate supersedes the 70 MGD figure specified in Section 29 of the Master Interagency Agreement

Sump 21, 55 and 119

38 MGD

Ms. Jennifer Hageman March 30, 2009 Page 3

Gravity intercepts to City Interceptor at or downstream of the North Meadowview Intercept Structures

10.5 MGD

Total to City Interceptor

108.5MGD

2. Up to the design flow capacity limit of the City Interceptor upstream of the North Meadowview Intercept Structure, estimated at 98 MGD, the Wastewater Treatment Superintendent (or a designated representative) may authorize flows from Sump 2 for stipulated time periods in excess of the 60 MGD limit above noted. It is the intent here to accommodate higher levels of treatment for combined wastewater flows during periods when SRWTP secondary treatment capacity is available due to lag in receipt of inflow from other District service areas or when the City Interceptor influent flows from Sumps 21, 55 and 119 are less than 38 MGD.

2.6 cont'd

As stated in the table above the total amount of flow that can be discharged to the City Interceptor is 108.5 MGD. It is the City of Sacramento's responsibility to ensure that the additional flow from this project does not exceed the limits established for the three locations listed above.

Sacramento Area Sewer District (SASD) shall respond in a separate correspondence.

If you have any questions reagarding these comments please feel free to contact me at (916) 876-5608, or by e-mail at obonel@sacsewer.com. Attached for your reference is the as-built for the 72-inch Dry Creek Interceptor.

Sincerely,

cc:

elizanth Elizabeth Obon

Sacramento Regional County Sanitation District

Attachment: Dry Creek Interceptor Plan and Profile Sheet 8

SRCSD Development Services

SASD Development Services



Sacramento Audubon Society

P. O. Box 160694, Sacramento, CA 95816-0694

LETTER 3

April 2, 2009

Via e-mail

Jennifer Hageman City of Sacramento (916) 808-5538 300 Richards Boulevard, 3rd Floor Sacramento, CA 95811

Re: Comments on Swanston Station Transit Village Specific Plan Draft Subsequent EIR (SCH Number: 2007062130).

Dear Ms. Hageman.

Sacramento Audubon Society offers the following comments on the Draft EIR for the Swanston Station Transit Village Specific Plan project.

Sacramento Audubon has declared the protection and recovery of the Purple Martin (*Progne subis*) as one of its primary conservation objectives for the Sacramento region. While common east of the Rockies, the Purple Martin has been eliminated from practically its entire former range in California's Central Valley, primarily due to the historical conversion of its native habitat for urban and agricultural uses, followed by competition with the non-native European Starling for remaining, adaptive habitats. Due to dwindling population numbers throughout the state, and the threat that ongoing infrastructure and redevelopment projects within the City of Sacramento (including the Swanston Station Transit Village project) pose to the species' continued existence in the Central Valley, the Purple Martin has been formally designated as a bird species of "special concern" by the California Department of Fish and Game (Airola and Williams 2008).

For the reasons set forth in more detail below, Sacramento Audubon Society objects to the City's Draft Subsequent EIR, because it fails to adequately disclose, analyze or mitigate impacts to this species of special concern. The Draft EIR's informational inadequacies have precluded a meaningful opportunity for the public to consider and respond to the project's potentially significant, adverse impacts to purple martins, or the availability and effectiveness of alternatives or mitigation measures to reduce or avoid such impacts. The City should not proceed with completing its environmental review for the Swanston Station Transit Village project unless and until it recirculates an informationally adequate Draft EIR for public review and comment.

Sacramento Audubon's specific concerns about the Draft EIR's content and conclusions are as follows:

Biological Resources Setting

Surveys in Feb 2006 not adequately timed to detect nesting burrowing owls, purple martins, or Swainson's Hawks. Purple martins nest annually in the Arden overpass, as documented in the CNDDB and in numerous references previously provided to the project consultants (Airola and Kopp 2005, 2007, Airola et al 2003, 2008). P. 6.3-1. Regarding the statement that "Other sensitive natural communities, plants, and wildlife identified in from database queries were not observed within the Swanson TVSP area. " The 3.4 EIR should add "... however the timing of surveys would not have permitted observation of the migratory Swainson's hawk and would not have detected breeding burrowing owls". 6.3-1. During Purple Martin studies at the El Camino overpass in July 2008, Dan Kopp observed Swainson's hawks on several occasions. These were close observations by an experienced observer (including predation on a rehabilitated white-throated swift immediately after release). 3.5 Given that this area does not support high quality foraging habitat, these observations suggest likely nesting by the species in that area, and thus potentially within the Swanson TVSP area. Therefore, change the species occurrence designation in Table 6.3-1 to "Known" or "Likely". Wildlife Resources - should note that bridges in the area are occupied by White-throated Swifts and Northern Rough-winged Swallows. P6.3-7. The Cooper's Hawk no longer a California Species of Special Concern. It nests 3.7 regularly in urban areas in Sacramento. P 6.3-8. Purple Martin - This account is out of date and somewhat misleading. There are no documented records of Purple Martins nesting in tree cavities in the Central Valley since the 1970s. Martins apparently were outcompeted from nest sites in trees throughout the Central 3.8 Valley and from buildings in Sacramento following arrival of the European Starling in the 1970s (Airola and Grantham 2003). They have persisted only within bridge sites in Sacramento, which

The EIR should note that The Sacramento Purple Martin population is a remnant of a much more widespread former Central Valley population. It represents the potential source population for recently initiated emergency recovery efforts in the Central Valley population. The remnant Sacramento nesting population also has declined by 52% between 2004 and 2008 from 173 pairs to 83 pairs (Airola et al 2008, Airola et al. in review). The El Camino and Arden overpasses within the project area have supported a combined population of 15-34 nesting pairs of martins. As the Sacramento population of martins has declined, these two colonies have remained the most robust, and over the last 3 years, they have supported over 25% of the total

3.9

appear to be at least somewhat resistant to starling competition. A nesting colony in the Arden Way overpass has been well-documented in the CNDDB and in publications, and supported 3-13

nesting pairs during 2004-2008 (Airola et al, 2004, 2008, Airola et al. in review).

population (Airola et al 2008, Airola et al., in review). Therefore, protection of the nesting populations within the project area is a critical component to species protection and recovery.

\$\frac{1}{2} 3.9 \quad \text{cont'd}

6.3-8. Heritage Trees. The EIR should note that the heritage trees, especially large remnant valley oaks, are the most likely to be used as nesting sites by Swainson's Hawks, which have been documented to occur in the plan area.

3.10

6.3-8. Migratory Bird Treaty Act. The EIR should noted that several species covered by the MBTA nest within the Arden and El Camino Avenue overpasses in the project area, including the White-throated Swift and Northern Rough-winged Swallow, as well as the Purple Martin.

3.11

6.3-15- The second sentence should acknowledge that it would be impossible to detect several special-status species during a February survey, including nesting Swainson's Hawks and White-tailed Kites, purple martins, and nesting Burrowing Owls. Therefore absence of evidence of these species during these critical periods does not suggest that they do not nest there.

3.12

6.3-16, Paragraph 2. CEQA specifies that project effects that "interfere substantially with the movement of any native resident or migratory fish or wildlife species ...or impede the use of a native wildlife nursery site" are significant effects. Therefore, this section incorrectly narrows the standard for significance to effects on migratory movements. This distinction is important, as project activities, including landscaping and construction of tall buildings, have the potential to disrupt movements by purple martins during foraging flights to and from bridge nesting sites at Arden Way and El Camino Avenue. Measures to avoid such impacts should be incorporated into the EIR.

3.13

Biological Impact Analysis

6.3-17, Impact Bio 3. These same types of impacts to Purple Martins that are described for the El Camino overpass could apply to the Purple Martin nesting colony in the Arden Way overpass, depending on what actions are proposed there.

3.14

The impact analysis for the Purple Martin addresses only effects of construction, but does not address the long-term effects of changes in habitat conditions on the suitability of nesting areas for the Purple Martin. These potential impacts include the *long-term* changes in availability of sites to collect nesting material and access to nesting sites as a result of landscaping or development activities (construction of multistory buildings). The proposed use of the transfer station site is particularly important because of its proximity to the Arden overpass nesting area. If not addressed, potential long-term habitat changes could eliminate or reduce nesting use at the Arden and El Camino colonies, which supported 22 pairs (26% of the 2008 population of 83 nesting pairs; Airola et al. 2008, in review). These impacts were outlined and partially addressed in the FEIR for the Downtown Railyards and were described by Airola et al. (2008), and so should have been recognized and addressed in this EIR.

3.15

The impact analysis does not address the effects of increased train and automobile traffic on Purple Martins. Collisions with trains, cars, and trucks have been documented as regular mortality source that may be contributing to declines in martin populations (Airola and Kopp

J. Hageman – SAS Comments re Swanston Station Draft Subsequent EIR April 2, 2009 Page 4 of 6

2007, Airola et al. 2008). For example, 12 adult martins were documented to have been killed by light rail trains at the El Camino overpass in 2005. The transit oriented intent of this project suggests a potential increase in light rail trip frequencies and train lengths, which could increase collision mortality of martins. Although the project is characterized as a transit-oriented development, it appears that population density within the plan area would increase, which would likely result in a net increase in automobile traffic. Auto vehicle collisions have not been documented to be an issue currently at the Arden and El Camion overpasses, probably in part because of the overpasses are fenced, which would discourage martins from flying into the path of vehicles. During improvements, a similar fence should be retained to reduce the potential for collisions with likely increased traffic at these overpasses. Existing unimproved access roads beneath the overpasses should not be improved to support higher traffic volumes or increased speeds, as these outcomes also could increase collisions with martins nesting overhead.

3.16 cont'd

6.3-18. Mitigation Measure BIO-3. This measure is contradictory, in that it specifies exclusion from the buffer zone from Mar 15-May 15, but later says no construction activity may occur in the buffer until nesting is completed. Martins typically arrive at Sacramento colonies during March 10-30, and do not settle into substantial colony use until early April. Nestling Purple Martins at the Arden and El Camino colonies are present as late as mid-July (D. Kopp unpub. data), and then nest holes are used for night roosting by family groups for several more weeks. Therefore, the period during which martins are sensitive to construction should be specified as April 1-August.

3.17

Importantly, Purple Martins are tolerant of human disturbance around and beneath their colonies, as long as periods of inactivity allow regular feeding of young (see Airola et al. 2009, in press). Therefore, we recommend that where the breeding season cannot be avoided, construction be allowed to occur within the construction buffer, as long as the bridge structure is not modified. Most important is when modifications are required to the bridge (for sidewalk improvements, water lines, etc.) these activities should not occur during the April 1-August 1 nesting period, unless a biologist experienced working with Purple Martin determines that the site is no longer occupied.

3.18

6. 3-20. Impact BIO-5. This impact should also note that Swainson's Hawks are likely to be nesting within the plan area, and are most likely to use heritage trees. Surveys for nesting Swainson's hawks should be conducted by a qualified biologist before any removal of heritage trees or other suitable nesting tree occurs.

3.19

6.3-21. Impact BIO-6. The cumulative analysis for the Purple Martin does not acknowledge that, notwithstanding the existence of laws and regulations protecting Purple Martins, projects previously approved by the City of Sacramento, including the South 65th St redevelopment, the 65th St. University Transit Village, have not included adequate mitigation measures (Airola et al. 2008). In addition, many of the mitigation measures adopted for the City's Downtown Railyard project have not been proven, and could result in losses in habitats and populations, even with full implementation. Similarly, Caltrans has approved several projects (Mercy Hospital parking lot, I-80 Over-the-Top carpool lanes) that require mitigation measures whose success is uncertain. Finally, the Swanston redevelopment project has not recognized certain potential impacts (blockage of flight paths, potential increases in train and automobile vehicle collisions),

3.20

J. Hageman – SAS Comments re Swanston Station Draft Subsequent EIR April 2, 2009 Page 5 of 6

and has prescribed mitigation for impacts that are not fully understood or addressed (lost of nest material collection sites). The lack of recognition of the presence of the Arden Purple Martin colony indicates the risk that continued redevelopment projects pose to martin populations and habitat.

