

**DETERMINATION OF PROJECT QUALIFICATION FOR TREATMENT PURSUANT
TO GOVERNMENT CODE SECTION 65457 AND PUBLIC RESOURCES CODE
SECTION 21155.4**

ARDEN WAY AFFORDABLE HOUSING PROJECT (DR18-390)

INTRODUCTION

The City of Sacramento is the lead agency for project review under the California Environmental Quality Act (CEQA) for the Arden Way Affordable Housing project (DR18-390).

Location: 880-936 Arden Way, Sacramento CA

APNs: 277-0134-003-0000, 277-0134-004-0000, 277-0134-005-0000

Project Request: The project is a request to construct up to 128-unit affordable multi-family complex consisting of two four story buildings on a vacant 2.741-acre lot in the General Commercial Transit Overlay (C-2-TO) Zone. The project includes apartments that range in size from studios to three-bedrooms.

The project site includes three parcels which will be merged, as a condition of approval of the project and prior to issuance of a building permit, into two parcels.¹ Following the merger, each of the two proposed structures would be located on its own respective legal parcel.

The project site is approximately 520 feet east of the Royal Oaks Sacramento Regional Transit (Sac RT) light rail station. The site was previously occupied by a lumber supply company (Lumberjack) from 1965-1999, and has been vacant for 20 years. Currently, there are two vacant warehouse structures located on the project site which are proposed for demolition. One structure is 8,936 square feet, constructed in 1966 (880 Arden Way), and the other is 14,360 sf, constructed in 1954 (924/936 Arden Way). Neither structure is habitable. Each structure is boarded up and in a state of decay from years of abandonment.

Improvements included in the proposed project include: a shared courtyard, new sidewalks and a bike lane along Arden Way, landscaping, lighting, energy efficiency

¹ See Government Code Section 66499.20.3 (Merger of Contiguous Parcels Under Common Ownership), Sacramento City Code sections 17.824 et seq. (Merger of Parcels).

measures (to be certified by the GreenPoint Rated program) and enhanced access to the nearby Sac RT light rail station. The project requires staff-level Site Plan and Design Review.

The City of Sacramento has determined that the project is exempt from further CEQA review pursuant to two statutory sections: Government Code section 65457 and Public Resources Code (PRC) section 21155.4. Each of these sections requires demonstration that the project is consistent with a specific plan for which the City has prepared and certified an environmental impact report (EIR); each would be inapplicable if any of the circumstances identified in PRC section 21166 are present. PRC section 21155.4 requires, in addition, that the project must be in a transit-priority area and demonstrate consistency with the Metropolitan Transportation Plan/Sustainable Communities Strategy (MTP/SCS) adopted by the Sacramento Area Council of Governments (SACOG).

The discussion below discusses each of the applicable requirements. The full text of the applicable statutory provisions is included in **Attachment A**.

DISCUSSION

The project is undertaken to implement and is consistent with a specific plan for which the City certified an environmental impact report

The exemptions set forth in Government Code section 65457 and PRC section 21155.4 require that the project “is undertaken to implement and is consistent with a specific plan for which an EIR has been certified.” (Gov. Code, § 65457, subd. (a); PRC, § 21155.4, subd. (a)(2).)

The project site is located within the geographic boundaries of the Swanston Station Transit Village Specific Plan area (Specific Plan, Figure 1). The Specific Plan was adopted by the City Council in April 2011. As part of the adoption process, the City prepared and certified an environmental impact report (SCH No. 2007062130) for the Specific Plan which included an analysis of the potential environmental effects of developing an approximately 107 unit residential and mixed (retail) use project on the project site (then proposed by New Faze Development and Fulcrum properties). The City also adopted a Mitigation Monitoring Plan (MMP). A Notice of Determination (NOD) posted with the County Clerk and the State Clearinghouse on April 13, 2011. See Resolutions No. 2011-217 and No. 2011-218, **Attachments B, C**.

The City’s web site describes the Specific Plan as follows:

The Swanston Station Transit Village Specific Plan is a long-range urban design and implementation plan that guides public and private improvements in the Swanston Station area over the next 20 years. The project area is 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 project area.

The Swanston Village Station Transit Plan utilizes land use plans, traffic/infrastructure studies, environmental analysis, urban design plans, and financing/implementation strategies to implement transit-oriented development around the Swanston Light Rail station in the City's North Sacramento Community Plan Area. Additionally, the Swanston Station Transit Village Plan provides land use, parking/circulation, open space and infrastructure goals, policies, and objectives, and implementation measures which will guide land use and development decisions around the station.

With the adoption of the Specific Plan, the zoning designation for the site was changed to General Commercial Transit Overlay (C-2-TO), allowing flexibility in the development of the project and surrounding area and greater residential density consistent with transit-oriented development principles. (Sacramento City Code, § 17.340.010 et seq.) The proposed project is consistent with all C-2-TO zoning designation requirements and the 2035 General Plan land use designation (Urban Corridor Low).

The Project is also consistent with the policies and goals of the Specific Plan to revitalize vacant and underutilized properties, and to transform the area into an active mixed-use transit-oriented village. The Project proposes a sustainable, transit-oriented community featuring 128 new apartment homes. The site is located adjacent to the Sacramento Regional Transit light rail station which provides convenient access to downtown, Cosumnes River College and numerous job centers via Sacramento Regional Transit District's Blue Line. Improvements along Arden Way will include new sidewalks, landscaping, lighting, a bike lane, and improved access to the light rail station.

Architecturally, the Project buildings will engage the street with windows, balconies, patios, and variations in color and materials, creating interaction between residents and the surrounding community. The Project, therefore, would be consistent with the provisions of the Swanston Design Review District. See <http://www.cityofsacramento.org/Community-Development/Planning/Urban-Design/Design-Review/Design-Guidelines>

The Project would implement the Specific Plan's Planning Strategy #3, among others, to maximize TOD potential through: (a) higher density, market friendly, non-auto oriented development, (b) utilizing vacant and underutilized opportunity sites and (c) maximizing connection opportunities.

Lastly, the Project will comply with all applicable mitigation measures adopted as part of the Specific Plan MMP (Chapter 5), including but not limited to: CR-2.1 thru CR-2.3 (Cultural Resources), HM-1.1 and HM-2.1 (Hazardous Materials), HY-5 (Hydrology and

Water Quality), NO-4.1, NO-6.2 (Noise), UT-2 (Utilities), thereby ensuring impacts remain consistent with those identified in the Specific Plan EIR. **See Attachment D.**

The project is located in a transit-priority area

For a project to be exempt from CEQA review under PRC section 21155.4, the project must be located in a “transit priority area.” For purposes of this section, the definition of “transit priority area” in PRC section 21099, subdivision (a)(7), applies. That section defines a “transit priority area” as “an area within one-half mile of a major transit stop that is existing or planned, if the planned stop is scheduled to be completed within the planning horizon included in a Transportation Improvement Program adopted pursuant to Section 450.216 or 450.322 of Title 23 of the Code of Federal Regulations.” PRC section 21064.3, in turn, defines a “major transit stop” as “a site containing an existing rail transit station, a ferry terminal served by either a bus or rail transit service, or the intersection of two or more major bus routes with a frequency of service interval of 15 minutes or less during the morning and afternoon peak commute periods.”

The project site is located at 880-936 Arden Way. The project site is approximately 520 feet east of the Royal Oaks Sac RT light rail station. In addition, Sac RT bus routes 22 and 23 provide connecting routes to this light rail station. The project’s proximity to each of these transit resources independently demonstrates that the project site is within a transit priority area as defined by PRC section 21099, subdivision (a).

The project is consistent with the general use designation, density, building intensity, and applicable policies specified for the project area in a sustainable communities strategy.

Public Resources Code section 21155.4 requires that the project be consistent with the applicable MTP/SCS. To find a project consistent with the MTP/SCS, the lead agency must find it is consistent with the general land use, density, intensity, and any applicable land use policies of the SCS. The Sacramento Area Council of Governments (SACOG) provides assistance to local jurisdictions making this determination upon request. (2016 MTP/SCS, p. 52.) The City requested SACOG’s assistance in making the consistency determination for the Project. On May 1, 2019, SACOG sent a letter to the City concurring with the City’s determination that the project is consistent with the MTP/SCS. See **Attachment E.**

As discussed in the SACOG letter, the project is an infill project within the Center/Corridor Community designation of the MTP/SCS for the City of Sacramento. Within the Center/Corridor Community, the MTP/SCS forecasts a range of low to high density residential, commercial, office, and industrial uses. (MTP/SCS, Appendix E-3, pp. 138.) The Project’s land uses fall within this range of general uses, densities, and building intensities. The MTP/SCS also relies heavily on consistency with the City’s General Plan. Infill projects that are consistent with the General Plan are generally considered consistent with the MTP/SCS. Here, the project includes two residential use buildings of four stories each with a density of 46.6 du/ac, which is consistent with the land use designations of the Specific Plan, 2035 General Plan, and Zoning. For these

reasons, the project is consistent with the general use designation, density, building intensity, and applicable policies specified for the project area in SACOG's 2016 MTP/SCS.

No substantial changes are proposed in the project which will require major revisions of the environmental impact report.

The geographic area of the Swanston Station Transit Village Specific Plan area has not been the subject of substantial land use changes since the adoption of the Specific Plan in 2011. The City's general plan and policy directions for the area have not substantially changed. The Specific Plan has not been amended, and the proposed project is consistent with the various provisions of the Specific Plan.

The Specific Plan EIR considered the potential environmental effects of allowing development of approximately 107 residential units over retail uses which was proposed, at that time, by New Faze Development and Fulcrum properties on the same site as the proposed project (the former Lumberjack site). Specific water and sewer calculations, among other assumptions, were also included in the EIR's analysis for development of the site (referred to as the "Lumberjack Site Development").

The deletion of retail uses and the construction of approximately 21 additional residential units from that previously proposed and considered in the EIR for the project site will not require major revisions to the EIR because no new significant effects, or substantial increase in the severity of previously identified significant effects, would result from these changes. (CEQA Guidelines, § 15162, subd. (a)(1).)

The addition of approximately 21 residential units will not result in a substantial change in traffic trips, air quality emissions or water demand, for example. This is also because the previously considered retail component (identified under the previously proposed New Faze Development/Fulcrum project) is omitted from the current proposed project; consequently, fewer traffic trips, air emissions and water supply demands, among other potential effects, will result. (See Final EIR, pp. 4-3 et seq. [Kimley-Horn & Assoc. memo re: trip generation assumptions and calculations for proposed development (Sept. 5, 2007).] No substantial changes have been proposed in the project which require major revisions to the Specific Plan EIR. Additional environmental analysis of the project is therefore not required.

No substantial changes have occurred with respect to the circumstances under which the project is being undertaken which will require major revisions in the environmental impact report.

The Swanston Station Transit Village Specific Plan was adopted in 2011. Since that time, the Specific Plan area has not seen any substantial land use changes in terms of new large projects or activities that would affect the planning and policy directions as set forth in the Specific Plan or the City's General Plan. Thus, no substantial changes have occurred with respect to the circumstances under which the project would be undertaken which require major revisions in the environmental impact report due to the involvement of new significant environmental effects or a substantial increase in severity of previously identified significant effects.

No new information, which was not known and could not have been known with the exercise of reasonable diligence at the time the environmental impact report was certified as complete, has become available.