3.21 cont'd

In total, with the addition of the Swanson redevelopment project to those previously identified by Airola et al. 2008, 8 of the 11 Purple Martin colonies in Sacramento (supporting 87% of the 2008 population of 83 pairs) are now within active project sites that require implementation of unproven mitigation. The potential for impacts that may result from uncertainty of success in implementing mitigation over nearly the entire remaining remnant population of the species in the Central Valley (Airola and Grantham 2003) is a significant cumulative impact.

3.22

Mitigation for the cumulative impacts to the Purple Martin should include the following measures:

 Prepare a city-wide management plan that summarizes available unpublished information for each colony on key martin habitat areas (perch sites, nest material collection sites, flight paths), analysis methods for impact assessment, complete mitigation measures, and monitoring protocols. This recommendation was previously proposed for the Downtown Railyards project and was not adopted by the City.

3.23

• Implement new planning for mitigation implementation and a public review process for previously approved city projects that did not fully consider Purple Martin needs, including the two projects at 65th St.

3.24

 Support for an ongoing monitoring program to evaluate the status of the martin nesting population, so effectiveness of mitigation measures can be evaluated.

3.25

• Rigorous monitoring of compliance and effectiveness of all previously adopted mitigation.

3.26

Sacramento Audubon Society appreciates the opportunity to review and comment on the Draft Subsequent EIR that the City has circulated for the Swanston Village Transit Station project. We request that the City prepare and circulate a revised Draft EIR that meets CEQA's information disclosure and environmental protection mandates.

3.27

Sincerely,

Keith G. Wagner, Attorbey at Law and President, Sacramento Audubon Society J. Hageman – SAS Comments re Swanston Station Draft Subsequent EIR

April 2, 2009

Page 6 of 6

References Cited

Airola, D. A., D. Kopp and S. Kostka. 2004. Purple Martin population status and colonization patterns in the Sacramento Region in 2004. Central Valley Bird Club Bulletin 7:71-77.

Airola, D. A. and D. Kopp. 2005. Results of the 2005 survey for breeding purple martins in the Sacramento region. Central Valley Bird Club Bulletin 8:37-44.

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cont'd

3.27

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Airola, D. A., D. Kopp, K. Thomas, and S. Kostka. 2009, in press. Effects of construction activities on a Purple Martin nesting colony in Sacramento, California. Central Valley Bird Club Bulletin 12 (1).

Airola, D. A., D. Kopp, K. Thomas, and S. Kostka. (in review). Recent Purple Martin declines in Sacramento: conservation implications. Submitted to: Western Birds.

Airola, D.A. and B.D.C. Williams 2008. Purple Martin (*Progne subis*). *In:* California Bird Species of Special Concern: A ranked assessment of species, subspecies, and distinct populations of birds of immediate conservation concern in California. W. D. Shuford and T. Gardali (editors). Studies of Western Birds 1. Western Field Ornithologists, Camarillo, CA and California Department of Fish and Game, Sacramento, CA.

PUBLIC UTILITIES COMMISSION

505 VAN NESS AVENUE SAN FRANCISCO, CA 94102-3298

April 23, 2009

LETTER 4



Jennifer Hageman City of Sacramento 300 Richards Blvd, 3rd Floor Sacramento, CA 95811

Re:

Notice of Completion, Supplemental/Subsequent EIR Swanston Station Transit Village Specific Plan

SCH# 2007062130

Dear Ms. Hageman:

As the state agency responsible for rail safety within California, the California Public Utilities Commission (CPUC or Commission) recommends that development projects proposed near rail corridors be planned with the safety of these corridors in mind. New developments and improvements to existing facilities may increase vehicular traffic volumes, not only on streets and at intersections, but also at at-grade highway-rail crossings. In addition, projects may increase pedestrian traffic at crossings, and elsewhere along rail corridor rights-of-way. Working with CPUC staff early in project planning will help project proponents, agency staff, and other reviewers to identify potential project impacts and appropriate mitigation measures, and thereby improve the safety of motorists, pedestrians, railroad personnel, and railroad passengers.

The Commission requests that the DEIR for the proposed project evaluate potential project-related rail safety impacts since our previous NOP comment letter was not adequately addressed. In addition to the potential impacts of the proposed project itself, the DEIR needs to consider cumulative rail safety-related impacts created by other projects.

4.1

In general, the major types of impacts to consider are collisions between trains and vehicles, and between trains and pedestrians. The proposed project has the potential to increase vehicular and pedestrian traffic in the vicinity. A Sacramento Regional Transit light rail line runs in the middle of the proposed project. While traffic congestion impacts are evaluated in the DEIR, the document does not consider potential rail safety impacts of the proposed project.

4.2

Measures to reduce adverse impacts to rail safety need to be considered in the CEQA documentation. General categories of such measures include:

- Installation of grade separations at crossings, i.e., physically separating roads and railroad track by constructing overpasses or underpasses
- Improvements to warning devices at existing highway-rail crossings
- Installation of additional warning signage
- Improvements to traffic signaling at intersections adjacent to crossings, e.g., traffic preemption

Jennifer Hageman City of Sacramento SCH # 2007062130 April 23, 2009 Page 2 of 2

- Installation of median separation to prevent vehicles from driving around railroad crossing gates
- Prohibition of parking within 100 feet of crossings to improve the visibility of warning devices and approaching trains
- Installation of pedestrian-specific warning devices and channelization
- Construction of pull out lanes for buses and vehicles transporting hazardous materials
- Installation of vandal-resistant fencing or walls to limit the access of pedestrians onto the railroad right-of-way
- Elimination of driveways near crossings
- Increased enforcement of traffic laws at crossings
- Rail safety awareness programs to educate the public about the hazards of highway-rail grade crossings

Commission approval is required to modify an existing highway-rail crossing or to construct a new crossing.

The CPUC is a responsible agency under CEQA and needs to be referenced accordingly in the FEIR. The mitigation monitoring section of the FEIR needs to be modified to include any of the above mitigation measures for this project.

Thank you for your consideration of these comments. If you have any questions in this matter, please contact me at (415) 713-0092 or email at ms2@cpuc.ca.gov.

Sincerely,

Moses Stites

Rail Corridor Safety Specialist

Consumer Protection and Safety Division

Rail Transit and Crossings Branch

515 L Street, Suite 1119

Sacramento, CA 95814

4.3 cont'd

NANCY BOSLEY 935 Arden Way Sacramento, CA 95815

April 16, 2009

Jennifer Hageman, Senior Planner
City of Sacramento, Development Services Department
300 Richards Blvd.
Sacramento, CA 95811

Re: Swanston Transit Village Station Specific Plan

Dear Ms. Hageman:

I have reviewed the Notice of Completion -Draft EIR for the above location and have some comments. First, the parcel at the corner of Arden Way and Erickson is zoned C2. However, the overpass on Arden Way makes this side of the parcel inaccessible. It seems that the C2 designation is in error for this parcel because the South side of the parcel is closed off by the overpass.

Second, it seems like this is a huge task to develop this area into residential units. There are now mostly warehouses in the area. Do you have a map showing the seven-block area to be included in the initial investment area?

Thank you for your consideration.

Yours truly,

Many Boxley Nancy Bosley



GOVERNOR

STATE OF CALIFORNIA

GOVERNOR'S OFFICE of PLANNING AND RESEARCH

STATE CLEARINGHOUSE AND PLANNING UNIT



CYNTHIA BRYANT DIRECTOR

LETTER 6

April 28, 2009

Jennifer Hageman City of Sacramento 300 Richards Boulevard, 3rd Floor Sacramento, CA 95811

Subject: Swanston Station Transit Village Specific Plan

SCH#: 2007062130

Dear Jennifer Hageman:

The State Clearinghouse submitted the above named Subsequent EIR to selected state agencies for review. The review period closed on April 24, 2009, and no state agencies submitted comments by that date. This letter acknowledges that you have complied with the State Clearinghouse review requirements for draft environmental documents, pursuant to the California Environmental Quality Act.

6.1

Please call the State Clearinghouse at (916) 445-0613 if you have any questions regarding the environmental review process. If you have a question about the above-named project, please refer to the ten-digit State Clearinghouse number when contacting this office.

Terry Roberts

Director, State Clearinghouse

Document Details Report State Clearinghouse Data Base

2007062130 SCH#

Project Title Swanston Station Transit Village Specific Plan

Lead Agency Sacramento, City of

> Type SBE Subsequent EIR

Description The proposed Swanston Station Transit Village Specific Plan is a long-range urban design and

> implementation plan that would guide public and private improvements in the Swanston Station Transit Village Specific Plan area. The proposed Swanston TVSP project addresses land use, traffic and circulation, infrastructure, financing strategies, and implementation measures needed to support the

> > Fax

vision for future development and investment in the project area.

Lead Agency Contact

Name Jennifer Hageman City of Sacramento Agency

Phone (916) 808-5538

email

Address 300 Richards Boulevard, 3rd Floor

> City Sacramento

State CA Zip 95811

Project Location

County Sacramento

City

Region

Cross Streets Along Sac RT light Rail Line ~ 1/4 mi. raidus from El Camino Avenue and Arden Way

Lat / Long 38° 36' 27.29" N / 121° 26' 22.14" W

Parcel No. Several

Township Section Range Base

Proximity to:

Highways 160, Business 80

Airports

Railways Southern Pacific American River Waterways

Schools SCUSD

Land Use Several: Residential uses (various densitites); Commercial use; Industrial Uses and Transit

Project Issues Air Quality; Archaeologic-Historic; Noise; Population/Housing Balance; Public Services; Soil

Erosion/Compaction/Grading; Toxic/Hazardous; Water Quality; Landuse; Aesthetic/Visual

Reviewing Agencies

Resources Agency; Department of Fish and Game, Region 2; Office of Historic Preservation; Department of Parks and Recreation; Central Valley Flood Protection Board; Caltrans, District 3;

Caltrans, Division of Transportation Planning; Air Resources Board, Transportation Projects; Regional Water Quality Control Bd., Region 5 (Sacramento); Native American Heritage Commission; Public

Utilities Commission; Department of Housing and Community Development

Date Received 02/23/2009 Start of Review 02/23/2009 End of Review 04/24/2009

Note: Blanks in data fields result from insufficient information provided by lead agency.



STATE OF CALIFORNIA

GOVERNOR'S OFFICE of PLANNING AND RESEARCH

STATE CLEARINGHOUSE AND PLANNING UNIT



CYNTHIA BRYANT DIRECTOR

Arnold Schwarzenegger Governor

May 5, 2009

Jennifer Hageman City of Sacramento 300 Richards Boulevard, 3rd Floor Sacramento, CA 95811

Subject: Swanston Station Transit Village Specific Plan

SCH#: 2007062130

Dear Jennifer Hageman:

The enclosed comment (s) on your Subsequent EIR was (were) received by the State Clearinghouse after the end of the state review period, which closed on April 24, 2009. We are forwarding these comments to you because they provide information or raise issues that should be addressed in your final environmental document.

The California Environmental Quality Act does not require Lead Agencies to respond to late comments. However, we encourage you to incorporate these additional comments into your final environmental document and to consider them prior to taking final action on the proposed project.

Please contact the State Clearinghouse at (916) 445-0613 if you have any questions concerning the environmental review process. If you have a question regarding the above-named project, please refer to the ten-digit State Clearinghouse number (2007062130) when contacting this office.