There is no evidence that new information, which was not known and could not have been known at the time the EIR was certified, exists which would result in the identification of a new significant impact or substantial increase in severity of a previously identified significant impact, as contemplated by PRC 21166 or CEQA Guidelines section 15162(a)(3).² This includes the potential need for additional remediation of the soil contained within the project site and the demolition of the two existing dilapidated structures.

The Specific Plan EIR did not discuss site-specific soil conditions for the project site, although mitigation measure HM-1.1 considered the potential for contamination from USTs and other uses within the Specific Plan area and required notification to EMD, a site remediation plan and a site health and safety plan meeting various requirements prior to commencement of site-disturbing activities associated with future investigation or remediation. With implementation of the mitigation measure, the EIR found the impact to be less than significant.

SCS Engineers submitted a written report regarding the project site's environmental site conditions, dated April 5, 2018. The SCS Report discussed the potential presence of

² CEQA Guidelines section 15162, subdivision (a), provides guidance with regard to the implementation and interpretation of PRC section 21166 and its reference to "new information":

(3) New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete or the negative declaration was adopted, shows any of the following:

- (A) The project will have one or more significant effects not discussed in the previous EIR or negative declaration;
- (B) Significant effects previously examined will be substantially more severe than shown in the previous EIR;
- (C) Mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or
- (D) Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.

lead based paint (LBP) and asbestos containing materials (ACM), and two former underground storage tanks (USTs) which have received regulatory agency closure.

The SCS Report concluded:

This investigation identified the presence of residual benzene in Site soil vapor at concentrations in excess of the residential land use ESL. The distribution of slightly elevated benzene vapor concentrations does not suggest a concentrated source area. Further, the oxygen concentrations in shallow soils ranged from 15 to 22 percent, well above the 4 percent value applied to bioattenuation zones designated in the Low Threat Closure Protocol (LTCP) established by the State Water Resources Control Board (SWRCB). As such, the existing benzene soil vapor concentrations do not appear to warrant active remediation, however SCS recommends the Client present the SCEMD with a proposed management approach, which incorporates the LTCP.

The presence of metals, primarily lead, in slightly elevated concentrations in shallow soil may be addressed through development of a Site Management Plan (SMP) which describes soil handling and management protocol along with worker safety protocol. If soil is to be removed from the Site for disposal, SCS recommends sample collection and analysis to establish an appropriate disposal location. In the event soils are retained at the Site, it may be appropriate to manage the metals-containing soils through construction grading and/or use of hardscape or impermeable cover (concrete or buildings) to prevent inadvertent exposures.

SCS also recommends that the Client provide the data presented in this Report to the current landowner and to the SCEMD in the event the Client becomes the landowner.

The SCS Report provides guidance and recommendations to address the site's existing soil conditions to be protective of public health and the environment, including avoiding exposure of workers and future residents to conditions that could be deemed hazardous. The Site Management Plan has been prepared consistent with the directives of the SCS Report and implementation of MM HM-1.1, and would be implemented as part of the project. See **Attachment F**. No new significant effects would result, and no new information within the meaning of the statute or regulation is present.

The Sacramento County Environmental Management Department issued a "No Further Action" letter dated May 11, 2007 confirming that the responsive site actions under the Leaking Underground Storage Tank program had been completed. See **Attachment G**. The Case Closure Summary noted that the corrective action should be reviewed if proposals were made to change the land use. The project proposes such a change, and Sacramento County EMD has reviewed the proposed land use, and has determined that the proposals identified by SCS Engineers as noted above are adequate to comply

with statutory and regulatory requirements, and to avoid exposure of workers and residents to hazards.

The Central Valley Regional Water Quality Control Board indicated on Friday, May 17, 2019 at a meeting at the offices of Sacramento County EMD that the project and site qualify for review pursuant to the Low-Threat Underground Storage Tank Case Closure Policy. See meeting minutes, **Attachment H**. According to the RWQCB:

The Policy applies to petroleum UST sites subject to Chapter 6.7 of the Health and Safety Code. The Policy establishes both general and media-specific criteria. If both the general and applicable media-specific criteria are satisfied, then the leaking UST case is generally considered to present a low threat to human health, safety and the environment. The Policy recognizes, however, that even if all of the specified criteria in the Policy are met, there may be unique attributes of the case or site-specific conditions that increase the risk associated with the residual petroleum constituents. In these cases, the regulatory agency overseeing corrective action at the site must identify the conditions that make case closure under the Policy inappropriate.

Under existing policy, regulatory agencies consider site-specific conditions when determining if the level of corrective action ensures the protection of human health, safety and the environment pursuant to Health and Safety Code section 25296.10, subdivision (g). With the knowledge and experience gained over the last 25 years of investigating and remediating petroleum UST releases, site conditions and characteristics have been identified that if met, will generally ensure the protection of human health, safety and the environment. This Policy identifies those standardized criteria. The Policy is necessary to establish consistent, statewide case closure criteria for low-threat petroleum UST sites in California. (Accessed online 5/22/2019 at https://www.waterboards.ca.gov/water_issues/programs/ust/lt_cls_plcy.html)

The project will comply with MM HM-1.1 prior to engaging in site disturbing activities. The site-specific information provided by SCS engineers does not equate to new information which could not have been known with the exercise of reasonable diligence at the time of the EIR's certification, and does not result in a new significant impact triggering the need for additional environmental review under PRC Section 21166 or CEQA Guidelines section 15162.

The same is true for demolition of the existing onsite structures. The structures were in existence at the time of the Specific Plan EIR as they were constructed, and remain, since 1954 and 1966 respectfully. Neither structure was identified as a potentially historic resource during preparation of the EIR. The continued existence of the structures on site is therefore not "new information" of substantial importance which was not known and could not have been known with the exercise of reasonable diligence at the time the EIR was certified. (See *Citizens for a Megaplex-Free Alameda v. City of*

Alameda (2007) 149 Cal.App.4th 91, 113-114 [Petitioner's expert historian report prepared after adoption of a MND did not constitute new information of substantial importance - which was not known and could not have been known with exercise of reasonable diligence - because petitioners' failed to establish why its report could not have been prepared earlier with the exercise of reasonable diligence. The report was based entirely on information (e.g., site plans, renderings, design) that was available prior to the adoption of the MND]; see also *Citizens for Responsible Equitable Environmental Development v. City of San Diego* (2011) 196 Cal.App.4th 515, 530-532 [Supplemental EIR not required despite the existence of new information on the nexus between GHG emissions and climate change because the effect of greenhouse gas emissions on climate could have been raised in 1994 when the City considered the Final EIR]; see also *Concerned Dublin Citizens v. City of Dublin* (2013) 214 Cal.App.4th 1301 [same].)

The existing structures proposed for demolition do not trigger the need for additional environmental review pursuant to PRC section 21166 and CEQA Guidelines section 15162 because they were known, and could have been known with the exercise of reasonable diligence, at the time the Specific Plan EIR was certified. If anything, the structures have become even more dilapidated since the EIR was certified in 2011. The structures on the project site do not have historic significance. Demolition would not result in a substantial adverse effect on historic resources. (C. Anderson, 5/28/2019)

The applicant, moreover, would comply with Specific Plan Mitigation Measure HM-2 which requires, prior to demolition, that the structures be investigated for the presence of lead-based paint, ACM/Asbestos or PCBs. If such material is detected at levels above local and state standards, the applicant must ensure that all recommendations for removal of the hazardous building materials are carried out prior to demolition, among other criteria. Demolition and construction must also comply with the applicable Sacramento County AQMD's rules and Best Management Practices (BMPs), including Rule 15.44.170 (Dust control from Demolition), Rule 403 (Fugitive Dust).

None of the conditions identified in PRC section 21166 or CEQA Guidelines section 15162 are present.

CONCLUSION AND DETERMINATION

Planning staff has independently reviewed and considered the Project in conjunction with the requested design review approval, the Specific Plan and the Swanston Station Transit Village Specific Plan EIR. In staffs' independent judgment and analysis, the proposed project satisfies the requirements of Government Code section 65457 and Public Resources Code section 21155.4. The project is therefore exempt from further environmental review under the California Environmental Quality Act.

ATTACHMENTS

- Attachment A: Text of Government Code section 65457; PRC 21155.4 and 21166
- Attachment B: Resolution No. 2011-217 (certifying Swanston Station Transit Village Specific Plan EIR)
- Attachment C: Resolution No. 2011-218 (adopting Swanston Station Transit Village Specific Plan)
- Attachment D: Swanston Station Transit Village Specific Plan Mitigation Monitoring Plan
- Attachment E: SACOG Correspondence May 1, 2019
- Attachment F: Soil Management Plan
- Attachment G: Sacramento County EMD Closure Correspondence, May 11, 2007
- Attachment H: Meeting Minutes, May 17, 2019 (Sacramento County Environmental Management Department, Central Valley Regional Water Quality Control Board)

Swanston Station Transit Village Specific Plan EIR:

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

**DETERMINATION OF PROJECT QUALIFICATION FOR TREATMENT
PURSUANT TO GOVERNMENT CODE SECTION 65457 AND PUBLIC
RESOURCES CODE SECTION 21155.4**

ARDEN WAY AFFORDABLE HOUSING PROJECT (DR18-390)

Attachment A

Text of Government Code section 65457; PRC 21155.4 and 21166

Attachment A

Government Code 65457.

(a) Any residential development project, including any subdivision, or any zoning change that is undertaken to implement and is consistent with a specific plan for which an environmental impact report has been certified after January 1, 1980, is exempt from the requirements of Division 13 (commencing with Section 21000) of the Public Resources Code. However, if after adoption of the specific plan, an event as specified in Section 21166 of the Public Resources Code occurs, the exemption provided by this subdivision does not apply unless and until a supplemental environmental impact report for the specific plan is prepared and certified in accordance with the provisions of Division 13 (commencing with Section 21000) of the Public Resources Code. After a supplemental environmental impact report is certified, the exemption specified in this subdivision applies to projects undertaken pursuant to the specific plan.

(b) An action or proceeding alleging that a public agency has approved a project pursuant to a specific plan without having previously certified a supplemental environmental impact report for the specific plan, where required by subdivision (a), shall be commenced within 30 days of the public agency's decision to carry out or approve the project.

(Amended by Stats. 2006, Ch. 643, Sec. 18. Effective January 1, 2007.)

PRC section 21166.

When an environmental impact report has been prepared for a project pursuant to this division, no subsequent or supplemental environmental impact report shall be required by the lead agency or by any responsible agency, unless one or more of the following events occurs:

(a) Substantial changes are proposed in the project which will require major revisions of the environmental impact report.

(b) Substantial changes occur with respect to the circumstances under which the project is being undertaken which will require major revisions in the environmental impact report.

(c) New information, which was not known and could not have been known at the time the environmental impact report was certified as complete, becomes available.

(Amended by Stats. 1977, Ch. 1200.)

PRC section 21155.4.

(a) Except as provided in subdivision (b), a residential, employment center, as defined in paragraph (1) of subdivision (a) of Section 21099, or mixed-use development project, including any subdivision, or any zoning, change that meets all of the following criteria is exempt from the requirements of this division:

(1) The project is proposed within a transit priority area, as defined in subdivision (a) of Section 21099.

(2) The project is undertaken to implement and is consistent with a specific plan for which an environmental impact report has been certified.

(3) The project is consistent with the general use designation, density, building intensity, and applicable policies specified for the project area in either a sustainable communities strategy or an alternative planning strategy for which the State Air Resources Board, pursuant to subparagraph (H) of paragraph (2) of subdivision (b) of Section 65080 of the Government Code, has accepted a metropolitan planning organization's determination that the sustainable communities strategy or the alternative planning strategy would, if implemented, achieve the greenhouse gas emissions reduction targets.