Sincerely,

Terry Roberts

Senior Planner, State Clearinghouse

Serry Roberts

Enclosures

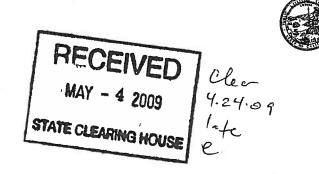
cc: Resources Agency

PUBLIC UTILITIES COMMISSION

505 VAN NESS AVENUE SAN FRANCISCO, CA 94102-3298

April 23, 2009

Jennifer Hageman City of Sacramento 300 Richards Blvd, 3rd Floor Sacramento, CA 95811



Re:

Notice of Completion, Supplemental/Subsequent EIR Swanston Station Transit Village Specific Plan

SCH# 2007062130

Dear Ms. Hageman:

As the state agency responsible for rail safety within California, the California Public Utilities Commission (CPUC or Commission) recommends that development projects proposed near rail corridors be planned with the safety of these corridors in mind. New developments and improvements to existing facilities may increase vehicular traffic volumes, not only on streets and at intersections, but also at at-grade highway-rail crossings. In addition, projects may increase pedestrian traffic at crossings, and elsewhere along rail corridor rights-of-way. Working with CPUC staff early in project planning will help project proponents, agency staff, and other reviewers to identify potential project impacts and appropriate mitigation measures, and thereby improve the safety of motorists, pedestrians, railroad personnel, and railroad passengers.

The Commission requests that the DEIR for the proposed project evaluate potential project-related rail safety impacts since our previous NOP comment letter was not adequately addressed. In addition to the potential impacts of the proposed project itself, the DEIR needs to consider cumulative rail safety-related impacts created by other projects.

In general, the major types of impacts to consider are collisions between trains and vehicles, and between trains and pedestrians. The proposed project has the potential to increase vehicular and pedestrian traffic in the vicinity. A Sacramento Regional Transit light rail line runs in the middle of the proposed project. While traffic congestion impacts are evaluated in the DEIR, the document does not consider potential rail safety impacts of the proposed project.

Measures to reduce adverse impacts to rail safety need to be considered in the CEQA documentation. General categories of such measures include:

- Installation of grade separations at crossings, i.e., physically separating roads and railroad track by constructing overpasses or underpasses
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- Installation of additional warning signage
- Improvements to traffic signaling at intersections adjacent to crossings, e.g., traffic preemption

Jennifer Hageman City of Sacramento SCH # 2007062130 April 23, 2009 Page 2 of 2

- Installation of median separation to prevent vehicles from driving around railroad crossing gates
- Prohibition of parking within 100 feet of crossings to improve the visibility of warning devices and approaching trains
- Installation of pedestrian-specific warning devices and channelization
- Construction of pull out lanes for buses and vehicles transporting hazardous materials
- Installation of vandal-resistant fencing or walls to limit the access of pedestrians onto the railroad right-of-way
- Elimination of driveways near crossings
- Increased enforcement of traffic laws at crossings
- Rail safety awareness programs to educate the public about the hazards of highway-rail grade crossings

Commission approval is required to modify an existing highway-rail crossing or to construct a new crossing.

The CPUC is a responsible agency under CEQA and needs to be referenced accordingly in the FEIR. The mitigation monitoring section of the FEIR needs to be modified to include any of the above mitigation measures for this project.

Thank you for your consideration of these comments. If you have any questions in this matter, please contact me at (415) 713-0092 or email at ms2@cpuc.ca.gov.

Sincerely,

Moses Stites

Rail Corridor Safety Specialist

Consumer Protection and Safety Division

Rail Transit and Crossings Branch

515 L Street, Suite 1119

Wose Stt

Sacramento, CA 95814

1. Matthew G. Darrow, County of Sacramento, Department of Transportation, March 5, 2009

- 1.1 The traffic analysis for the Swanston Station Transit Village Specific Plan was prepared as a section for the Draft EIR, and a separate "Traffic Impact Analysis" document was not developed. Section 6.11, Transportation, contains the information from the traffic analysis performed by Kimley and Horn Associates for the proposed project. The only substantive piece that was inadvertently not incorporated into Section 6.11 and the traffic appendix is a letter documenting the trip generation assumptions and calculations for the proposed development. This information is attached in its entirety at the end of these responses.
- The selection of the transportation facilities to study as part of the EIR was based on those facilities determined most likely to provide access to the plan area and to experience significant changes in traffic volumes. The trip generation data presented in the traffic study show that the proposed project would generate fewer trips than those created by the existing land uses that would be replaced. As a result, project impacts would be less than significant. The facilities included in the study, whether those roadways were City or County facilities, were selected by City staff and Kimley-Horn and Associates, who prepared the traffic analysis, to ensure that the facilities studied would adequately capture the potentially significant impacts of future development that could occur under the proposed Swanston Station Transit Village Specific Plan.
- As explained in Response 1.1 above, trip generation data were unintentionally excluded from Section 6.11. That information is produced in Response 1.1. It should be recognized that the City anticipates that only development in the Strategic Plan area would occur over the next 20 years or so. Future development in the Long-Term Plan area is anticipated but in a future horizon far beyond the 20-year timeframe. Page 6.11-48 of the Draft EIR explains that:

Given the uncertainty associated with the ultimate shape, form, intensity, and timing (after 2025) that development within the Long-Term Plan area will take, as well as the inaccuracies associated with the estimation of traffic impacts for a scenario that extends 25 years beyond the currently available analytic tools (SACOG's regional model), resulted in the adoption of a much more qualitative analysis approach being conducted for the Long-Term Plan.

The goal and objectives of the proposed specific plan is to create transit-oriented, pedestrian friendly, mixed use and residential development adjacent to the Sacramento Regional Transit light rail system, and, in particular, the Swanston and Royal Oaks light rail stations. The proposed mix of land uses and intensities will provide transit and neighborhood retail near residential development to shorten or reduce the number of vehicle trips and encourage pedestrian and bicycle access to the light rail stations within the study area.

The trip generation letter presented at the end of these responses shows the derivation of the trips under existing conditions and under the proposed Strategic Plan. Trips for existing land uses, and for future land uses that would displace existing land uses were calculated based on the Institute of Transportation Engineers, *Trip Generation*, 7th Edition and Trip Generation Handbook, Second Edition.

- 1.5 As explained in Response 1.1 above, trip generation data were unintentionally excluded from Section 6.11. That information is produced in Response 1.1.
- As shown on page 6.11-1 of the Draft EIR, the cumulative analysis was conducted for both scenarios: the No Project Conditions and the Project Conditions. For the cumulative No Project scenario, the 2025 SACMET model was modified so that the general plan land uses were replaced by the existing land uses (please see Cumulative Analysis discussion presented on page 6.11-38 and 39). For the cumulative analysis with the Project, the Swanston TVSP land uses were input into the 2025 SACMET model. These adjustments to the land uses for the plan area accurately reflects existing uses and trips, as well as plan land uses and trips, and thus allows a direct comparison of future conditions with the proposed project against existing conditions, as required by CEQA. This comparison is consistent with the methodology that the City of Sacramento used in evaluating cumulative impacts.

The impracticality and infeasibility of evaluating the traffic impacts of the Long-Term Plan in a quantitative fashion against existing conditions is documented and explained on page 6.11-48 of the Draft EIR.



September 5, 2007

Mr. Jesse Gothan, PE City of Sacramento Development Services Department 915 I Street, 3rd Floor Sacramento, California 95814 Suite 120 1430 Blue Oaks Boulevard Roseville, California 95747

Re:

Swanston Station Transit Village

Proposed Trip Generation and Study Facilities - Revision 1

Dear Mr. Gothan:

I am writing to obtain City concurrence on critical aspects of the traffic study for the above referenced project. This letter documents trip generation assumptions, analysis scenarios, and the facilities to be included in the traffic impact analysis (the "study") for the Swanston Station Land Use Plan.

Changes to the Proposed Project

Kimley-Horn and Associates, Inc., (KHA) originally sent you a letter documenting trip generation assumptions for the study on June 19, 2007. Since that time, the Proposed Project has been redefined by the City and the land use consultant, Moore, Iacifano, and Goltsman (MIG). The Proposed Project now includes land uses designated in the "Strategic Land Use Plan" and the rezoning of nine other parcels (the "project"). The land uses included in the revised Proposed Project are shown in Table 1. Information in this table was provided by MIG on August 24, 2007.

Table 1 Summary of Proposed Land Uses

	Commercial Uses, ksf	Residential Units
Specific Land Uses	60	300
Rezoned Parcels	10	66
Total	70	366

Trip Generation

The trip generation assumptions for the Proposed Project were revised based on the revision to the Proposed Project. Trips for the project were calculated using *Trip Generation*, 7th Edition, and *Trip Generation Handbook*, both published by the Institute of Transportation Engineers (ITE). The trip generation is shown in Attachment A and Table 2.

The trips were then adjusted to account for characteristics of the specific land uses and interaction between the land uses. These adjustments included internal



reduction factors and pass-by trips for the commercial uses. The internal reduction factors were derived using ITE methodologies and calculation sheets are included in Attachment A. The pass-by rate was estimated to be below the national average of 34%. This is due to the size of the retail are and the fact that most of it will not front onto an arterial.

Proposed Land Uses Land Use AM PEAK HOUR TRIPS3 PM PEAK HOUR TRIPS3 ITE LAND USE ITE LAND SIZE Daily **Land Use** Density or USE CODE (UNITS)1,4 Trips³ Intensity² OUT Total OUT Total 37 148 183 142 RMX Residential 77 219 15.00 Apartment, D.U. 2,350 Shopping 77 49 126 RMX Retail 237 258 495 **Varies** Center, ksf 820 70.00 5 386 Subtotal Raw Trip Generation 7,736 114 195 309 379 335 714 ITE Internal Reduction⁶ Daily: PM: -1,076 13.9% -55 -49 -104 -23 0 Alternate Modes: Residential 1% -1 -2 -1 -1 -2 Alternate Modes: Commercial 1% -54 -1 0 -1 -2 -3 -5 Alternate Mode: Office 0 0 1% 0 0 0 0 0 -1,616 Pass-by trips (Commercial Uses) -23 -15 30% -38 -71 -77 -148 Subtotal of Reductions -2,769 -24 -17 -41 -130 -129 -260 Strategic Alternative Trips 4,967 90 179 268 249 205 454

Table 2 - Trip Generation for the Proposed Project

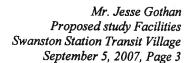
The Proposed Project land uses are intended to replace existing uses. As a result, trips for the existing uses were subtracted from the trips estimated for the Proposed Project. Detailed trip generation calculations for the existing uses are included in Attachment A and the net trips proposed to be analyzed for this phase are shown in Table 3. Table 3 indicates that the proposed land uses will result in fewer trips being generated by the Proposed Project than are currently being generated by existing uses.

Table 3 - Proposed Project Trip Generation Summary

	Daily Trips	AM PE	AK HOUR	TRIPS	PM PEAK HOUR TRIPS		
		IN ·	OUT	Total	IN	OUT	Total
Strategic Plan	4,967	90	179	268	249	205	454
Existing Uses	6,216	195	97	292	290	342	631
Net Trips	-1250	-105	82	-23	-41	-137	-177

Analysis Scenarios and Study Facilities

The Scope of Services for this project (approved as part of a sub-consultant agreement between KHA and MIG) assumed the proposed would be evaluated in two phases. Phase one was envisioned to consist of several "opportunity sites" and the phase two was envisioned to be a comprehensive "land use plan" for the project area. The "opportunity sites" are now depicted in the Strategic Plan and





the "land use plan" is now depicted on the Long Term Plan, both developed by MIG, the City, and various stake holders. It is our understanding, that, based on the results of the market study conducted for the project and direction from the City, the Proposed Project description to be used for the project EIR has been redefined to include only the Strategic Plan and the Long Term Plan will not be analyzed in the EIR¹.

As noted above, the "project" now consists of the Strategic Plan and will not be phased. However, since the original Scope of Services for the traffic impact analysis was developed assuming a phased approach, that Scope of Services is no loner appropriate for the current Proposed Project. As a result, we are proposing a revision to the scope of services. Attachment B includes the current Scope of Services and Attachment C includes the revised Scope of Services.

The revised Scope of Services includes a project level analysis for existing, baseline and future conditions. The revised Scope of Services was developed based on the following:

- Per the trip generation data presented above, the Proposed Project will generate significantly fewer trips than the current land uses. As a result, project impacts will be less than those created by the current land uses.
- The facilities to be studied under the current scope were developed assuming a project-specific analysis for the current year and a programmatic analysis for future build-out. For the new project definition, a project-specific analysis should be conducted for current and future scenarios.