(b) Further environmental review shall be conducted only if any of the events specified in Section 21166 have occurred.

(Added by Stats. 2013, Ch. 386, Sec. 6. (SB 743) Effective January 1, 2014.)

PRC section 21099.

(a) For purposes of this section, the following terms mean the following:

(7) "Transit priority area" means an area within one-half mile of a major transit stop that is existing or planned, if the planned stop is scheduled to be completed within the planning horizon included in a Transportation Improvement Program adopted pursuant to Section 450.216 or 450.322 of Title 23 of the Code of Federal Regulations.

**DETERMINATION OF PROJECT QUALIFICATION FOR TREATMENT
PURSUANT TO GOVERNMENT CODE SECTION 65457 AND PUBLIC
RESOURCES CODE SECTION 21155.4**

ARDEN WAY AFFORDABLE HOUSING PROJECT (DR18-390)

Attachment B

Resolution No. 2011-217(certifying Swanston Station Specific Plan EIR)

RESOLUTION NO. 2011-217

Adopted by the Sacramento City Council

April 12, 2011

CERTIFYING THE ENVIRONMENTAL IMPACT REPORT AND ADOPTING THE MITIGATION MONITORING PROGRAM FOR THE SWANSTON STATION TRANSIT VILLAGE SPECIFIC PLAN PROJECT (M09-020)

BACKGROUND

- A. On March 10, 2011, the City Planning Commission conducted a public hearing on, and forwarded to the City Council a recommendation to approve with conditions the Swanston Station Transit Village Specific Plan project.
- B. On April 12, 2011, the City Council conducted a public hearing, for which notice was given pursuant Sacramento City Code Section 17.200.010(C)(2)(a) and (c) (publication and mail, 500 feet), and received and considered evidence concerning the Swanston Station Transit Village Specific Plan project.

BASED ON THE FACTS SET FORTH IN THE BACKGROUND, THE CITY COUNCIL RESOLVES AS FOLLOWS:

- Section 1. The City Council finds that the Environmental Impact Report for Swanston Station Transit Village Specific Plan (herein EIR) which consists of the Draft EIR and the Final EIR (Response to Comments) (collectively the "EIR") has been completed in accordance with the requirements of the California Environmental Quality Act (CEQA), the State CEQA Guidelines and the Sacramento Local Environmental Procedures.
- Section 2. The City Council certifies that the EIR was prepared, published, circulated and reviewed in accordance with the requirements of CEQA, the State CEQA Guidelines and the Sacramento Local Environmental Procedures, and constitutes an adequate, accurate, objective and complete Final Environmental Impact Report in full compliance with the requirements of CEQA, the State CEQA Guidelines and the Sacramento Local Environmental Procedures.
- Section 3. The City Council certifies that the EIR has been presented to it, that the City Council has reviewed the EIR and has considered the information contained in the EIR prior to acting on the proposed Project, and that the EIR reflects the City Council's independent judgment and analysis.

- Section 4. Pursuant to CEQA Guidelines Sections 15091 and 15093, and in support of its approval of the Project, the City Council adopts the attached Findings of Fact and Statement of Overriding Considerations in support of approval of the Project as set forth in the attached Exhibit A of this Resolution.
- Section 5. Pursuant to CEQA section 21081.6 and CEQA Guidelines section 15091, and in support of its approval of the Project, the City Council adopts the Mitigation Monitoring Program to require all reasonably feasible mitigation measures be implemented by means of Project conditions, agreements, or other measures, as set forth in the Mitigation Monitoring Program as set forth in Exhibit B of this Resolution.
- Section 6. The City Council directs that, upon approval of the Project, the City's Environmental Planning Services shall file a notice of determination with the County Clerk of Sacramento County and, if the Project requires a discretionary approval from any state agency, with the State Office of Planning and Research, pursuant to the provisions of CEQA section 21152.
- Section 7. Pursuant to Guidelines section 15091(e), the documents and other materials that constitute the record of proceedings upon which the City Council has based its decision are located in and may be obtained from, the Office of the City Clerk at 915 I Street, Sacramento, California. The City Clerk is the custodian of records for all matters before the City Council.
- Section 8. Exhibits A and B are a part of this Resolution.

Table of Contents:

Exhibit A - CEQA Findings of Fact and Statement of Overriding Considerations for the Swanston Station Transit Village Specific Plan Project.

Exhibit B - Final Environmental Impact Report and Mitigation Monitoring Program

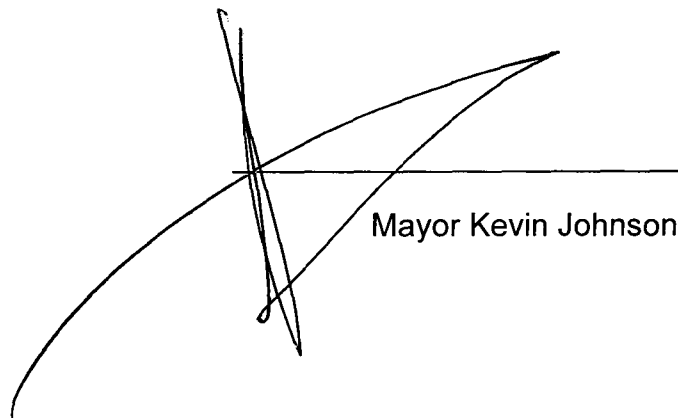
Adopted by the City of Sacramento City Council on April 12, 2011 by the following vote:

Ayes: Councilmembers Ashby, Cohn, D Fong, R Fong, McCarty, Pannell, Schenirer, Sheedy, and Mayor Johnson.

Noes: None.

Abstain: None.

Absent: None.

A large, stylized handwritten signature in black ink, consisting of several overlapping loops and a long horizontal stroke, positioned above a horizontal line.

Mayor Kevin Johnson

Attest:

A handwritten signature in black ink, written in a cursive style, positioned above a horizontal line.

Shirley Concolino, City Clerk

**CEQA FINDINGS OF FACT AND STATEMENT OF OVERRIDING
CONSIDERATIONS FOR THE SWANSTON STATION TRANSIT VILLAGE SPECIFIC
PLAN PROJECT**

Description of the Project

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 project proposes adoption and implementation of the 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 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. That vision includes the creation of a transit-oriented, pedestrian-friendly, mixed-use and residential development within an approximately 230-acre area.

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 build out 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.

Future development that could occur in the Strategic Plan area totals about 366 dwelling units and 70,000 gross square feet of commercial space. 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. It is estimated up to 2,230 additional dwelling units and 435,515 square feet of commercial space could be developed at build out of this area.

Findings Required Under CEQA

1. Procedural Findings

The City Council of the City of Sacramento finds as follows:

Based on the initial study conducted for Swanston Station Transit Village Specific Plan project, SCH # 2007462130, (herein after the Project), the City of Sacramento's Environmental Planning Services determined, on substantial evidence, that the Project may have a significant effect on the environment and prepared an environmental impact report ("EIR") on the Project. The EIR was prepared, noticed, published, circulated, reviewed, and completed in full compliance with the California Environmental Quality Act (Public Resources Code §21000 *et seq.* ("CEQA"), the CEQA Guidelines (14 California Code of Regulations §15000 *et seq.*), and the City of Sacramento environmental guidelines, as follows:

- a. A Notice of Preparation of the Draft EIR was filed with the Office of Planning and Research and each responsible and trustee agency on June 29, 2007 and was circulated for public comments from June 29, 2007 through July 30, 2007.
- b. A Notice of Completion (NOC) and copies of the Draft EIR were distributed to the Office of Planning and Research on February 23, 2009 to those public agencies that have jurisdiction by law with respect to the Project, or which exercise authority over resources that may be affected by the Project, and to other interested parties and agencies as required by law. The comments of such persons and agencies were sought.
- c. An official 45-day public comment period for the Draft EIR was established by the Office of Planning and Research. The public comment period began on February 23, 2009 and ended on April 24, 2009.
- d. A Notice of Availability (NOA) of the Draft EIR was mailed to all interested groups, organizations, and individuals who had previously requested notice in writing on February 18, 2009. The NOA stated that the City of Sacramento had completed the Draft EIR and that copies were available at the City of Sacramento, Development Services Department, 300 Richards Boulevard, Sacramento, CA 95811. The letter also indicated that the official 45-day public review period for the Draft EIR would end on April 6, 2009.
- e. A public notice was placed in the Daily Recorder on February 18, 2009, which stated that the Draft EIR was available for public review and comment.
- f. A public notice was posted in the office of the Sacramento County Clerk on February 18, 2009.
- g. Following closure of the public comment period, all comments received on the Draft EIR during the comment period, the City's written responses to the significant environmental points raised in those comments, and additional information added by the

City were added to the Draft EIR to produce the Final EIR.

2. Record of Proceedings

The following information is incorporated by reference and made part of the record supporting these findings:

- a. The Draft and Final EIR and all documents relied upon or incorporated by reference;
- b. The City of Sacramento 2030 General Plan adopted March 3, 2009, and all updates.
- c. The Master Environmental Impact Report for the City of Sacramento 2030 General Plan certified on March 3, 2009, and all updates.
- d. Findings of Fact and Statement of Overriding Considerations for the Adoption of the Sacramento 2030 General Plan adopted March 3, 2009, and all updates.
- e. Zoning Ordinance of the City of Sacramento
- f. Blueprint Preferred Scenario for 2050, Sacramento Area Council of Governments, December, 2004
- g. Arden Arcade and North Sacramento Community Plans
- h. Swanston Station Transit Village Specific Plan
- i. The Mitigation Monitoring Program for the Project
- j. All records of decision, staff reports, memoranda, maps, exhibits, letters, synopses of meetings, and other documents approved, reviewed, relied upon, or prepared by any City commissions, boards, officials, consultants, or staff relating to the Project.

3. Findings

CEQA requires that the lead agency adopt mitigation measures or alternatives, where feasible, to substantially lessen or avoid significant environment impacts that would otherwise occur. Mitigation measures or alternatives are not required, however, where such changes are infeasible or where the responsibility for the project lies with some other agency. (CEQA Guidelines, § 15091, sub. (a), (b).)

With respect to a project for which significant impacts are not avoided or substantially lessened, a public agency, after adopting proper findings, may nevertheless approve the project if the agency first adopts a statement of overriding considerations setting forth the specific reasons why the agency found that the project's "benefits" rendered

“acceptable” its “unavoidable adverse environmental effects.” (CEQA Guidelines, §§ 15093, 15043, sub. (b); see also Pub. Resources Code, § 21081, sub. (b).)

In seeking to effectuate the substantive policy of CEQA to substantially lessen or avoid significant environmental effects to the extent feasible, an agency, in adopting findings, need not necessarily address the feasibility of *both* mitigation measures and environmentally superior alternatives when contemplating approval of a proposed project with significant impacts. Where a significant impact can be mitigated to an “acceptable” level solely by the adoption of feasible mitigation measures, the agency, in drafting its findings, has no obligation to consider the feasibility of any environmentally superior alternative that could also substantially lessen or avoid that same impact — even if the alternative would render the impact less severe than would the proposed project as mitigated. (*Laurel Hills Homeowners Association v. City Council* (1978) 83 Cal.App.3d 515, 521; see also *Kings County Farm Bureau v. City of Hanford* (1990) 221 Cal.App.3d 692, 730-731; and *Laurel Heights Improvement Association v. Regents of the University of California (“Laurel Heights I”)* (1988) 47 Cal.3d 376, 400-403.)

In these Findings, the City first addresses the extent to which each significant environmental effect can be substantially lessened or avoided through the adoption of feasible mitigation measures. Only after determining that, even with the adoption of all feasible mitigation measures, an effect is significant and unavoidable does the City address the extent to which alternatives described in the EIR are (i) environmentally superior with respect to that effect and (ii) “feasible” within the meaning of CEQA.

In cases in which a project’s significant effects cannot be mitigated or avoided, an agency, after adopting proper findings, may nevertheless approve the project if it first adopts a statement of overriding considerations setting forth the specific reasons why the agency found that the “benefits of the project outweigh the significant effects on the environment.” (Public Resources Code, Section 21081, sub. (b); see also, CEQA Guidelines, Sections 15093, 15043, sub.(b).) In the Statement of Overriding Considerations found at the end of these Findings, the City identifies the specific economic, social, and other considerations that, in its judgment, outweigh the significant environmental effects that the Project will cause.

The California Supreme Court has stated that “[t]he wisdom of approving ... any development project, a delicate task which requires a balancing of interests, is necessarily left to the sound discretion of the local officials and their constituents who are responsible for such decisions. The law as we interpret and apply it simply requires that those decisions be informed, and therefore balanced.” (*Goleta II* (1990) 52 Cal.3d 553 at 576.)

In support of its approval of the Project, the City Council makes the following findings for each of the significant environmental effects and alternatives of the Project identified in the EIR pursuant to Section 21080 of CEQA and section 15091 of the CEQA Guidelines:

A. Significant or Potentially Significant Impacts Mitigated to a Less Than Significant Level.

The following significant and potentially significant environmental impacts of the Project, including cumulative impacts, are being mitigated to a less than significant level and are set out below. Pursuant to section 21081(a)(1) of CEQA and section 15091(a)(1) of the CEQA Guidelines, as to each such impact, the City Council, based on the evidence in the record before it, finds that changes or alterations incorporated into the Project by means of conditions or otherwise, mitigate, avoid or substantially lessen to a level of insignificance these significant or potentially significant environmental impacts of the Project. The basis for the finding for each identified impact is set forth below.

IMPACT CATEGORY: AIR QUALITY

Impacts:

AQ-2. Development that could occur in the Strategic Plan area would generate construction-related emissions of particulate matter (PM₁₀) that could exceed SMAQMD standards. Without mitigation, this is a potentially significant impact.

AQ-5. Development that could occur under the Long-Term Plan would generate construction-related emissions of ozone precursors and particulate matter that could exceed SMAQMD standards. Without mitigation, this is a potentially significant impact.

Mitigation Measure (from MMP):

The following mitigation measure has been adopted to address these impacts:

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 5 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 time is between 5.1 and 8 acres, Level 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 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.

Finding:

As development occurs in the Swanston TVSP project area, individual projects would be subject to Table B-1 of the Sacramento Metropolitan Air Quality Management District's Guide to Air Quality Assessment in Sacramento County. This table lists various acreages and applicable mitigation measures that can reduce PM10 emissions. For construction projects where the maximum ground disturbance is less than 15 acres, which would characterize most likely projects within the Swanston TVSP project area, these measures, along with the SMAQMD's Rule 403 on fugitive dust, would effectively reduce impacts of individual projects to less than significant. (Rule 403 – Fugitive Dust – requires a person to take every reasonable precaution not to cause or allow the emissions of fugitive dust from being airborne beyond the property line from which the emission originates, from construction, handling or storage activity, or any wrecking, excavation, grading, clearing of land or solid waste disposal operation.) If the maximum acreage graded is above 15 acres, a higher level of mitigation would be necessary. Implementation of Mitigation Measure AQ-2.1 would comply with the practices and measures developed by the SMAQMD to protect the public from undesirable construction-related air emissions.

With implementation of the mitigation measure, this impact is reduced to a less-than-significant level.

IMPACT CATEGORY: BIOLOGICAL RESOURCES

Impact:

BIO-2. Development that could occur under the proposed Swanston TVSP project (Strategic Plan area and Long-Term Plan area) would not result in substantial degradation of the quality of the environment or reduction of habitat or population below self-sustaining levels of threatened or endangered species of plant or animal. Development could, however, impact nesting birds protected under state and federal regulations. Without mitigation, this is a potentially significant impact.

Mitigation Measure (from MMP):

The following mitigation measure has been adopted to address this impact:

BIO-2.1 Preconstruction Surveys and Protection Measures for Nesting Birds. If trees are removed outside the nesting season (typically March 15 to August 30), there would be no effect on nesting birds and no mitigation is required. Construction activities shall be timed to avoid tree removal during the nesting season. If this cannot be accomplished, then a qualified biologist shall conduct a preconstruction nesting survey no more than one week prior to tree removal to determine if nesting birds 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:

- 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.

Finding:

Mitigation Measure BIO-2.1 is intended restrict construction activities and tree removal to outside of the nesting season, which would avoid disturbance to any nesting birds. If, however, construction activities or tree removal is necessary during the nesting season, the mitigation specifies the steps that must be followed in order to avoid impacts to nesting birds. The first step is an appropriately timed survey prior to construction to

determine whether nesting birds are present. If any nesting birds are identified, compliance with this mitigation measure would ensure that the birds would not be disturbed during the nesting season. The mitigation measure calls for the creation of a buffer zone (no construction area) that is anticipated to protect the nest site such that there would be no take and no violation of California Department of Fish and Game Code regulations governing birds (Sections 3503 and 3513) and/or the Migratory Bird Treaty Act.

With implementation of the mitigation measure, this impact is reduced to a less-than-significant level.

Impact:

BIO-3. Development that could occur in the Strategic Plan area would have no effect on species of special concern. However, development that could occur in the Long-Term Plan area could affect the purple martin. Without mitigation, this is a potentially significant impact.

Mitigation Measure (from MMP):

The following mitigation measure has been adopted to address this impact:

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. 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.

Finding:

Mitigation Measure BIO-3.1 is intended to allow construction activities and tree removal outside the nesting season of the purple martin, which would avoid disturbance to any nesting birds. If, however, construction activities or tree removal is necessary during the nesting season, the mitigation specifies the steps that must be followed in order to avoid impacts to nesting purple martins. The first step is an appropriately timed survey prior to construction to determine whether nesting purple martins are present. If any nesting birds are identified, compliance with this mitigation measure would ensure that the birds would not be disturbed during the nesting season. The mitigation measure calls for the creation of a buffer zone (no construction area) that is expected to protect the nest site such that there would be no take and no violation of California Department of Fish and Game Code regulations governing birds (Sections 3503 and 3513) and/or the Migratory Bird Treaty Act. If purple martins are nesting under the El Camino Avenue or Arden Way overpasses, compliance with this mitigation measure would also

ensure that the birds' access to nesting materials would not be disturbed during the nesting season.

With implementation of the mitigation measure(s), this impact is reduced to a less-than-significant level.

Impact:

BIO-4. Development that could occur under the proposed Swanston TVSP project (Strategic Plan area and Long-Term Plan area) could affect wetlands, waters of the US, or waters of the State. Without mitigation, this is a potentially significant impact.

Mitigation Measure (from MMP):

The following mitigation measure has been adopted to address this impact:

BIO-4.1 Avoidance of Wetlands. The City of Sacramento shall ensure no-net loss of the function or value of all jurisdictional wetlands. 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 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 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 control techniques.

Finding:

Before construction occurs within portions of the Swanston TVSP project area that

could support potentially jurisdictional wetlands and other waters of the U.S. (i.e., the drainage ditch on the undeveloped parcel 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 by the Corps. Implementation of Mitigation Measure BIO-4.1 would ensure that no net loss of the function or value of wetlands would occur. Compliance with this measure would mitigate potential impacts on wetland habitats or other waters of the U.S. If avoidance is not possible, then the conditions and mitigation requirements established by the Corps 404 permit shall apply and be implemented by the project applicant seeking to fill the wetland or other waters of the U.S.

With implementation of the mitigation measure, this impact is reduced to a less-than-significant level.

Impact:

BIO-6. Development that could occur under the proposed Swanston TVSP project (Strategic Plan area and Long-Term Plan area), in combination with other development, could result in a cumulative loss of biological resources. Without mitigation, this is a potentially significant impact.

Mitigation Measure (from MMP):

- BIO-2.1 Preconstruction Surveys and Protection Measures for Nesting Birds.
- BIO-3.1 Construction Limits Around the Purple Martin Nests.
- BIO-4.1 Avoidance of Wetlands.

Finding:

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. In addition, protection of migratory bird species is required by state and federal laws, so that other projects in the City and region would also have to implement measures to reduce their individual impacts.

Implementation of Mitigation Measure BIO-4.1 would reduce the impacts of the Swanston TVSP project on potential wetlands and other waters of the U.S. and also reduce the contribution of the proposed Swanston TVSP project to the cumulative impact on biological resources to a level that is less than considerable. Section 404 of the Clean Water Act would similarly apply to other projects that could disturb wetlands, so that cumulative impacts on wetlands and other waters of the U.S. would be less than

significant. Under the Nationwide and Individual Permits issued pursuant to Section 404, project applicants are required to mitigate for wetland loss; mitigation can be required to replace wetland acreage at greater than a 1 to 1 ratio, meaning that more wetland acreage can be created than is lost. The net result is a no net loss of wetland habitat.

With implementation of the mitigation measure, this impact is reduced to a less-than-significant level.

IMPACT CATEGORY: CULTURAL RESOURCES

Impact:

CR-2. Development that could occur under the proposed Swanston TVSP project (Strategic Plan area and Long-Term Plan area) would not be expected to cause a substantial change in the significance of an archeological or paleontological resource because such development would be subject to the City's Historic Preservation Ordinance. Nevertheless there may be unknown resources encountered that could be adversely affected by future development. Without mitigation, this is a potentially significant impact.

Mitigation Measures (from MMP) :

The following mitigation measures have been adopted to address this impact:

CR-2.1 Treatment of Unexpected Archaeological Resources. In the event that any prehistoric or historic-period subsurface archeological features or deposits, including locally darkened soil ("midden"), that could conceal cultural deposits, animal bone, obsidian, and/or mortar are discovered during demolition/ construction-related earth-moving activities, all ground-disturbing activity within 100 feet of the resources shall be halted immediately, and the City of Sacramento Development Services Department and the City's Preservation Director shall be notified within 24 hours. The project applicant shall retain 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 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 remains shall be halted immediately, and the Sacramento County coroner shall be notified immediately, according to Section 5097.98 of the State Public Resources Code and Section 7050.5 of California's Health 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 American burial experience to conduct a field 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 human remains. The City of Sacramento 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 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 any suggested mitigation proposed by the consulting paleontologist, the City of Sacramento Development Services Department shall determine whether avoidance is necessary and feasible in light of factors such as the nature of the find, project design, costs, specific plan policies and land use assumptions, and other considerations. If avoidance is unnecessary or infeasible, other appropriate measures (e.g., data recovery) shall be instituted. Work may proceed on other parts of the project site while mitigation for paleontological resources is carried out.