We would like to proceed with the analysis as quickly as possible and information noted herein is critical to the study for this project. We appreciate your prompt response and indication of concurrence with the information provided.

Please contact me at (916) 797-3811 if you have any questions or require additional information.

¹ Per Mukul Mahotra, MIG, Project Manager, Rodney Jeung, Environmental Document Project Manager



Mr. Jesse Gothan Proposed study Facilities Swanston Station Transit Village September 5, 2007, Page 4

Very truly yours,

KIMLEY-HORN AND ASSOCIATES, INC.

Stephen M. Pyburn, C.E., T.E.

Senior Project Manager

PE No. C49598 & TR1904

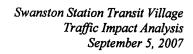
Copy to: Mukul Mahotra, MIG

Dan Drazen, MIG Rodney Jeung, EIP

Attachments:

Attachment A - Trip Generation and Trip Reduction Worksheets

Attachment B - Current Traffic Study Scope of Services
Attachment C - Revised Traffic Study Scope of Services





Attachment A
Trip Generation Worksheets



Swanston Station Transit Village TRIP GENERATION -PROPOSED PROJECT

(Strategic Plan and Additional Parcels to be Rezoned) Revision 2: August 29, 2007

richosed Land Uses					The Contract		Contraction of the last of the				
		ITE LAND	ITE LAND USE	SIZE	Daily	AM PI	AM PEAK HOUR TRIPS ³	TRIPS	PM	PM PEAK HOUR TRIPS ³	RIPS
Land Use	Density or Intensity ²	CODE	DESCRIPTION ^{3,4}	(UNITS)1.4	Trips ³	N	OUT	Total	Z	OUT	Total
RMX Residential	15.00	220	Apartment, D.U.	366	2,350	37	146	183	142	Ш	219
RMX Retail	Varies	820	Shopping Center, ksf	70.00	5,386	Ť	49	126	237	258	495
Total area:			Subtotal Raw Trip Generation	Generation	7,736	114	195	309	379	335	714
ITE Internal Reduction ⁵	Daily:	13.9%	PM:	14.6%	-1,075				-55	49	-104
		Ali	Alternate Modes: Residential	1%	-23	0	1-	-5	-1	1-	-2
		Alternate	late Modes: Commercial	1%	-54	1-	0	-1	-2	£-	-5
			Alternate Mode: Office	1%	0	0	0	0	0	0	0
		Pass-by tri	y trips (Commercial Uses) ⁶	30%	-1,616	-23	-15	-38	-71	11-	-148
			Subtotal of Reductions	Reductions	-2,768	-24	-17	-41	-130	-129	-259
Strategic Alternative Trips	SC				4,967	96	179	268	249	205	454
Existing Land Uses Being Replaced by Proposed Land Uses and Rezones ⁷	Replaced by F	pesodou	Land Uses and Rezones ⁷								
Manufacturing (7)		140	Light Industrial, ksf	147.69	564	83	25	108	38	20	109
Shopping Center		820	Shopping Center	130.53	8,075	112	72	184	358	388	746
		Pass-by	Pass-by trips (Commercial Uses) ⁶	30%	-2,422				-107	-117	-224
Total Existing Uses	200				6,216	195	97	292	290	342	631

-177

-437

-23

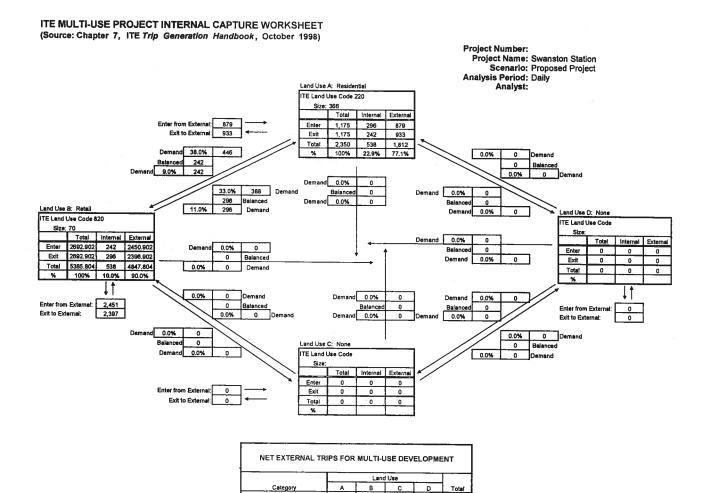
82

-105

-1,249

Net New Trips





2,451

2,397

4,848

5,386 Overall Internal Capture =

933

1,812

2,350

3,330

3,330

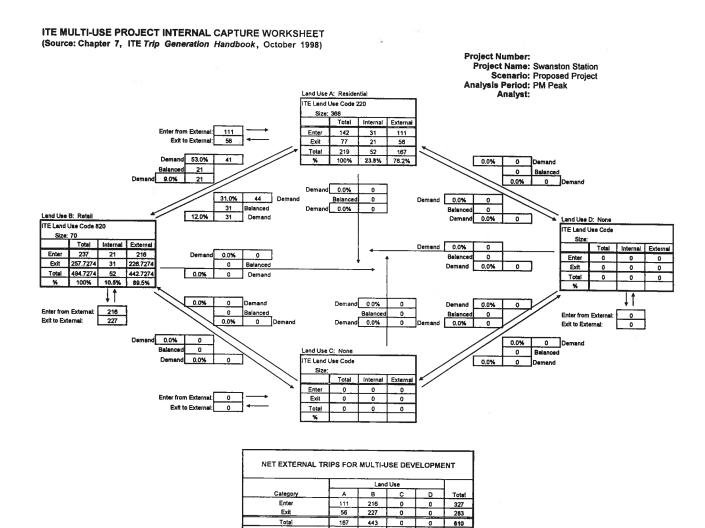
6,680

Enter Exit

Total

Single Use Trip Gen Estimate





495

Overall Internal Capture = 14.57%

714

Single Use

- 2. Elizabeth Obon, Sacramento Regional County Sanitation District, March 30, 2009
- As noted by the commenter, Figure 2-14 (Proposed Water System Improvements) shows an existing 6-inch water main with the Beaumont Street right-of-way that would be improved to 8 inches to satisfy the City's minimum standards. The commenter reports that the 72-inch Dry Creek interceptor also lies within that right-of-way. Future plans to improve the water line will be closely coordinated with the District to ensure minimal conflicts with the Dry Creek interceptor.
- The analysis of future wastewater capacity and flows from development that could occur under the proposed plan (see Impact UT-2 beginning on page 6.10-24 and Impact UT-7 beginning on page 6.10-32) indicate that the treatment plant would have sufficient capacity to serve the net increase in total average daily sewer flow from development that could occur in the plan area. The District wants to clarify that it cannot guarantee that capacity would be available at the time future development occurs. To reflect this point, the text in Chapter 2 cited by the commenter has been revised to include a discussion that the flows are on a "first come, first served" basis.

Page 6.10-32, under Impact UT-7, paragraph 1, is revised as follows:

At buildout, development that could occur in the Long-Term Plan area would generate a net increase of approximately 0.577 mgd of wastewater (Table 6.10-15). As the SRWTP currently treats 155 mgd and has the capacity to treat 181 mgd, the net increase in wastewater from development during the Long-Term Plan phase is not expected to require expansion of the SRWTP facilities. However, as noted by the SRCSD, flows to the SRWTP are on a "first come, first served basis." Therefore, flows to the plant not anticipated in the SRWTP 2020 Master Plan could result in capacity constraints for new development within the Long-Term Plan area. SRCSD periodically updates the Master Plan on an as-needed basis to account for increased development and growth in population, and with that, plans for the expansion and upgrading of SRCSD facilities. Any necessary changes to capacity would occur incrementally, as regional population growth demands greater treatment capacity. Future updates to the Master Plan will recognize the growth allowed by the Long-Term Plan and plan for the necessary improvements to SRCSD facilities. Accordingly, it is not expected that the Long-Term Plan would result in a significant wastewater treatment plant impact.

As noted by the commenter, Figure 2-15 (Proposed Sanitary System Improvements) shows an existing 12-inch wastewater line with the Beaumont Street right-of-way that would be improved to 18 inches to meet future wastewater flows. The commenter reports that the 72-inch Dry Creek interceptor also lies within that right-of-way. Future plans to improve the wastewater line will be closely coordinated with the District to ensure minimal conflicts with the Dry Creek interceptor.

2.4 The commenter reports that the wastewater agencies serving the Swanston Transit Village Plan area are incorrectly identified on pages 6.10-3 and 6.10-4. These corrections have been made and are reflected in Chapter 3, which contains changes to the Draft EIR text. These changes are also noted below.

Page 6.10-3, paragraph 2, sentence 3 is revised as follows:

Information for this section comes from the infrastructure report prepared for the proposed Swanston Station Specific Plan, as well as information provided by the Sacramento Regional County Sanitation Services District and the Sacramento Area County Sanitation District.

Page 6.10-4, paragraph 2, sentence 1 is revised as follows:

The SRWTP, which is located just south of the city limits, is owned and operated by the Sacramento Regional County <u>Sanitation</u> Services District (SRCSD).

2.5 The commenter provides clarifying language on page 6.10-38, regarding the frequency of the District's Master Plan. The text has been revised in accordance with the commenter's suggestion and is reflected in Chapter 3, which contains changes to the Draft EIR text. This change to the first paragraph, last three sentences, under Impact UT-11 is also noted below.

In addition, the Master Plan is updated every five years to account for changes in existing and projected population. SRCSD periodically updates the Master Plan on an as-needed basis to account for increased development and growth in population, and with that, plans for the expansion and upgrading of SRCSD facilities. Any necessary changes to capacity would occur incrementally, as regional population growth demands greater treatment capacity. Therefore, the cumulative impact of future development on SRWTP treatment facilities would be less than significant.

2.6 The commenter has provided advisories and information from a Memorandum of Understanding (MOU) between the District and the City of Sacramento. This MOU identifies flow restrictions for the County Interceptor known as the "City Interceptor" which is located in the south area of the City of Sacramento that runs south from Sump 2 (Riverside Boulevard & 10th Avenue), along Freeport Boulevard, along I-5, and ultimately to the SRWTP. The Swanston Station Transit Village is located in the north area of Sacramento near Business 80 and Arden Way. Sewer flows from this area are conveyed to the SRWTP by a County Interceptor and *not* the "City Interceptor." Therefore, the max flow of 108.5 MGD is related to the "City Interceptor" only, and this MOU does not apply to sewer flows generated from this project.

3. Keith G. Wagner, Sacramento Audubon Society, April 2, 2009

- This comment contains introductory and general information. The City carefully reviewed the commenter's concerns and finds that that EIR provides sufficient information for the public to consider and respond to the project's potential impacts to purple martins and associated mitigations. Please refer to specific responses below.
- This comment states that the biological surveys conducted in February 2006 are not adequately timed to detect nesting burrowing owls, purple martins, or Swainson's hawks. As stated on page 6.3-1 of the Draft EIR, the field surveys focused on potential suitable habitat for special-status species that could potentially occur in the Swanston TVSP project area. Impacts BIO-1, BIO-2, and BIO-3 each address potential impacts to these species, and the latter two impact assessments explicitly acknowledge that nesting birds, and specifically purple martin, could be adversely affected by future development in the plan area. Thus, the EIR discloses that various migratory birds, including burrowing owls, purple martins, and Swainson's hawks could nest in the plan area. Accordingly, Mitigation Measures BIO-2.1 and BIO-3.1 are proposed to address potential impacts to these species by requiring appropriately timed surveys prior to future development that could disturb these sensitive species, and should such surveys detect active nests, then other appropriate measures to mitigate potential harassment of the birds or abandonment of the nests are prescribed.
- In response to the information provided by the commenter, background information on the purple martin has been added to the Draft EIR. Specifically, the presence of the purple martin at the Arden Way overpass is reported, and effects related to development that could occur under the Long-Term Plan are identified.