Finding:

Mitigation Measures CR-2.1, CR-2.2, and CR-2.3 above provide discovery and evaluation procedures for any previously unknown archeological or paleontological resources in the Swanston TVSP project area and require that a professional employ data recovery or other methods that meet the Secretary of the Interior's Standards to

reduce impacts on unique archeological and paleontological resources. The Secretary of the Interior's Standards are the nationwide basis for determining whether surveys, restoration, and rehabilitation efforts maintain the integrity of the resource, and compliance with these standards will be protective of the resources. All development is required to comply with the standards; therefore, the cumulative impact is less than significant.

With implementation of the mitigation measures, this impact is reduced to a less-than-significant level.

Impact:

CR-3. The proposed Swanston TVSP project (Strategic Plan area and Long-Term Plan area), in combination with other development in the Central Valley, could cause a substantial change in the significance of a historical or archeological resource as defined in CEQA Guidelines Section 15064.5. Without mitigation, this is a potentially significant impact.

Mitigation Measures (from MMP):

CR-2.1 Treatment of Unexpected Archaeological Resources.

CR-2.2 Cessation of Construction if Human Remains Encountered.

Finding:

Implementation of Mitigation Measures CR-2.1 and CR-2.2 provides for the treatment and protection of previously unknown archaeological resources discovered during the course of construction and would therefore reduce the project's contribution to the cumulative loss of archeological resources to a less-than-significant level. The Secretary of the Interior's Standards are the nationwide basis for determining whether surveys, restoration, and rehabilitation efforts maintain the integrity of the resource, and compliance with these standards will be protective of the resources. All development is required to comply with the standards; therefore, the cumulative impact is less than significant.

With implementation of the mitigation measures, this impact is reduced to a less-than-significant level.

Impact:

CR-4. The proposed Swanston TVSP project (Strategic Plan area and Long-Term Plan area), in combination with other development in the Central Valley, could cause a substantial change in the significance of a paleontological resource or site or unique geologic feature. Without mitigation, this is a potentially significant impact.

Mitigation Measure (from MMP):

The following mitigation measure (description is presented above) has been adopted to address this cumulative impact:

CR-2.3 Treatment of Unexpected Paleontological Resources.

Finding:

Implementation of Mitigation Measure CR-2.3 provides for the treatment and protection of previously unknown paleontological resources discovered during the course of construction and would therefore reduce the project's contribution to the cumulative loss of paleontological resources to a less-than-significant level. The Secretary of the Interior's Standards are the nationwide basis for determining whether surveys, restoration, and rehabilitation efforts maintain the integrity of the resource, and compliance with these standards will be protective of the resources. All development is required to comply with the standards; therefore, the cumulative impact is less than significant.

There are no unique geologic features within the Swanston Station Transit Village Specific Plan boundaries. Therefore, the project would not contribute to a cumulative loss of such features.

With implementation of the mitigation measure, this impact is reduced to a less-than-significant level.

IMPACT CATEGORY: HAZARDOUS MATERIALS

Impact:

HM-1. Construction and development that could occur within the Swanston TVSP project area (Strategic Plan area and Long-Term Plan area) could expose people to previously unidentified sources of potential health hazards, such as soil or groundwater contamination, from historic on or off-site uses. Without mitigation, this is a potentially significant impact.

Mitigation Measure (from MMP):

The following mitigation measure has been adopted to address this impact:

HM-1.1 Remediation Plan for Contaminated Soils or Groundwater and Site Health and Safety Plan. In the event that previously unidentified underground storage tanks or other features or materials that could present a threat to human health or the environment are discovered during excavation and grading, construction in that immediate area shall 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 evidence of contamination, waste discharges, underground storage tanks, abandoned drums, or other environmental impairments, the Sacramento County Environmental Management Department (SCEMD) shall be 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 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 hazards shall not proceed until all identified hazards are managed to the satisfaction of the City and SCEMD and the SCEMD allows work to commence.

Finding:

Implementation of Mitigation Measure HM-1.1 for the Swanston TVSP project would reduce impacts related to exposure to contaminated soils or groundwater. The mitigation outlines a specific set of tasks to be followed to ensure acceptable risks to construction workers, the public, and the environment from exposure to environmental contamination. If such contamination is encountered during construction, activities in the area would be halted immediately, and a State Registered Environmental Assessor would evaluate the type and extent of the hazardous materials contamination. If hazardous materials are identified, then other regulatory agencies would be notified and the State Registered Environmental Assessor would prepare a site remediation plan that identifies the appropriate measures to clean up the site in accordance with local, state, and federal requirements. Resumption of construction activities in the vicinity of the environmental contamination would not be allowed until the City and the SCEMD deem such activities to be safe.

With implementation of the mitigation measure, this impact is reduced to a less-than-significant level.

Impact:

HM-2. Construction and/or operation of development that could occur within the Swanston TVSP project area (Strategic Plan area and Long-Term Plan area) could expose workers, the public, and the environment to potential health hazards from lead-based paint, asbestos, and/or PCBs. Without mitigation, this is a potentially significant

impact.

Mitigation Measure (from MMP) :

The following mitigation measure has been adopted to address this impact:

HM-2.1 Investigation of Buildings for Lead, ACM, or PCBs. Prior to demolition of any structure in the Swanston TVSP project area, the project applicant shall ensure that each structure to be demolished has been investigated for the presence of lead-based paint, ACM, or PCBs. If the investigation finds lead-based paint, ACM, or PCBs at 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 with applicable regulations and standards, and by suitable contractors certified by the California Department of Health Services. Once all abatement measures have been implemented, the project applicant shall 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.

Finding:

Implementation of Mitigation Measure HM-2.1 for the Swanston TVSP project would reduce impacts related to exposure to hazardous building components. The mitigation outlines a specific set of tasks to be followed to ensure acceptable risks to construction workers, the public, and the environment from exposure to hazardous building materials and components. If such materials or components are encountered in the investigation that must be conducted prior to demolition or renovation, a State certified contractor must perform the removal and disposal of the hazardous materials. Written documentation is required to prove that the abatement measures have been implemented.

With implementation of the mitigation measure, this impact is reduced to a less-than-significant level.

IMPACT CATEGORY: HYDROLOGY AND WATER QUALITY

Impact:

HY-5. Development that could occur under the proposed Swanston TVSP project (Strategic Plan and Long-Term Plan areas) would generate stormwater that would exceed the capacity of the stormwater system. Provisions of the proposed Swanston TVSP project would encourage stormwater control and treatment, but would not ensure that adequate stormwater capacity exists to serve future development. Without mitigation, this is a potentially significant impact.

Mitigation Measure (from MMP):

The following mitigation measures have been adopted to address this impact:

Implementation of either of the following mitigation measures would ensure that adequate stormwater detention is provided by new development prior to occupancy.

HY-5.1 Construction of Recommended Stormwater Detention Basins. The City shall identify a mechanism to fund the construction of the required detention basins by requiring individual project applicants to pay their fair share towards the improvement. Funds from this mechanism shall be used to pay for the drainage improvements identified in the 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(the improvements would be implemented at a schedule to be determined by the City.

or

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 existing runoff volumes, until the required detention basins are constructed.

Finding:

Implementation of either Mitigation Measure HY-5.1 or Mitigation Measure HY-5.2 for the Swanston TVSP project would ensure that adequate stormwater detention is provided by new development prior to occupancy. The stormwater drainage and detention facilities would be constructed in accordance applicable codes, City ordinances, and City standards. The recommended improvements to accommodate the stormwater flows are contained in a "West Yost & Associates Report" prepared for the City. The Swanston TVSP also contains alternatives to some of the facilities identified in the West Yost & Associates Report, where the sites for the proposed facilities are no longer available. Implementation and extension of the recommended utility infrastructure would be constructed prior to occupancy, which would avoid development occurring with inadequate stormwater conveyance and detention capacity.

With implementation of the mitigation measure, this impact is reduced to a less-than-significant level.

IMPACT CATEGORY: NOISE

Impacts:

NO-4. Development that could occur within the Strategic Plan area could permanently expose sensitive receptors to increased noise produced by on-site stationary sources. Without mitigation, this is a potentially significant impact.

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. Without mitigation, this is a potentially significant impact.

Mitigation Measures (from MMP):

The following mitigation measures have been adopted to address these impacts:

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 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.

Finding:

Implementation of Mitigation Measures NO-4.1, NO-4.2, and NO-4.3, where specified by each individual project's CEQA review or as established through project review prior to the issuance of a building permit, would substantially reduce predicted noise levels at noise sensitive receptors by requiring appropriate noise attenuation devices and/or placement of noise-emitting equipment to ensure that operational stationary noise levels would not exceed the requirements of the appropriate provisions of the Sacramento General Plan or Municipal Code. These mitigation measures identify the desired level of noise attenuation, possible methods for achieving the noise reduction, and the role of the City's Planning Director for reviewing the noise mitigation and incorporating them into project design prior to issuance of a building permit. As such, the measures would collectively reduce noise exposure levels at nearby sensitive receptors to those considered acceptable by the City's General Plan or Municipal Code.

With implementation of the mitigation measure, this impact is reduced to a less-than-significant level.

Impact:

NO-6. Development that could occur within the Long-Term Plan area could expose sensitive receptors to increased noise levels. Without mitigation, this is a potentially significant impact.

Mitigation Measures (from MMP):

The following mitigation measures have been adopted to address this impact:

NO-6.1 Residential Construction and Uses near I-80 Business Loop. Proposed new residential construction and uses within 500 feet of 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.

Finding:

Implementation of the Mitigation Measures NO-6.1 and NO-6.2, where specified by each individual project's CEQA review or as established through project review prior to the issuance of a building permit, would substantially reduce predicted noise levels at noise sensitive receptors by requiring appropriate special construction measures to ensure that noise levels would not exceed the Sacramento General Plan standards. These mitigation measures identify the need for a specific acoustic study, the purpose of which will be to define methods for achieving the noise reduction to the applicable City General Plan noise standard. As such, the measures would collectively reduce noise exposure levels at future sensitive receptors in proposed residential areas to those considered acceptable by the City's General Plan.

With implementation of the mitigation measure, this impact is reduced to a less-than-significant level.

Impact:

NO-8. Development that could occur within the Long-Term Plan area could expose sensitive receptors to excessive vibration levels. Without mitigation, this is a potentially significant impact.

Mitigation Measures (from MMP):

The following mitigation measure has been adopted to address this impact:

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.

Finding:

Implementation of the Mitigation Measure NO-8.1, where specified by each individual project's CEQA review or as established through project review prior to the issuance of a building permit, would substantially reduce predicted vibration levels at sensitive receptors by requiring appropriate buffer distances from the operating rail lines or special construction measures to ensure that vibration levels would be attenuated to acceptable levels. This mitigation measure identifies the need for a specific acoustic study, the purpose of which will be to define methods for achieving the vibration reduction considered acceptable by the City. As such, the measure establishes a logical process for assessing the magnitude of the impact and incorporating appropriate reduction measures into the structural design of future buildings, prior to issuance of a building permit.

With implementation of the mitigation measure, this impact is reduced to a less-than-significant level.

IMPACT CATEGORY: UTILITIES

Impacts:

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. Without mitigation, this is a potentially significant impact.

UT-7. Development that could occur within the Long-Term Plan area would generate additional wastewater flow in the City of Sacramento and SASD service areas. 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. Without mitigation, this is a potentially significant impact.

Mitigation Measures (from MMP):

The following mitigation measure has been adopted to address this impact:

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 that enable the wastewater collection system to satisfy the City's design standards.