Page 6.3-1, paragraph 1, new text inserted before the last sentence in the paragraph:

In addition, information from the Sacramento Audubon Society has been used to supplement background data on the bird species in the Swanston TVSP project area.¹

Airola, D.A., D. Kopp and S. Kostka, Purple Martin population status and colonization patterns in the Sacramento Region in 2004, Central Valley Bird Club Bulletin 7:71-77, 2004; Airola, D.A. and D. Kopp, Breeding population status and mortality assessment of Purple Martins in Sacramento during 2006, Central Valley Bird Club Bulletin 10:33-34, 2007; Airola, D.A., and B.D.C. Williams, Purple Martin (Progne subis). In: California Bird Species of Special Concern: A ranked assessment of species, subspecies, and distinct populations of birds of immediate conservation concern in California, W.D. Shuford and T. Gardali (editors), Studies of Western Birds 1. Western Field Ornithologists, 2008; Airola, D.A., D. Kopp, and K. Thomas, Population status, reproduction, and mortality of Purple Martins in Sacramento during 2007, Central Valley Bird Club Bulletin 11:25-36, 2008.

Page 6.3-1, paragraph 3, sentence 1 has been revised as follows:

The only recorded occurrences of a special-status species within the Swanston TVSP project area is purple martin, a bird that nests under the El Camino Avenue and Arden Way overcrossings.

Page 6.3-8, paragraph 2, last few sentences have been revised as follows:

There <u>are is a colonyies</u> of purple martins that <u>are is known to use the underside of the El Camino Avenue <u>and the Arden Way</u> overcrossings within the Swanston TVSP project area. Thise area by the El Camino Avenue overpass has been used by purple martins since 2002 and at least 20 pairs were observed in a 2007 survey (Dan Airola, 2007). <u>Similarly, the Arden Way overpass has supported 3 to 13 nesting pairs from 2004 through 2008 (Dan Airola et al. 2004, 2008).</u></u>

Page 6.3-17, under Impact BIO-3, paragraph 2, new text after sentence 5 is inserted as follows:

In addition, a nesting colony uses the Arden Way overpass. Surveys between 2004 and 2008 identified 3 to 13 nesting pairs supported by this bridge.

Page 6.3-17, under Impact BIO-3, paragraph 2, new text before the last sentence is inserted as follows:

At the Arden Way overpass, the Swanston TVSP project proposes sidewalk improvements on both sides of the road, and a transit plaza and promenade on the north side of the overpass. Construction of these improvements could affect the purple martins in a manner similar to those effects identified for the purple martins using the El Camino Avenue bridge.

Page 6.3-17, Mitigation Measure BIO-3.1 has been revised as follows:

BIO-3.1 Construction Limits Around the Purple Martin Nests. Although purple martins are tolerant of human activities, if active nests are present, no construction shall be conducted within 120 feet of the edge of the purple martin colony (determined by the closest active nest hole to the construction activity) during the beginning of the purple martin breeding season from March-15 to May 15 April 1 to August 1. The buffer area shall be avoided to prevent destruction or disturbance of the nest(s) or until it is no longer active, as determined by a biologist experienced in working with purple martins. In addition, no equipment taller than 9 feet in height shall be parked or stored beneath the El Camino Avenue or Arden Way overcrossings within 100 horizontal feet of nest holes from April 15 to July 31.

- The statement on page 6.3-1 of the Draft EIR states the results of the biological field survey. Information on nesting avian species is included in Table 6.3-1, and in the Environmental Analysis portion of Section 6.3, Biological Resources, beginning on page 6.3-14. Notably, Impact BIO-2 acknowledges potential impacts to nesting birds. Therefore, the analysis acknowledges that although nesting birds were not observed during the field survey, and that CDFG CNDDB lists low likelihoods of occurrences of burrowing owls and Swainson's hawks in the Swanston TVSP area, such species could occur within the project area and mitigation is necessary.
- The Swainson's hawk discussion on page 6.3-7 of the Draft EIR notes that, "Although no nesting Swainson's hawks have been observed within the Swanston TVSP project area, the area is within the foraging range of approximately 10 Swainson's hawk nests." However, given the discontinuous patches of ruderal vegetation within the undeveloped lots, their small size (less than approximately two acres), and the high level of urban disturbance, the Swanston TVSP project area does not provide significant foraging or nesting habitat for this species. For these reasons, the field biologists who prepared the analysis continue to support the designation of a "low" probability of occurrence in Table 6.3-1.
- These species were not observed during the field surveys and as such were not included within the survey results. However, the City does not dispute that these species would likely be present within the area as they are commonly associated with habitats similar to those of the purple martin. It should be noted that neither white-throated swifts nor northern rough-winged swallows are special-status species. Impacts to nesting birds are covered under Impact BIO-2, beginning on page 6.3-15.
- As stated on page 6.3-4 of the Draft EIR, information on sensitive species was obtained from the CNDDB dated October 2007 when the Cooper's hawk was still listed as a California Species of Concern. Since then, the species is no longer considered a California Species of Concern, as noted by the commenter. Accordingly, Table 6.3-1 and the text on page 6.3-7 have been revised (see Chapter 3) to reflect this re-designation of the Cooper's hawk.
- As noted in Response 3.3, the Draft EIR has been revised to include the colonies of purple martin using the Arden Way overpass. The text revisions are presented in Chapter 3 of this document and in Response 3.3 above. The text on page 6.3-8 notes that abandoned woodpecker holes are one area that purple martins can nest, in addition to nest boxes and other human structures.
- As noted on page 6.3-8, the purple martin is designated as a California Department of Fish and Game Species of Special Concern. In general, the City does not include specific information about why a species is considered endangered. Impact BIO-6 on page 6.3-21 of the Draft EIR discusses the potential cumulative effects of the loss of nesting purple martins and discusses how the protective laws and regulations would reduce the potential disturbances to the resources. Therefore, the Draft EIR recognizes the importance of the protection of the species.

- The commenter requests that the discussion of heritage trees on page 6.3-8 should be modified to recognize that such trees can be used as nesting sites by Swainson's hawks. However, the heritage tree text on page 6.3-8 is intended to acknowledge that certain trees that attain a certain size are by their own rights important biological species, regardless of whether they provide nesting habitat for particular bird species. The commenter's request to recognize heritage trees as possible habitat for the Swainson's hawk is already included on page 6.3-7 of the Draft EIR (paragraph 3), where it explains that Swainson's hawks tend to nest in tall riparian trees (typically oaks or cottonwoods).
- 3.11 Impact BIO-2 identifies that species protected by the Migratory Bird Treaty Act likely nest within the project area and Mitigation Measure BIO-2.1 is recommended to reduce impacts to these species to less-than-significant levels. The description of the Migratory Bird Treaty Act beginning on page 6.3-8 is intended primarily to identify adopted plans, policies, and regulations that are relevant in the Swanston Transit Village Specific Plan area.
- The commenter is correct in stating that the absence of evidence of special-status species (including Swainson's hawks, white-tailed kites, purple martins, and burrowing owls) does not preclude their nesting potential in the Swanston TVSP project area. The paragraph referenced by the commenter states that no known occurrences have been recorded in the Swanston TVSP project area. As noted previously in Response 3.2, the Draft EIR acknowledges potentially adverse effects to special-status species and proposes Mitigation Measures BIO-2.1 and BIO-3.1 to ensure that surveys for the aforementioned species occur prior to construction, and that if such surveys detect the presence of these species, appropriate measures be implemented to protect these species.
- The information in the paragraph cited by the commentor addresses the movement of species by migratory corridors, connections to open space lands or river corridors, and to/from nursery sites. Ingress and egress to the overpasses used by the purple martins would not be altered by the proposed project because the project does not propose the demolition of the existing development, and the reconstruction of new development, around the bridges. The parcels around the two bridges are currently developed. The railroad tracks would not be altered by the future development in the station area. It is noted that Impact BIO-3 of the Draft EIR does recognize that the proposed project could impact this special-status species, and in response, recommended Mitigation Measure BIO-3.1 to address potential disturbance to purple martins if they are nesting in the project area during construction activities.
- Impact BIO-3 of the Draft EIR addresses all potential impacts to purple martins within the project area, and in recognition of the potentially significant impact identified, recommended Mitigation Measure BIO-3.1 to address potential disturbance to purple martins if they are nesting in the project area during construction activities. Please note that the Draft EIR text has been modified to include the colonies of purple martin using the

Arden Way overpass and the potential effects to them (see Chapter 3 of this Final EIR and Response 3.3 above).

- 3.15 Potential impacts associated with loss of access to the nesting areas would not be expected to occur as purple martins are tolerant of human activities. In addition, the overpass would not be physically altered to preclude nesting, and the area immediately adjacent to the nesting site is not proposed to be altered in such a way as to significantly impact the approach to the nesting areas. The proposed transit center that would be sited near the Arden overpass is a project being considered by the Sacramento Regional Transit District and would occur independently of the proposed Swanston Transit Village Specific Plan. Therefore, this environmental document does not need to consider the potential impacts to purple martins due to the construction and operation of the proposed transit center. Furthermore, the areas surrounding the colony, including the El Camino and Arden overpasses would remain transportation-oriented uses, the same type of land use that currently exists at the overpasses. Consequently, the access to the nesting area would not be substantially different from its current state and the impact would remain less than significant. In addition, the areas surrounding the colonies would still provide suitable landscaping materials such as pine needles to provide nesting materials for the colony and significant impacts would not be anticipated.
- The commenter expresses concerns regarding increased mortality of the purple martins from vehicle collisions. However, the area surrounding the martin colonies, where collisions would be most likely, would remain in its current transportation-oriented land use and the majority of the changes in circulation would occur away from the nesting area. In addition, as noted on page 6.11-21 of the Draft EIR, development that could occur within the Strategic Plan area is anticipated to result in approximately 1,332 fewer daily vehicle trips on area roads, compared to current trips. Furthermore, it is estimated that full implementation of the proposed Swanston TVSP project (Strategic Plan area and the Long-Term Plan area) would lead to the elimination of approximately 7,300 daily vehicle trips compared to existing uses. Therefore, potential mortality of the purple martins from automobile collisions is expected to be less than significant.

With respect to losses due to increased light rail traffic (LRT), as discussed on page 6.11-37 of the Draft EIR, data from Sacramento Regional Transit indicates that currently LRT service operates at four trips per hour at the Swanston and Royal Oaks Light Rail Stations. Future plans for the Northeast Corridor that is served by these station include adding three additional trips per peak hour period by January 2012 to serve projected ridership and to offer express service. This increase is service was planned by the Sacramento Regional Transit District prior to the City's specific plan efforts around the Swanston Station, and thus is not due to the transit-oriented development envisioned by the plan. The Swanston TVSP project does not include proposals to alter the fencing on the existing El Camino Avenue and Arden Way overpasses or to enhance the unimproved access roads under the overpasses, both of which could result in greater threats to the

purple martin colonies. As a result, mortality impacts to purple martins from the LRT would not be associated with the proposed Swanston Transit Village Specific Plan.

- 3.17 As suggested by the commenter, Mitigation Measure BIO-3.1, beginning on page 6.3-17, has been revised. The revised text is presented in Chapter 3 of this document and in Response 3.3 above.
- 3.18 Please refer to Response 3.17, regarding modifications to Mitigation Measure BIO-3.1.
- 3.19 No active Swainson's hawk nests have been identified within 2 miles of the project site (CNDDB 2009) and thus, there is no evidence that nesting would be likely to occur in the project area. Please refer to Responses 3.5 and 3.12 for additional responses concerning the presence of Swainson's hawks.
- Impact BIO-6 of the Draft EIR specifically recognizes that the primary effects of the proposed Swanston TVSP project, when considered with other projects in the region, could be the cumulative loss of nesting purple martins. It states that implementation of Mitigation Measures BIO-2.1 and BIO-3.1 would reduce potential direct effects on migratory bird species by identifying occupied nests, delaying construction if necessary, and providing a buffer zone (no construction area) around occupied nests to ensure that no take or destruction of nests or eggs occurs. Because these mitigation measures reduce impacts to nesting birds, their young and eggs, the proposed Swanston TVSP project would not contribute to other losses locally or regionally. Therefore, the impact of the proposed Swanston TVSP project would not be cumulatively considerable.

With respect to the unproven nature of other project's purple martin mitigation, there is no evidence that the mitigation will fail, and in certain cases such as the Railyards Redevelopment project, the mitigation was designed jointly with purple martin experts, and will be monitored for success. This monitoring effort would ensure that the measures that are designed to reduce reasonably foreseeable project impacts to purple martins to less-than-significant levels would be carried out and monitored. Speculation about future potential impacts that could result from mitigation failure does not mandate additional monitoring for impacts that would be outside the scope of what are the reasonable foreseeable impacts of the project. Consequently, additional monitoring is not proposed. Presumption of failure of these mitigation measures and the subsequent cumulative impact to purple martins would therefore be speculative.

- 3.21 Please refer to Responses 3.15, 16, and 20 above, for a discussion of the adequacy of the purple martin impact assessment (for both El Camino and Arden Way populations) and mitigation requirements to reduce impacts to less-than-significant levels.
- Please refer to Responses 3.15, 16, and 20 above, for a discussion of cumulative impacts to the purple martin and the proposed mitigation.

- 3.23 The commentor requests mitigation for cumulative impacts, including preparation of a city-wide management plan for purple martins, new planning for mitigation implementation at previously approved development sites in the City, support for an ongoing monitoring program, and monitoring to evaluate the effectiveness of proposed mitigation measures. This request is beyond the scope of the proposed project. Moreover, as explained in Response 3.20 above, the proposed Swanston TVSP project would have a less than cumulatively considerable effect on purple martins, so that the cumulative impacts to this Species of Special Concern with the proposed project would be less than significant. Nevertheless, the comment is noted and passed on to decision-makers for their consideration.
- 3.24 See Response 3.23.
- 3.25 See Response 3.23.
- 3.26 See Response 3.23.
- As discussed in the above responses to comments, the Draft EIR for the Swanston TVSP project adequately addresses both direct and cumulative impacts to biological resources. Recirculation of the document is not required for reasons given above.

- 4. Moses Stites, California Public Utilities Commission, April 23, 2009 (This letter was also forwarded to the City by the State Clearinghouse on May 5, 2009)
- 4.1 In response to the NOP comments from the CPUC, a discussion of rail crossings was included in the Draft EIR, beginning on page 6.11-15. This discussion concludes with the following statement: CPUC regulations will need to be observed in the future planning and design of uses alongside or crossing the rail line.

Because the proposed Swanston TVSP is a planning document, there are no imminent development projects that would occur and potentially raise rail safety concerns. The near-term development (and, in this case, near-term means over the next 20 years) includes possible land development, transportation, and open space improvements in an area referred to as the Strategic Plan area. The only portion of this area in the vicinity of the Union Pacific or Sacramento Regional Transit District rail lines is the former Lumberjack site and land immediately to the east. As specific development applications are submitted to the City of Sacramento for this development area, the City will inform the applicant(s) of the need to coordinate with the CPUC to ensure public safety. As other projects in the vicinity of the rail lines occur, there could be a cumulative rail safety impact, as noted by the commenter, but each of these projects would be expected to comply with the CPUC's safety regulations, which would reduce the contribution of each project's impacts to less than cumulatively considerable.

4.2 As explained in the Draft EIR on page 6.11-15:

The light rail line crosses study roadways at five locations. The El Camino Avenue and Arden Way crossings are grade separated. The crossings of Evergreen Street, the driveway to the Caltrans warehouse at 2001 Evergreen Street, and Royal Oaks Drive are at grade. The three existing at-grade crossings are owned and operated by Sacramento Regional Transit (RT) and were designed and constructed to meet RT's System Safety Program Plan (SSPP). The SSPP is a master plan document that presents a comprehensive safety program for bus and rail operations within RT's service area. RT provides for the safety of its employees, contractors, patrons and the public by enforcing safety legislation and all applicable environmental, health and security provisions contained within regulatory authority administered through the California Occupational Safety and Health Administration (CALOSHA), the California Public Utilities Commission (CPUC), the California Environmental Protection Agency (CalEPA), and through standard provisions in each contract.

The proposed Swanston TVSP project acknowledges improvements and plans by Sacramento RT, but the City of Sacramento would not be the sponsor or lead agency for

Sacramento Regional Transit. Short Range Transit Plan, 2000 to 2008.

those plans. Thus, Sacramento RT would be responsible for complying with CPUC rail safety regulations, and RT's SSPP is intended to accomplish this. In particular, the Sacramento RT proposal to straighten the Lumberjack Curve would eliminate an existing at-grade crossing with Evergreen Street with a new crossing that would be designed in consultation with the CPUC.

The proposed Swanston TVSP would increase development density in the plan area and pedestrian traffic in the vicinity of the UP and Sacramento RT lines, as noted by the commenter. Vehicular traffic across the tracks would be limited to the new Evergreen Street at-grade crossing, described above, and the two grade-separated crossings at El Camino Avenue and Arden Way (neither of which are highways). Because two of the crossings are grade separated already and the third crossing would be a new one and subject to CPUC review, it is not expected that vehicular traffic would result in additional safety concerns beyond those that currently exist.

With respect to pedestrian traffic and the potential to trespass the rail rights-of way, the proposed Swanston TVSP project identifies two optional locations where pedestrians from east of the tracks could cross the tracks on a pedestrian bridge structure and safely access the Swanston Light Rail Station. The bridge recognizes the need to connect the areas west and east of the tracks in a safe and convenient manner.

4.3 The commenter suggests measures to reduce adverse impacts to rail safety. As noted above in Responses 4.1 and 4.2, the Swanston TVSP project is not expected to result in adverse impacts to rail safety, particularly since the City of Sacramento would expect future development applicants to demonstrate compliance with CPUC regulations and this demonstration would likely be a condition of project approval.

In response to the commenter's suggested measures, the proposed Swanston TVSP project does not propose new at-grade crossings of the Sacramento RT light rail lines, and there are no highway-rail crossings in the plan area. The proposed at-grade crossing of Evergreen Street, when Lumberjack Curve is straightened, would be designed in consultation with the CPUC and could include some of the suggestions (e.g., warning signage and median separation) when that project is advanced by Sacramento RT. The one new crossing of the UP rail line is proposed to be constructed as a grade-separated overpass, which will require CPUC approval.

Because significant adverse impacts are not anticipated from the proposed plan, addition of mitigation measures is not warranted. The City recognizes the safety concerns identified by the commenter and will consult the CPUC on matters concerning changes to circulation or access near the rail lines.

5. Nancy Bosley, April 16, 2009

5.1 The comment questions the zoning for a particular parcel within the Specific Plan area. The comment does not address the adequacy of the EIR or the City's fulfillment of CEQA.

Accordingly the comments are forwarded to the decision-makers for their consideration during deliberations on the Specific Plan.

- 6. Terry Roberts, California Office of Planning and Research, April 28, 2009
- 6.1 The letter from the State Clearinghouse does not raise any issues that require a response.

CHAPTER 5 MITIGATION MONITORING PLAN

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Chapter 5 Mitigation Monitoring Plan

The following is the Mitigation Monitoring Program (MMP) for the Swanston Transit Village Specific Plan project. The project as approved includes mitigation measures to address impacts of the project. The intent of the MMP is to prescribe a means for properly and successfully implementing and enforcing the mitigation measures as identified within the Environmental Impact Report for this project. Unless otherwise noted, the cost of implementing the mitigation measures as prescribed by this MMP shall be funded by the applicant.

4.1 COMPLIANCE CHECKLIST

The MMP contained herein is intended to satisfy the requirements of CEQA as they relate to the Environmental Impact Report for the Swanston Transit Village Specific Plan project prepared by the City of Sacramento. This MMP is intended to be used by City staff and mitigation monitoring personnel to ensure compliance with mitigation measures during project implementation. Mitigation measures identified in this MMP were developed in the Environmental Impact Report prepared for the proposed project.

The Swanston Transit Village Specific Plan project Environmental Impact Report presents a detailed set of mitigation measures that will be implemented throughout the lifetime of the project. Mitigation is defined by CEQA as a measure which:

- Avoids the impact altogether by not taking a certain action or parts of an action;
- Minimizes impacts by limiting the degree or magnitude of the action and its implementation:
- Rectifies the impact by repairing, rehabilitating, or restoring the impacted environment;
- Reduces or eliminates the impact over time by preservation and maintenance operations during the life of the project; or
- Compensates for the impact by replacing or providing substitute resources or environments.

(CEQA Guidelines Section 15370.) The intent of the MMP is to ensure the effective implementation and enforcement of adopted mitigation measures and permit conditions. The MMP will provide for monitoring of construction activities as necessary and in-the-field identification and resolution of environmental concerns.

Monitoring and documenting the implementation of mitigation measures will be coordinated by the City of Sacramento. The table attached to this report identifies the impact number, impact, mitigation measure, the monitoring agency for the mitigation measure, the implementation schedule, and signoff. The applicant will be responsible for fully understanding and effectively implementing the mitigation measures contained within the MMP. The City of Sacramento will be responsible for ensuring compliance.

4.2 MITIGATION MONITORING PLAN

The following table indicates the mitigation measure number, the impact the measure is designed to address, the measure text, the monitoring agency, implementation schedule, and an area for sign-off indicating compliance.

Signoff					17																				
Witigation Measure	A TANANS OF THE PROPERTY OF TH	AQ-2.1 Particulate Matter Emission Reduction. The project	applicant/developer shall implement the following reduction measures, depending	on the size of the proposed development. The project applicant/developer shall	ensure that these measures are conducted	by requiring that they be included in all	construction contracts for all phases of construction and demolition activities.	a) If a project requires that the maximum	disturbance for grading at any given	time is 3 acres or less, no mitigation measures would be required unless the	SMAQMD stipulates otherwise.	b) If a project requires that the maximum	disturbance for grading at any given	One mitigation is required as specified	by the prevailing SMAQMD Guide at	the time a particular development	project is approved.	 During clearing, grading, earth- 	moving, or excavation operations,	fugitive dust emissions shall be	controlled by watering exposed soil	two times per day; and	 Maintain two feet of freeboard 	space on haul trucks.	c) If a project requires that the maximum
Monitoring Agency		CDD	SMAQMD																						
Implementation Schedule		During all phases of demolition and	construction activities				ī								12						П				
Impact	Air Quality	AQ-2. Development that could occur in the Strategic Plan area would	generate construction-related emissions of particulate matter	(PM ₁₀) that could exceed SMAQMD standards.										1F 92-16		2 × 1									

Signoff	DIEMOII																														
Mitigation Measure	TITLE ALION MACABULA	disturbance for grading at any given	time is between 8.1 and 12 acres, Level	Two mitigation is required, as	specified by the prevailing SMAQMD	Guide at the time a particular	development project is approved.	 During clearing, grading, earth- 	moving, or excavation operations,	fugitive dust emissions shall be	controlled by watering exposed soil	three times per day;	 Soil piles shall be watered three 	times daily; and	 Maintain two feet of freeboard 	space on haul trucks.	d) If a project requires that the maximum	disturbance for grading at any given	time is between 12.1 and 15 acres,	Level Three mitigation is required, as	specified by the prevailing SMAQMD	Guide at the time a particular	development project is approved.	 Water all exposed soil with 	sufficient frequency as to maintain	soil moistness;	 Maintain two feet of freeboard 	space on haul trucks; and	 Use emulsified diesel or diesel 	catalysts on applicable heavy duty	diesel construction equipment.
Monitoring Agency	Camagas																														
Implementation Schedule	CHAMMIC																				-										
Impact	TARE DOSC							TV.																	-						

	Implementation	Monitoring		
Impact	Schedule	Agency	Mitigation Measure	Signoff
AQ-5. Development that could	During all phases	CDD	Implementation of Mitigation Measure AQ-	
occur under the Long-Term Plan	of demolition and		2.1 (Particulate Matter Emission Reduction)	
would generate construction-related	construction	SMAOMD	during construction of individual	
emissions of ozone precursors and	activities) 	developments under the Long-Term Plan	
particulate matter that could exceed			would ensure that impacts due to emissions	
SMAQMD standards.			of PM ₁₀ during grading phases would be	-
			reduced to a less-than-significant level.	•
AQ-6. Development that could occur	Prior to approval	CDD	The measures identified in SMAQMD's	
under the Long-Term Plan would	of improvement		Guide in Table E-2 represent strategies for	
generate operational emissions of	plans		reducing operational emissions. It is	
ozone precursors that may exceed		CMOAMS	noteworthy that the Swanston TVSP project	
SMAQMD standards		TIMINUTATE	contains specific policies and guidelines that	
			would implement a number of these	
			measures and would therefore reduce many	
			of the potential operational air quality	
			impacts that might otherwise occur. As	
		(1	future individual development projects	
			occur, they could include other measures	
			from the list in Table E-2, or new ones that	
			may be identified in future updates to the	
			SMAQMD's Guide.	