Finding:

Implementation of the Mitigation Measure UT-2.1 would reduce downstream impacts to the wastewater collection system. This mitigation measure identifies the need for specific sewer studies, the purpose of which will be to determine whether the projected wastewater flows would be handled in a manner complying with the City standards. If not, then a corrective program shall be required to enable the wastewater collection system to satisfy City standards. As such, the measure establishes a logical process for assessing the magnitude of the impact and incorporating appropriate improvements to the wastewater collection system, prior to occupancy of new development.

With implementation of the mitigation measure, this impact is reduced to a less-than-significant level.

Impact:

UT-8. Development that could occur within the Long-Term Plan area would not exceed available sources of water supply. While the projected increase in water demand would not require modifications to water supply deliveries or the City's water treatment plants, improvements to the wastewater conveyance system would be necessary. Without mitigation, this is a potentially significant impact.

Mitigation Measure (from MMP):

The following mitigation measure has been adopted to address this impact:

UT-3.1 Hydraulic Modeling and Necessary Improvements. Prior to occupancy of new development, project applicants shall perform hydraulic modeling to confirm that water main sizes are adequate to meet the following City standards:

- A maximum velocity of 10 feet per second
- Fire flow demands of:
 1. 1,500 gallons per minute for single-family
 2. 2,000 gallons per minute for multi-family
 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 system on their own.

Finding:

Implementation of the Mitigation Measure UT-3.1 would reduce impacts to the water distribution system. The City has sufficient treatment capacity to serve development that could occur within the Long-Term Plan area. On-site water conveyance and delivery improvements are included in the project design and would be approved by the Department of Utilities prior to installation. However, hydraulic modeling is recommended to be performed for the study area to confirm that the main sizes would be adequate to meet City standards. This mitigation measure identifies the necessary hydraulic modeling, the purpose of which will be to determine whether the projected potable water demand and fireflows would be handled in a manner complying with the City standards. If not, then a corrective program shall be required to enable the water distribution system to satisfy City standards. The study will be subject to approval by the City's Department of Utilities. As such, the measure establishes a logical process for assessing the magnitude of the impact and incorporating appropriate improvements to the water distribution system, as conditions of project approval, and implementing necessary upgrades, prior to occupancy of new development.

With implementation of the mitigation measure, this impact is reduced to a less-than-significant level.

Impact:

UT-13. Development that could occur under the proposed Swanston TVSP project (Strategic Plan area and Long-Term Plan area), in combination with other development within the City's service area, would contribute to cumulative demand on water supply treatment and distribution facilities throughout the City that exceeds the estimated capacity of the water treatment plants and sustainable withdrawal from the groundwater. Without mitigation, this is a potentially significant impact.

Mitigation Measures (from MMP):

The following mitigation measures have been adopted to address this cumulative impact:

UT-13.1 Maximum Day Demand Conservation in the Proposed Swanston TVSP Project. The City's 2006 UWMP presents three future demand projection scenarios spread over a 25-year planning horizon, they include a "no conservation" scenario, a 7.5 percent conservation scenario, and a 25.6 percent conservation scenario.

Assuming that as a mitigation measure the Strategic Plan area could achieve 7.5 percent conservation in average day demands, this would roughly save approximately an annual average of 7,189 gpd and reduce average annual demands to 99.44 AFA down from the calculated demand of 107.9 AFA for a savings of 8.06 AFA. The conservation savings achieved in the Swanston TVSP project area would not reduce the maximum day demands enough to overcome the 2020 citywide capacity deficit; therefore, this ultimately is a citywide issue and the City would be need to the address future potential maximum day demand deficit on a larger scale to reduce the

potentially significant cumulative impact to a less-than-significant level.

UT-13.2 Diversion and WTP as Cost-sharing Partner in Sacramento River Water Reliability Study. The City is a partner on the Sacramento River Water Reliability Study, which is investigating alternatives for an additional 365 cfs (235 MGD) diversion on the Sacramento River and an associated water treatment facility. The City would have access to 145 MGD of the available 235 MGD. The 145 MGD diversion and WTP alternative included in the SRWRS would avoid any future capacity deficits. Upon implementation of this new diversion and WTP plant project, the potentially significant cumulative impact would be reduced to a less-than-significant cumulative impact.

UT-13.3 City of Sacramento Only Sacramento River Diversion and WTP. Another mitigation option would be for the City to be the sole operator of the second Sacramento River diversion and Elverta Road WTP project. Under this option, the diversion and WTP would be scaled down to provide the additional capacity needed to meet only the City's maximum day demands when diversion limitations apply at FWTP under the City WFA PSA. As presented in the SRWRS, the City would most likely construct capacity to divert roughly 235 cfs and could treat up to 145 MGD at the new WTP. This new diversion and WTP would avoid any future maximum day capacity deficits through 2030 and beyond. This was presented as one of the alternatives in the SRWRS; therefore, it is reasonable to assume this as a feasible mitigation measure. Upon implementation of this diversion and WTP project, the potentially significant cumulative impact would be reduced to a less-than-significant cumulative impact.

UT-13.4 Increased Groundwater Pumping. The City maintains 32 wells for potable use; 23 wells are actively used to supply drinking water. The total capacity of the wells is approximately 22 MGD and producing up to 24,000 AFA. In 2000 - 2005 the City's annual average groundwater pumping was 22,992 acre-ft.

The average annual demand of development that could occur within the Strategic Plan area is estimated at 0.05 MGD. In comparison to citywide demands of 325 MGD in 2020 and up to 402 MGD in 2030 above-Hodge conditions, the proposed Swanston TVSP project's demand contribution is less than considerable. Nonetheless, under a dry year scenario, the project would increase demand on the City's water system infrastructure. In an effort to minimize the project's demand, the project could add new wells to the City's groundwater system paid for through developer or other water connection fees. Assuming a new groundwater well could pump roughly 1,000 gpm or 1.44 MGD, one new well would be needed to meet the project's peak day demands and offset the demand placed on the City's water system. Furthermore, each new project would have to pay their fair share to fund new groundwater wells to offset project-specific demands.

The City's water supply infrastructure is designed to serve the entire citywide service area and new infrastructure ties into the existing system to meet both average and maximum day demands. The City supplements the surface water capacity by pumping groundwater to meet the maximum day demands. If no surface water diversion and treatment capacity is added by 2025, the City would need to more than double the peak day pumping rate to meet customer demands. This could not be achieved with the

current well capacities and new wells would have to be installed.

Upon implementation of this mitigation measure, the potentially significant cumulative impact would be reduced to a less-than-significant cumulative impact. This analysis assumes that additional wells would be installed in the SGA groundwater area.

IMPACT CATEGORY: TRANSPORTATION

Impact:

TR-13. Development that could occur within the Long-Term Plan area would have a potentially significant impact on study intersections in the Swanston TVSP project area. Without mitigation, this is a potentially significant impact.

Mitigation Measure (from MMP):

The following mitigation measure has been adopted to address this impact:

TR-13.1 The City through its development and environmental review processes will continue to evaluate the conformance of future development applications with the proposed Swanston TVSP project, identify the potential impacts stemming from the proposed development, and impose fees, mitigation measures, or other conditions of project approval, as necessary, to reduce the traffic impacts of future development.

With implementation of the mitigation measure, this impact is reduced to a less-than-significant level.

Finding:

The vision for the study area, over the 50 year planning horizon, is to transition from a typical low-density, auto oriented suburb to something more akin to the development surrounding the mid-town Sacramento area. The area around the light rail station would become more developed, with higher density development, and more of a mixture of land uses in close proximity to each other. The components of the transit-oriented development, the individual pieces that would make it work, would also come with time. These pieces include improved sidewalks, bike infrastructure, amenities such as street lighting and shade trees, and shower facilities in offices. Gradually, it would become more feasible to use alternative modes, such as walking, biking, and public transit, instead of the automobile for every trip. There would be more people living and working in the same amount of space. At some point it would become easier to walk across the street for lunch, than to get in a car and drive somewhere. At that point, it is estimated that the majority of trips made by those living and working within the Swanston TVSP project area would be by alternative modes. Although the level of development may increase with time, the number of auto trips per unit of development, whether per household or per square foot of commercial development, would be significantly reduced.

By the same token, the level of through auto traffic on the surrounding roadway

network, especially El Camino Avenue, Arden Way, and Del Paso Boulevard, is expected to continue to rise. However, the study area's contribution to traffic levels on these roadways and their intersections is expected to remain steady, or decline.

It is recognized that the future baseline conditions against which the actual impacts of development that could occur within the Long-Term Plan area may be different than the conditions and patterns that exist as forecast throughout the Strategic Plan area. Accordingly, significant intersection impacts may occur. The tools available to the City to identify and reduce these effects may be different in the future; however, at this point, it is reasonable to anticipate that the City will continue to review development applications and impose conditions of project approval, mitigation measures, and impact fees that would reduce the project's effects. As described above, the gradual transformation of the area to a transit-oriented development that emphasizes alternative modes and reduce vehicle trips would further reduce the potential effects of Swanston TVSP land uses on intersection congestion. For these reasons, the potentially significant cumulative impact would be reduced to a less-than-significant cumulative impact.

B. Significant or Potentially Significant Impacts for which Mitigation is Outside the City's Responsibility and/or Jurisdiction.

There are no significant or potentially significant environmental effects of the Project for which mitigation relies on entities outside the City's responsibility and/or jurisdiction.

C. Significant or Potentially Significant Impacts for which Mitigation Measures Found To Be Infeasible.

There are no significant or potentially significant environmental effects of the Project for which mitigation is determined to be infeasible.

D. Significant and Unavoidable Impacts.

The following significant and potentially significant environmental impacts of the Project, including cumulative impacts, are unavoidable and cannot be mitigated in a manner that would substantially lessen the significant impact. Notwithstanding disclosure of these impacts, the City Council elects to approve the Project due to overriding considerations as set forth below in Section G, the statement of overriding considerations.

IMPACT CATEGORY: AIR QUALITY

Impacts:

AQ-6. Development that could occur under the Long-Term Plan would generate operational emissions of ozone precursors that may exceed SMAQMD standards.

Without mitigation, this is a significant impact.

AQ-8. Development that could occur under the proposed Swanston TVSP project (Strategic Plan area and Long-Term Plan area) would make a cumulatively considerable contribution to regional ozone precursor emissions and so in combination with emissions from other developments would have a significant cumulative impact on regional ozone levels. Without mitigation, this is a significant impact.

Mitigation Measures (From MMP):

The following mitigation measures have been identified to address this project and cumulative impact:

As individual projects are considered pursuant to the Long-Term Plan, they would be required to comply with the SMAQMD Guide in order to reduce the reactive organic gases (ROG) and nitrous oxides (NOx) emissions by 15-percent. The SMAQMD prepared a list of measures and corresponding reduction credits that can be applied to meet the required reduction. The measures identified in SMAQMD's Guide in Table E-2 represent strategies for reducing operational emissions. It is noteworthy that the Swanston TVSP project contains specific policies and guidelines that would implement a number of these measures (italicized measures below are already proposed by the proposed Swanston TVSP project) and would therefore reduce many of the potential operational air quality impacts that might otherwise occur. As future individual development projects occur, they could include other measures from this list, or new ones that may be identified in future updates to the SMAQMD's Guide.