	Implementation	Monitoring		
Impact	Schedule	Agency	Mitigation Measure	Signoff
Biological Resources				
BIO-2. Development that could	During all phases	CDD	BIO-2.1 Preconstruction Surveys and	
occur under the proposed Swanston	of demolition and		Protection Measures for Nesting Birds. If	
TVSP project (Strategic Plan area	construction		trees are removed outside the nesting season	
and Long-Term Plan area) would not			(typically March 15 to August 30), there	
result in substantial degradation of			would be no effect on nesting birds and no	_
the quality of the environment or			mitigation is required. Construction	
reduction of habitat or population			activities shall be timed to avoid tree	
below self-sustaining levels of			removal during the nesting season. If this	
threatened or endangered species of			cannot be accomplished, then a qualified	
plant or animal. Development could,			biologist shall conduct a preconstruction	
however, impact nesting birds			nesting survey no more than one week prior	
protected under state and federal			to tree removal to determine if nesting birds	
regulations.			are present. If nesting birds are present, an	•
			appropriate buffer zone (no construction	
			area) shall be developed by the biologist and	
			in consultation with CDFG, and construction	
			activities shall be suspended in the buffer	
			zone until future surveys indicate that the	
			chicks have fully fledged (left the nest).	
			Completion of preconstruction surveys and	
			avoidance of bird nests would result in no	
			impacts to nesting birds. Survey results	
			shall be valid for a period of 21 days from	
			the date of the survey. Should vegetation or	
			building removal fail to be conducted within	
			this time frame, a second survey shall be	
			undertaken.	
		•	A report shall be submitted to the City of	
			Sacramento, following the completion of the	
			bird nesting survey that includes, at a	
			minimum, the following information:	

Impact	Implementation Schedule	Monitoring Agency	Mitigation Measure	Signoff
Ħ			 A description of methodology including dates of field visits, the names of survey personnel with resumes, and a list of references cited and persons contacted. 	
			 A map showing the location(s) of any bird nests observed on the Swanston TVSP project area. 	
BIO-3. Development that could occur in the Strategic Plan area would have no effect on species of special	During all phases of demolition and construction	CDD	BIO-3.1 Construction Limits Around the Purple Martin Nests. Although purple martins are tolerant of human activities, if	
concern. However, development that could occur in the Long-Term Plan			active nests are present, no construction shall be conducted within 120 feet of the edge of	
area could affect the purple martin.			the purple martin colony (determined by the closest active nest hole to the construction	
			activity) during the beginning of the purple martin breeding season from March 15 to	
			May 15. The buffer area shall be avoided to	
3			prevent destruction or disturbance of the nest(s) until it is no longer active. The size	
			of the buffer area may be adjusted if a	
			qualified biologist experienced with purple martin biology and/or CDFG determines it	
_ 8			would not be likely to have adverse effects	
			on the martins. The site characteristics used to determine the size of the modified buffer	
			should include a) topographic screening;	
			b) distance from disturbance to nest; c) the	
			size and quality of foraging habitat surrounding the nest; and d) sensitivity of	
y			the species to nest disturbances to specific	
			construction activities. No project activity	
			shall commence within the butter area until	
			a qualified biologist experienced with purple martin biology confirms that nests are no	:

Impact	Implementation Schedule	Monitoring Agency	Mitigation Measure	Signoff
			longer active. In addition, no equipment taller than 9 feet in height shall be parked or stored beneath the El Camino Avenue overcrossing within 100 horizontal feet of nest holes from April 15 to July 31.	
BIO-4. Development that could occur under the proposed Swanston	Prior to construction and	СDD	Before construction occurs within portions of the Swanston TVSP project area that	
TVSP project (Strategic Plan area and Long-Term Plan area) could affect wetlands, waters of the US, or	demolition	US Army Corps of	could support potentially jurisdictional wetlands and other waters of the U.S. (i.e., the drainage ditch on the undeveloped parcel	
waters of the State.		Lingingoria	at the northwest corner of Green Street and Calvados Avenue and topographic	
			depressions identified along the UP tracks within the UP right-of-way), a wetland	
			delineation shall be conducted and verified	
	a		by the Corps. Implementation of Mitigation Measure BIO-4.1 would ensure that no net	
			loss of the function or value of wetlands	
œ.			would occur. It avoidance is not possible, then the conditions and mitigation	
			requirements established by the Corps 404	
			the project applicant seeking to fill the	
			wetland or other waters of the U.S. BIO-4.1 Avoidance of Wetlands. The City of	
			Sacramento shall ensure no-net loss of the	
			function or value of all jurisdictional	
			wellands. This can be achieved through avoidance measures to avoid direct impacts	
			on preserved wetland habitat or other	
			jurisdictional "waters of the U.S." These	
			measures shall include, but are not limited	
			to, the following:	
			 A four-foot-tall, brightly colored (usually 	

1	Implementation	Monitoring		.0
Impact	Schedule	Agency	Mitigation Measure	Signoff
			orange or yellow) synthetic mesh	
			material fence (or an approved	
			equivalent) shall be installed a minimum	
			of 50 feet outside the edge of any wetland	
			habitats in the immediate vicinity of	
			proposed construction areas. In addition	
			to the orange construction fencing, silt	
			fencing shall be placed next to the orange	
			fence to further protect the wetland from	
			runoff or other potential pollutants. Prior	
			to initiation of construction activities, a	
			qualified biologist shall inspect the	
			protective fencing to ensure that all	
			wetland features have been appropriately	
			fenced. During construction, no	
			encroachment into fenced areas shall be	
			permitted and the fence shall remain in	
			place until all construction activities have	
			been completed.	
			 Staging areas shall be located a minimum 	
			of 100 feet away from wetland habitats.	
			Temporary stockpiling of excavated or	
			imported material shall occur only in	
			project approved construction staging	
			areas. Excess excavated soil shall be	
			disposed of at a regional landfill or at	
		1	another approved and/or properly	
			permitted location. Stockpiles that are to	
			remain on the site throughout the wet	
			season shall be protected to prevent	
			erosion.	
			 The wetlands not directly affected by 	
			construction activities shall be protected	
			using Best Management Practices erosion	

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Impact	Implementation Schedule	Monitoring Agency	Mitigation Measure	Signoff
			control techniques.	26
Cultural Resources				
CR-2. Development that could occur	During all phases	Contractor	CR-2.1 Treatment of Unexpected	
project (Strategic Plan area and	construction		archaeological resources: in the event that any prehistoric or historic-period subsurface	
Long-Term Plan area) would not be		מחט	archeological features or deposits, including	
expected to cause a substantial			locally darkened soil ("midden"), that could	
change in the significance of an			conceal cultural deposits, animal bone,	_
resource because such development			obsidian, and/or mortar are discovered	-
would be subject to the City's			earth-moving activities, all ground-	
Historic Preservation Ordinance.			disturbing activity within 100 feet of the	
Nevertheless there may be unknown			resources shall be halted immediately, and	
resources encountered that could be			the City of Sacramento Development	
adversely affected by future			Services Department and the City's	
development.			Preservation Director shall be notified within	
			24 hours. The project applicant shall retain	
3			an archeologist who meets the Secretary of	
,			the Interior's professional qualifications for	
			Archeology. The City Preservation Director	
			shall consult with the archeologist to assess	
			the significance of the find. Impacts to any	
			significant resources shall be mitigated to a	
			less-than-significant level through data	
			recovery or other methods determined	
			adequate by the City Preservation Director	
			and that are consistent with the Secretary of	
			the Interior's Standards for Archeological	
			Documentation.	
			If Native American archeological,	
			ethnographic, or spiritual resources are	
			discovered, all identification and treatment	
			of the resources shall be conducted by a	
			qualified archaeologist and Native American	

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Mitigation Measure	representatives who are approved by the local Native American community as scholars of the cultural traditions. In the event that no such Native American is available, persons who represent tribal governments and/or organizations in the locale in which resources could be affected shall be consulted. When historic archeological sites or historic architectural features are involved, all identification and treatment is to be carried out by historical archaeologists or architectural historians who meet the Secretary of the Interior's professional qualifications for Archaeology and/or Architectural History. CR-2.2 Cessation of Construction if Human Remains Encountered. If human remains are discovered during any demolition/construction activities, all ground-disturbing activity within 50 feet of the Sacramento County coroner shall be notified immediately, according to Section 5097.98 of the State Public Resources Code and Safety Code. If the remains are determined by the County coroner to be Native American, the Native American	Heritage Commission (NAHC) shall be notified within 24 hours, and the guidelines of the NAHC shall be adhered to in the treatment and disposition of the remains. The project applicant shall also retain a professional archeologist with Native
Monitoring Agency		. V
Implementation Schedule		
Impact		

Imnact	Implementation Schedule	Monitoring	Mitigation Measure	Signoff
		1.55.25.7	American hirial experience to conduct a	O'E TOUT
		-	יייייייייייייייייייייייייייייייייייייי	
			meig investigation of the specific site and	
			consult with the Most Likely Descendant, if	
			any, identified by the NAHC. As necessary,	
			the archeologist may provide professional	
			assistance to the Most Likely Descendant,	
			including the excavation and removal of the	
7			human remains. The City of Sacramento	
	31		Development Services Department shall be	
			responsible for approval of recommended	
			mitigation as it deems appropriate, taking	
			account of the provisions of state law, as set	
			forth in CEQA Guidelines Section	
			15064.5(e) and Public Resources Code	
			Section 5097.98. The project applicant shall	
			implement approved mitigation, to be	
			verified by the City of Sacramento	
			Development Services Department, before	
	E1		the resumption of ground-disturbing	
			activities within 50 feet of where the remains	
			were discovered.	
			CR-2.3 Treatment of Unexpected	
			Paleontological Resources. Should	
			paleontological resources be identified at	
			any project construction sites during any	
			phase of construction, the project manager	
			shall cease operation at the site of the	
			discovery and immediately notify the City of	
			Sacramento Development Services	
			Department. The project applicant shall	
			retain a qualified paleontologist to provide	
			an evaluation of the find and to prescribe	
			mitigation measures to reduce impacts to a	
			less-than-significant level. In considering	

Impact	Implementation Schedule	Monitoring Agency	Mitigation Measure	Signoff
Hazardous Materials				
HM-1. Construction and development	During all phases	Contractor	HM-1.1 Remediation Plan for Contaminated	
that could occur within the Swanston	of demolition and		Soils or Groundwater and Site Health and	
and Long-Term Plan area) could	College decilor	1	unidentified underground storage tanks or	
expose people to previously		CDD	other features or materials that could present	
unidentified sources of potential health			a threat to human health or the environment	
hazards, such as soil or groundwater			are discovered during excavation and grading,	
contamination, from historic on or off-			construction in that immediate area shall	
site uses.			cease immediately, a State Registered	
			Environmental Assessor shall evaluate the	
			type and extent of the hazardous materials	
			contamination and make appropriate	
			recommendations, including if necessary, the	
			preparation of a site remediation plan.	
			In the event that site inspections find	
: 572			evidence of contamination, waste discharges,	
6			underground storage tanks, abandoned drums,	
			or other environmental impairments, the	
			Sacramento County Environmental	
			Management Department (SCEMD) shall be	
	25		notified. A site remediation plan shall be	
			prepared that (1) specifies measures to be	
			taken to protect workers and the public from	
			exposure to potential site hazards, and (2)	
			certifies that the proposed remediation	
			measures would clean up the contaminants,	
			dispose of the wastes, and protect public	
			health in accordance with federal, state, and	
			local requirements. In the event	
			contaminated groundwater is identified, any	
		-	discharges to the sewer shall be in accordance	
			with the City Department of Utilities	