Bicycle/Pedestrian/Transit Measures

1. Non-residential projects provide bicycle lockers and/or racks
2. Non-residential projects provide personal showers and lockers
3. Bicycle storage (Class I) at apartment complexes or condos without garages
4. *Entire project is located within ½ mile of an existing Class I or Class II bike lane and provides a comparable bikeway connection to that existing facility*
5. *The project provides for major pedestrian facilities and improvements such as overpasses and wider sidewalks*
6. Bus service provides headways of 15 minutes or less for stops within ¼ mile; project provides essential bus stop improvements (i.e., shelters, route, information, benches, and lighting)
7. *High density residential, mixed, or retail/commercial uses within ¼ mile of light existing transit, linking with activity centers and other planned infrastructure*

Parking Measures

8. Employee and/or customer paid parking system (no validations)
9. Provide minimum amount of parking required
10. Provide parking reduction: Office 25%, Medical office 8%, Commercial 5%, Industrial 10%. Additional 10-20% if located along transit station (special review of parking is required).
11. Provide grass paving or reflective surface for unshaded parking lot areas, driveways, or fire lanes that reduce standard paving by 10% or more
12. Increase parking lot shading by 20% over code
13. Provide electric vehicle charging facilities
14. *Provide a parking lot design that includes clearly marked and shaded pedestrian pathways between transit facilities and building entrances*

Commercial Building Design Measures

15. Office floor area ratio is 0.75 or greater within ¼ mile of an existing transit stop.
16. Setback distance is minimized between development and existing transit, bicycle, or pedestrian corridor
17. Setback distance is minimized between development and planned transit, bicycle, or pedestrian corridor

Residential Development Measures

18. *Average residence density 7 d.u. per acre or greater*
19. *Multiple and direct street routing (grid style)*
20. Granny Flats – Have ancillary “granny units” (requires Special Development Permit but no Accessory Structure Use Permit)

Mixed Use Measures

21. *Development of projects predominantly characterized by properties on which various uses, such as office, commercial, institutional, and residential, are combined in a single building or on a single site. A “single site” may include contiguous properties.*
22. *Separate, safe, and convenient bicycle and pedestrian paths connecting residential, commercial, and office uses.*
23. *The project provides a development pattern that eliminates physical barriers such as walls, berms, landscaping, and slopes between residential and non-residential*

uses that impede bicycle or pedestrian circulation.

Building Component Measures

24. Install only natural gas fireplaces
25. Install Energy Star or ground source heat pumps.
26. Install ozone destruction catalyst on air conditioning systems in consultation with SMAQMD or local district
27. Install Energy Star labeled roof materials.
28. Install roof photovoltaic energy systems as a standard feature on new homes.
29. Exceed Title 24 energy standards for cooling energy by 25% or comply with SMUD Advantage (Tier II) energy standards.
30. Exceed Title 24 energy standards for cooling energy by 50%, or comply with SMUD Advantage Plus (Tier III) or EPA/DOE Energy Star Home energy standards.
31. Orient 75 or more percent of homes and/or buildings to face either north or south (within 30 degrees of N/S), and include shading master plan.

TDM and Miscellaneous Measures

32. Include permanent TMA membership and funding requirement. Funding to be provided by Community Facilities District or County Service Area or other nonrevocable funding mechanism.
33. Make physical development consistent with requirements for neighborhood electric vehicles.
34. Implement Clean Air Business Practices such as using low-emission delivery vehicles, contract with alternative-fuel waste hauling companies, etc., in consultation with SMAQMD.
35. Provide electric shuttle to transit stops.
36. Provide a complimentary cordless electric lawnmower to each residential buyer.
37. Transit pass subsidy (100%) and/or commute alternative allowance.

Innovative Strategies

38. Other proposed strategies in consultation with SMAQMD.

Finding:

Even with the inclusion of site planning, alternative travel modes, and design features recommended by the SMAQMD, the Swanston TVSP project would generate considerable ROG and NO_x emissions. Other foreseeable development in the SVAB would be expected to also comply with the SMAQMD recommendations; however, even if the 15 percent operational emissions reduction is achieved, the threshold of 65 pounds per day may still be exceeded. While the above measures can substantially reduce air emissions, their effectiveness at reducing emissions for a particular project that would occur far in the future is somewhat speculative. Furthermore, it is not possible to anticipate the size, scope, and intensity of a particular development project that may occur in the Long-Term Plan area or elsewhere in the City, and, thus, the ability to control ozone precursors to a less-than-significant level remains undetermined. The City has taken a conservative position on this effect and determined that the mitigation measures may not be sufficient to reduce air emission levels to less than significant.

For these reasons, the impact remains *significant and unavoidable*.

Impact:

NO-2. Development that could occur under the proposed Swanston TVSP project (Strategic Plan area and Long-Term Plan area) would temporarily increase levels of ground-borne vibration as a result of construction activities associated with the development. Without mitigation, this is a significant impact.

Mitigation Measure (from the MMP):

The following mitigation measure has been adopted to address this impact:

NO-2.1 Vibration Reduction Practices for Pile Driving. For pile driving within 100 feet of an existing building, project applicants shall implement vibration reduction practices, such as drilling pilot holes for piles, to the extent feasible, prior to commencement of impact pile driving. Prior 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.

Finding:

Even with the inclusion of site planning, alternative construction techniques, and notification of nearby land uses, construction that could occur in the Swanston TVSP project area could expose nearby uses to excessive vibration levels, especially if pile driving were to be required for installation of foundations. While alternative construction techniques can substantially reduce vibration levels, the proximity of uses in the project area may mean that building occupants may still be significantly annoyed and building damage could occur. The City has taken a conservative position on this effect and determined that the mitigation measures may not be sufficient to reduce vibration levels to less than significant.

For these reasons, the impact remains *significant and unavoidable*.

E. Findings Related to the Relationship Between Local Short-term Uses of the Environment and Maintenance and Enhancement of Long-term Productivity.

Based on the EIR and the entire record before the City Council, the City Council I makes the following findings with respect to the project's balancing of local short term uses of the environment and the maintenance of long term productivity:

Finding:

The proposed land uses that would occupy the Swanston TVSP project area would have the following long-term implications:

- Development that could occur in accordance with the proposed Swanston TVSP project would result in the commitment of the Swanston Station Transit Village Specific Plan area (Swanston TVSP project area) to more transit-oriented development, thereby precluding any other uses for the lifespan of the project. Restoration of the Swanston TVSP project area to a less developed condition would not be feasible given the degree of disturbance, the urbanization of the area, and the level of capital investment.
- While the proposed Swanston TVSP project could result in the use, transport, storage, and disposal of hazardous wastes, as described in Section 6.6, Hazards and Hazardous Materials, these activities would comply with applicable state and federal laws related to hazardous materials, which significantly reduce the likelihood and severity of accidents that could result in irreversible environmental damage. Furthermore, the types of uses envisioned by the proposed Swanston TVSP project are residential and commercial uses that do not use, handle, store, or dispose of large volumes of hazardous materials. These uses involve typical household-type hazardous materials, and are not considered acutely hazardous.
- Development that could occur in accordance with the proposed Swanston TVSP project would result in the long-term commitment of resources to urban development, which is no different than current proposals under the existing General Plan. The most notable significant irreversible impacts are increased generation of pollutants, and the short-term commitment of non-renewable and/or slowly renewable natural and energy resources, such as water used during construction activities. Operations associated with future uses would also consume natural gas and electrical energy.
- Resources that would be permanently and continually consumed by development that could occur in accordance with the proposed Swanston TVSP project include water, electricity, natural gas, and fossil fuels; however, the amount and rate of consumption of these resources would not result in the unnecessary, inefficient, or

wasteful use of resources. With respect to operational activities, compliance with applicable building codes, planning policies, and standard conservation features would ensure that natural resources are conserved to the maximum extent possible.

- Construction activities associated with development that could occur in accordance with the proposed Swanston TVSP project would result in the irretrievable commitment of nonrenewable energy resources, primarily in the form of fossil fuels (including fuel oil), natural gas, and gasoline for automobiles and construction equipment.

Finding:

One of the important premises of a transit-oriented development plan is the promotion of a pedestrian friendly environment and a land use pattern that is supportive of transit accessibility and ridership. The higher intensity land use pattern promoted by the proposed Swanston TVSP project should help reduce use of fossil fuels that would otherwise be consumed by automobile trips. It is also possible that new technologies or systems will emerge, or will become more cost-effective or user-friendly, to further reduce the reliance upon nonrenewable natural resources.

The following objectives, achieved in implementing the Swanston TVSP project, are considered to result in the maintenance and enhancement of long-term productivity of the environment:

1. Create transit-oriented, pedestrian-friendly, mixed-use and residential development adjacent to the Sacramento Regional Transit light rail line and Swanston and Royal Oaks light rail stations;
2. Guide future development and revitalization within the area towards land uses that support transit ridership, and provide needed housing, employment opportunities, and neighborhood supporting retail uses;
3. Develop recommendations and guidelines for design and development of land use and infrastructure development within the Swanston Station Transit Village Specific Plan area;
4. Incorporate meaningful community input into every stage of the process by exchanging, sharing ideas and collaborating with interested groups, property owners, individuals, and other agencies active in the Swanston area;
5. Identify the infrastructure needs, cost estimates, phasing, and implementation programs to realize the vision of the Swanston Station Transit Village Specific Plan;
6. Provide transit and neighborhood and community retail near residential development to shorten or reduce the number of vehicle trips;
7. Improve the pedestrian, bicycle, and automobile circulation and access of the Swanston Light Rail Station Area and vicinity;

8. Incorporate urban parks, plazas and open space into the project design in a manner that provides community connectivity;
9. Develop and approve the Swanston Station Transit Village Specific Plan consistent with the City of Sacramento's Smart Growth Principles, the Regional Transit Master Plan, the Transit for Livable Communities Recommendations, the SACOG Blueprint Study, the North Sacramento Redevelopment Plan, and the goals of the North Sacramento 2005-2009 Redevelopment Implementation Plan;
10. Increase office and retail job opportunities in the City and the residential component that accompanies such jobs;
11. Create a safe and comfortable transit village, defined by a mix of uses, responsive to current market conditions, and a bicycle and pedestrian friendly environment;
12. In keeping with the City and the Sacramento region's goals to promote public transit ridership, provide higher-density infill residential development, small neighborhood-serving retail, small- to medium-scale professional office uses, and public open space – all within convenient walking distances of the light rail station;
13. Enhance the City's supply of housing that provides a range of housing opportunities available to residents from a wide range of economic levels; and
14. Bolster/support private investment through investment in public realm.

F. Project's Contribution of Greenhouse Gas Emissions

The City of Sacramento has adopted a proactive and comprehensive approach to climate change issues, including adoption of the 2030 General Plan to encourage a pattern of urban development that avoids dispersed residential and employment centers that by their design encourage motor vehicle trips, one of the largest contributors to greenhouse gas emissions. Likewise, the 2030 General Plan calls for strengthening the City's efforts to promote building standards to reduce the carbon footprint of buildings, another of the major contributors. The Swanston TVSP project is consistent with this approach and implements the City's plan to reduce greenhouse gas emissions.

The 2030 General Plan and the Master Environmental Impact Report

The City Council approved the 2030 General Plan on March 3, 2009. As part of its action, the City Council certified the Master Environmental Impact Report (Master EIR) that evaluated the environmental effects of development that is reasonably anticipated under the 2030 General Plan. The Master EIR includes extensive discussion of the potential effects of greenhouse gas emissions. The Master EIR discussions regarding climate change are incorporated here by reference. See, for example:

Draft EIR: 6.1 Air Quality (Page 6.1-1)

Final EIR: City Climate Change master Response (Page 4-1)

Errata No. 2: Climate Change (Page 12)

The impact of greenhouse gas emissions from human activities, specifically with regard to global climate change, has been acknowledged by the City of Sacramento and others as an inherently cumulative effect. Global climate change occurs, by definition, on a global basis. Greenhouse gases remain in the atmosphere for extended periods, and combine with GHG emissions from other areas of the globe, thus creating an inherently cumulative impact.