Impact	Implementation Schedule	Monitoring Agency	Mitigation Measure	Signoff
			Engineering Services Policy No. 0001, adopted as Resolution No. 92-439 by the Sacramento City Council. In addition, a site health and safety plan,	
			which meets the intent of OSHA hazardous materials worker requirements (CCR Title 8), shall be prepared by a qualified professional	
		-	and in place prior to commencement of site- disturbing activities associated with the investigation and/or remediation. The project	
			applicant, through the project contractor, shall ensure proper implementation of the health and safety plan.	
			Commencement of work in the areas of	-
			potential nazards snail not proceed until an identified hazards are managed to the	ı.
			satisfaction of the City and SCEMD and the SCEMD allows work to commence.	
HM-2. Construction and/or operation of development that could occur	Prior to demolition	CDD	HM-2.1 Investigation of Buildings for Lead. ACM. or PCBs. Prior to demolition of	
within the Swanston TVSP project			any structure in the Swanston TVSP project	
area (Strategic Fian area and Long- Term Plan area) could expose			area, the project applicant shall ensure that each structure to be demolished has been	
workers, the public, and the			investigated for the presence of lead-based	
environment to potential nearth hazards from lead-based paint,		1,0	paint, ACM, or PCBs. If the investigation finds lead-based paint, ACM, or PCBs at	
asbestos, and/or PCBs.			unacceptable levels as set by local and state	
			standards, the project applicant shall ensure that all recommendations for the removal of	
			these hazardous building materials are	
			carried out prior to demolition in accordance	
		e.	and by suitable contractors certified by the	
			California Department of Health Services.	

Impact	Implementation Schedule	Monitoring Agency	Mitigation Measure	Signoff
		(Sanger)	Once of chotement moonings have been	STORESTO
			implemented the arciest annious chall	
			inipicinica, the project applicant snail	
			provide written documentation to the City	
			that lead-based paint, ACM, and PCB	
			testing, abatement, and/or removal has been	
			completed in accordance with state and local	
			laws and regulations.	
Hydrology and Water Quality				
HY-5. Development that could occur			Either of the following mitigation measures	
under the proposed Swanston TVSP			would reduce impacts to less than significant.	
project (Strategic Plan and Long-Term			HY-5.1 Construction of Recommended	
Plan areas) would generate stormwater			Stormwater Detention Basins. The City shall	
that would exceed the capacity of the			identify a mechanism to fund the construction	
stormwater system. Provisions of the			of the required detention basins by requiring	
proposed Swanston TVSP project			individual project applicants to pay their fair	
would encourage stormwater control			share towards the improvement. Funds from	
and treatment, but would not ensure			this mechanism shall be used to pay for the	
that adequate stormwater capacity			drainage improvements identified in the	
exists to serve future development.			Swanston Station Specific Plan. Funding	
			mechanisms identified for consideration in	
			the Swanston Station Specific Plan include	
			impact fees, utility user fees, and regional and	
			federal grants.	
			HY-5.2 On-site Stormwater Detention.	
			Project applicants shall provide on-site	
			stormwater detention to ensure that peak	
			runoff from the project site will not exceed	
2			existing runoff volumes, until the required	
20 P. C.			detention basins are constructed.	
Noise				
NO-2. Development that could occur	During all phases	CDD	NO-2.1 Vibration Reduction Practices for	
under the proposed Swanston TVSP	of construction		Pile Driving. For pile driving within 100	
project (Strategic Plan area and	requiring pile		feet of an existing building, project	

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	Implementation	Monitoring		
Impact	Schedule	Agency	Mitigation Measure	Signoff
Long-Term Plan area) would	driving		applicants shall implement vibration	
temporarily increase levels of		1	reduction practices, such as drilling pilot	
ground-borne vibration as a result of			holes for piles, to the extent feasible, prior to	
construction activities associated with			commencement of impact pile driving. Prior	
the development.			to issuance of a building permit, project	
			applicants shall submit to the City for	
			approval a report specifying the vibration	
			reduction practices that will be implemented	
			and the estimated vibration reduction	
			potential of such practices	

	Signoff		4																_														ı
	Mitigation Measure	NO-4.1 HVAC Noise Control. Prior to the	issuance of building permits, development applicants shall submit engineering and	acoustical specification for a project's	mechanical HVAC equipment to the	Planning Director demonstrating that the	equipment will control its noise emissions to	the degree specified under the appropriate	provision of the Sacramento General Plan or	Municipal Code.	NO-4.2 Garbage Disposal and Loading	Dock Noise Reduction. Garbage storage	areas and building loading docks shall be	sited to allow adequate separation or	shielding to protect adjacent noise-sensitive	uses from noise emissions associated with	truck pickup and delivery activity. Prior to	the issuance of building permits, the project	applicants shall submit acoustical studies to	the Planning Director demonstrating that	noise emissions from truck activities will be	controlled to the degree specified by the	appropriate provisions of the Sacramento	General Plan or Municipal Code.	NO-4.3 Other Stationary Source Noise	Reduction. Noise generating stationary	equipment associated with proposed	commercial uses, including portable	generators, compressors, trash compactors,	etc. shall be enclosed or acoustically	shielded to reduce noise-related impacts to	nearby noise-sensitive uses. Prior to the	issuance of building permits, the project applicants shall submit acoustical studies to
Monitoring	Agency	CDD	, 1	ı					ŝ	ide																							
Implementation	Schedule	Prior to issuance	or building permits	•																					ā								
	Impact		within the Strategic rian area could permanently expose sensitive	receptors to increased noise produced	by on-site stationary sources.																			***									

Impact	Implementation Schedule	Monitoring Agency	Mitigation Measure	Signoff
			the Planning Director demonstrating that noise emissions from all significant on-site stationary sources of noise will be controlled to the degree specified by the appropriate provisions of the Sacramento General Plan or Municipal Code.	
NO-6. Development that could occur within the Long-Term Plan area could expose sensitive receptors to increased noise levels.	Prior to issuance of building permits	CDD	NO-6.1 Residential Construction and Uses near I-80 Business Loop. Proposed new residential construction and uses within 500 feet the I-80 Business Loop (based on Traffic Noise Model estimates for receptors with an unobstructed line-of-sight to the freeway) shall incorporate special construction measures as determined by acoustic study to ensure that interior noise levels from project and other anticipated noise sources are within the City's General Plan standards. NO-6.2 Residential Construction and Uses near Rail Operations. Proposed new residential uses within 350 feet of the LRT tracks or within 750 feet of the Union Pacific tracks (based on FTA screening distances without intervening structures) shall incorporate special construction measures as determined by acoustic study to ensure that interior noise levels from project and other anticipated noise sources are within the City's General Plan standards.	
NO-7. Development that could occur within the Long-Term Plan area could permanently expose sensitive receptors to increased noise produced by on-site stationary sources.	Prior to issuance of building permits	CDD	Implementation of Mitigation Measures NO-4.1, NO-4.2, and NO-4.3, which address noise control for HVAC systems, garbage disposal and loading dock, and other stationary sources, would substantially	

Impact	Implementation Schedule	Monitoring Agency	Mitigation Measure	Signoff
			reduce predicted noise levels at noise sensitive receptors to the limits in the Sacramento General Plan or Municipal Code. As a result, residual noise impacts from stationary sources would be reduced to a less-than-significant level.	
NO-8. Development that could occur within the Long-Term Plan area could expose sensitive receptors to excessive vibration levels.			NO-8.1 Buffer Zones or Structural Measures to Reduce Vibration Levels. The City shall exclude proposed residential uses within 150 feet and 200 feet of the LRT and UPRR tracks, respectively; or prior to issuance of building permits for residential structures within 150 feet and 200 feet of the LRT and UPRR tracks, respectively, the project applicants shall submit to the City for approval a report specifying the vibration reduction measures that will be incorporated into their structural design to reduce vibration impacts to acceptable levels.	
Public Utilities UT-2. Development that could occur within the Strategic Plan area would result in the generation and discharge of additional wastewater. While the projected increase in wastewater flows would not require modifications at the SRWTP, the projected increase in wastewater flows would require improvements to the wastewater conveyance system.	Prior to occupancy	Department of Utilities	UT-2.1 Sewer Study and Necessary Improvements. Prior to occupancy of new development, project applicants shall perform individual sewer studies to confirm that wastewater lines that serve the project as well as downstream would operate acceptably in accordance with Section 9 of the City Design Standards. If the sewer study determines that a project would result in capacity deficiencies that would not comply with the City's standards, then a corrective program shall be required. The program shall include participation by the project applicant and result in improvements	

	Implementation	Monitoring		
Impact	Schedule	Agency	Mitigation Measure	Signoff
			that enable the wastewater collection system to satisfy the City's design standards.	
UT-3. Development that could occur in the Strategic Plan area would	Prior to	Department of Hilities	None required; however, the following	
in the Strategie I fail area would increase water demand but would not	occupancy	oi cuines	supply is provided to new development and	
exceed available sources of water			adequate water pressure for fire flow	
supply. While the projected increase in water demand would not require			conditions.	
modifications to water supply			UI-5.1 Hydraulic Modeling and Necessary Improvements Prior to occurancy of new	
deliveries or the City's water			development, project applicants shall	
treatment plants, improvements to the		_	perform hydraulic modeling to confirm that	-
wastewater conveyance system			water main sizes are adequate to meet the	
would be necessary.			following City standards:	
			 A maximum velocity of 10 feet per 	
			second	-
			 Fire flow demands of: 	
			1. 1,500 gallons per minute for single-	
			2. 2,000 gallons per minute for multi-	
21			3. 3,000 gallons per minute for	
			commercial/industrial	
			The hydraulic modeling shall be submitted	
			to the City's Department of Utilities for	
			confirmation and approval. If the hydraulic	
			modeling indicates that improvements to the	
			water distribution system are needed, these	
			improvements will become conditions of	
			project approval. As appropriate, major	
			improvements that benefit a number of	
			property owners may be funded through the	
			City's Capital Improvement Program;	
			otherwise, the Department of Utilities might	
			require project applicants to improve the	

	Implementation	Monitoring		
Impact	Schedule	Agency	Mitigation Measure	Signoff
			system on their own.	
UT-7. Development that could occur within the Long-Term Plan area	Prior to	Department of Utilities	Implementation of Mitigation Measure UT-	
would generate additional wastewater			studies and making the necessary	
flow in the City of Sacramento and			improvements to avoid capacity deficiencies,	
SASD service areas. While the			would ensure that adequate wastewater	
projected increase in wastewater			conveyance capacity is provided to new	
flows would not require			development prior to occupancy. This	
modifications at the SRWTP, the			measure shall be included as a condition of	
projected increase in wastewater			project approval and would reduce	
flows would require improvements to			wastewater conveyance system impacts to a	
the wastewater conveyance system.			less-than-significant level	
UT-8. Development that could occur	Prior to	Department	Implementation of Mitigation Measure UT-	
within the Long-Term Plan area	occupancy	of Utilities	3.1, which calls for individual project	
would not exceed available sources			applicants to perform hydraulic modeling	-
of water supply. While the projected			and to make necessary improvements to the	
increase in water demand would not			water distribution system, would ensure that	
require modifications to water supply			adequate water supply is provided to new	
deliveries or the City's water			development prior to occupancy. The	
treatment plants, improvements to the			mitigation measure would also ensure that	
wastewater conveyance system			adequate water pressure would be provided	
would be necessary			under fire flow conditions. As a result, this	
			measure would ensure that impacts remain	
			less than significant.	