The 2030 General Plan and Master EIR recognized these unique aspects of the problem. The Master EIR acknowledges that the greenhouse gas emissions resulting from development that would be consistent with the 2030 General Plan would be cumulatively considerable, and significant and unavoidable. See Errata 2, February 23, 2009.

In addition, at City Council direction staff reviewed the various policies and implementation programs in the 2030 General Plan that could mitigate greenhouse gas emissions, and determined that a number of these policies could be revised. A list of such policies, and the changes that were made to respond to the continuing discussion of climate change, were included as part of the Mitigation Monitoring Plan that implemented mitigation identified in the Master EIR.

The effects of the 2030 General Plan promote denser urban development within the current City territorial limits to accommodate population growth, which will reduce growth pressures and sprawl in outlying areas. While total greenhouse gas emissions within the General Plan policy area may increase over time due to growth in population in the region, this increase is less than what would have occurred if the 2030 General Plan were not adopted and development of more land in outlying areas had been permitted under the 1988 General Plan. Adoption of the 2030 General Plan put these key strategies in place immediately and has begun to shape development as well as the activities of day-to-day living and move the City and the region toward a more sustainable future.

Because the actual effectiveness of all the feasible policies and programs included in the 2030 General Plan that avoid, minimize, or reduce greenhouse gas could not be quantified, the impact was identified in the Master EIR as a significant and unavoidable cumulative impact.

General Plan Consistency of the Swanston TVSP Project

The 2030 General Plan identifies a mix of Traditional Neighborhood Low Density (TNLD), Traditional Neighborhood Medium Density (TNMD) and Traditional Center (TC) on the Swanston TVSP project site. These designations include detached and attached single-family homes, multifamily dwellings, commercial or mixed use development and compatible public and quasi-public uses. The Land Use and Urban Form Diagram in the 2030 General Plan designates TNLD for the northern portion of the site, TNMD for the

central portion and TC in the southern portion. Each of the three designations permit residential and commercial development. The development program analyzed in the Master EIR for the Swanston TVSP project site included a mix of 549 attached and detached dwelling units and 200,000 square feet of commercial development.

The proposed Swanston TVSP project development program and mix of uses is generally consistent with the development program anticipated by the 2030 General Plan and the Master EIR. The Swanston TVSP project proposes a mix of TNLD, TNMD, Traditional Neighborhood High Density, and TC development. The proposal locates lower density single family homes to the north, higher density attached homes and apartments in the central area and commercial uses to the south. The proposed 527 dwelling units fall within the range anticipated by the General Plan (549). The 259,000 square feet of commercial space appears to be about 30% greater than was studied in the Master EIR. However, the commercial floor area ratio (FAR) of 0.37 is well within the range of 0.3-2.0 FAR permitted in TC. As a result, the land uses and their associated density and intensity are consistent with the 2030 General Plan.

In addition to determining consistency with the Land Use and Urban Form Diagram, goals and policies of the General Plan's ten elements are relevant.

Land Use and Urban Design Element:

LU 5 Traditional Center Urban Form Guidelines (2030 General Plan, Page 2-68)

While the guidelines are not goals or policies, and are not mandatory or binding on the applicant, they do express the City's desired urban form vision. For Traditional Centers, the guidelines call for:

1. small, rectangular blocks;
2. small, narrow lots providing a fine-grained development pattern;
3. building heights ranging from one to four stories;
4. lot coverage not exceeding 80 percent;
5. buildings sited at or near the sidewalk and typically abutting one another with limited side yard setbacks;
6. building entrances set at the sidewalk;
7. rear alleys and secondary streets providing service access to reduce the need for driveways and curb cuts on the primary street;
8. parking provided on-street as well as in...lots at the side or rear of structures;
9. transparent building frontages with pedestrian-scaled articulation and detailing;

10. moderately wide side sidewalks;

11. public streetscapes serving as the center's primary open space, complemented by outdoor seating, plazas, courtyards, and sidewalk dining areas.

These guidelines provide the staff and applicant with guidance regarding project design, and support the City's identified goal of encouraging development by providing specific and enforceable standards for development.

LU 5 Traditional Centers Goals and Policies

Policy LU 5.3.1 Development Standards. The City shall continue to support development and operation of centers in traditional neighborhoods by providing flexibility in development standards, consistent with public health and safety, in response to constraints inherent in retrofitting older structures and in creating infill development in established neighborhoods.

Mobility Element:

The following goals and policies are relevant to the design of the Swanston TVSP project. They primarily relate to the design of public and private streets and the desired relationships among buildings, streets and parking facilities.

Policy M 1.3.1 Grid Network. The City shall require all new residential, commercial, or mixed-use development that proposes or is required to construct or extend streets to develop a transportation network that provides for a well-connected, walkable community, preferably as a grid or modified grid.

Policy M 1.3.2 Private Complete Streets. The City shall require large private developments (e.g., office parks, apartment complexes, retail centers) to provide internal complete streets that connect to the existing roadway system.

Policy M 2.1.3 Streetscape Design. The City shall require that pedestrian-oriented streets be designed to provide a pleasant environment for walking including shade trees; plantings; well-designed benches, trash receptacles, news racks, and other furniture; pedestrian-scaled lighting fixtures; wayfinding signage; integrated transit shelters; public art; and other amenities.

Policy M 2.1.4 Cohesive Network. The City shall develop a cohesive pedestrian network of public sidewalks and street crossings that makes walking a convenient and safe way to travel.

Policy M 2.1.5 Continuous Network. The City shall provide a continuous pedestrian network in existing and new neighborhoods that facilitates convenient pedestrian travel free of major impediments and obstacles.

Policy M 2.1.6 Building Design. The City shall ensure that new buildings are designed to engage the street and encourage walking through design features such as placing

the building with entrances facing the street and providing connections to sidewalks.

Policy M 2.1.7 Parking Facility Design. The City shall ensure that new automobile parking facilities are designed to facilitate safe and convenient pedestrian access, including clearly defined corridors and walkways connecting parking areas with buildings.

Policy M 2.1.8 Housing and Destination Connections. The City shall require new subdivisions and large-scale developments to include safe pedestrian walkways that provide direct links between streets and major destinations such as transit stops and stations, schools, parks, and shopping centers.

Policy M 3.1.12 Direct Access to Stations. The City shall ensure that projects located in the Central City and within ½ mile walking distance of existing and planned light rail stations provide direct pedestrian and bicycle access to the station area, to the extent feasible.

Goal M 4.3 Neighborhood Traffic. Enhance the quality of life within existing neighborhoods through the use of neighborhood traffic management techniques, while recognizing the City's desire to provide a grid system that creates a high level of connectivity.

Policy M 4.3.1 Neighborhood Traffic Management. The City shall continue wherever possible to design streets and approve development applications in such a manner as to reduce high traffic flows and parking problems within residential neighborhoods.

M 5.1.8 Connections between New Development and Bikeways. The City shall ensure that new commercial and residential development projects provide frequent and direct connections to the nearest bikeways.

Buildings constructed as part of the project would be required to comply with current California building codes that enforce energy efficiency.

The City of Sacramento has adopted an approach that seeks to implement community development principles that encourage pedestrian-friendly, multi-use development that reduces vehicle miles travelled. The various goals and policies applicable to the project through the 2030 General Plan provides just such a framework, and are effective tools to mitigate climate change through reduction of greenhouse gas emissions. These goals and policies have accurately been described in the Master EIR as mitigation for such effects.

The City has acknowledged that the sum of greenhouse gas emissions that could be generated by development under the 2030 General Plan would be cumulatively considerable, and has identified the goals and policies under the 2030 General Plan as the primary vehicle to mitigating such impacts. This programmatic approach achieves reductions in the two main emitting categories: motor vehicle emissions and energy used in buildings. By adopting measures that are applicable community-wide, the City has implemented a reduction strategy that is fair and can be implemented with

confidence that emission reductions will actually occur.

The City has identified greenhouse gas reductions goals as stated in AB 32 and other State guidance as relevant to the impact analysis. This is consistent with guidance provided by the Sacramento Metropolitan Air Quality Management District (SMAQMD). In its CEQA Guide, December 2009, the District suggests that local agencies properly consider adopting a threshold that considers whether an individual project's GHG emissions would substantially hinder the State's ability to attain the goals identified in AB 32. (CEQA Guide, page 6-11)

The Master EIR concluded that greenhouse gas emissions that could be emitted by development that is consistent with the 2030 General Plan would be cumulatively considerable and unavoidable (Errata No. 2, Page 12). The Master EIR includes a full analysis of greenhouse gas emissions and climate change, and adequately addresses these issues.

The project is consistent with the City's goals and policies as set forth in the 2030 General Plan and Master EIR relating to reduction of greenhouse gas emissions. The project would not impede the City's efforts to comply with AB32 requirements. The project would not have any significant additional environmental effects relating to greenhouse gas emissions or climate change.

G. Project Alternatives.

The City Council has considered the Project alternatives presented and analyzed in the final EIR and presented during the comment period and public hearing process. Some of these alternatives have the potential to avoid or reduce certain significant or potentially significant environmental impacts, as set forth below. The City Council finds, based on specific economic, legal, social, technological, or other considerations, that these alternatives are infeasible. Each alternative and the facts supporting the finding of infeasibility of each alternative are set forth below.

Alternatives Considered and Dismissed from Further Consideration:

ALTERNATIVE TO AVOID OR SUBSTANTIALLY REDUCE AIR EMISSIONS IMPACT

Finding:

The following facts support the rejection of this alternative as infeasible:

1. Ozone precursor emissions are primarily a function of the automobile trips that would be generated by the development that could occur in response to the proposed Swanston TVSP project. New development that could occur in the Swanston TVSP project area would result in about 370 pounds per day of reactive organic gases and about 190 pounds per day of nitrogen oxides, the two key ozone precursor pollutants. The SMAQMD has established a significance threshold of 65 pounds per day for each pollutant.

2. In order to attain the significance threshold, the full development potential of the Swanston TVSP project would need to be limited to about 460 units and 90,000 square feet of commercial space. This level of development would be approximately an 80 percent reduction to the development potential identified for the Swanston TVSP project area and would not achieve the project objectives of creating a vibrant, mixed use, higher intensity community that would be supportive of transit.
3. The resulting residential density would be less than 4 dwelling units per acre, which would be characteristic of a single family subdivision and not a higher density transit-oriented development.
4. The SMAQMD's Guide to Air Quality Assessment requires that projects that exceed the emissions standards for ozone precursors prepare an Air Quality Management Plan that seeks to attain a 15 percent reduction in emissions. Assuming a 15 percent reduction would be considered a "substantial lessening" of the significant and unavoidable air quality impact of the proposed Swanston TVSP project, an alternative that reduced the development potential of the proposed Swanston TVSP project by 15 percent would be a reasonable alternative under CEQA.
5. This reduced sized alternative would consist of about 2,200 new dwelling units and 430,000 square feet of commercial space. The resulting residential density would be about 18 dwelling units per acre, which would be similar to the recently built higher density projects in the Strategic Plan area.
6. However, a goal of the Specific Plan is to revitalize the Swanston TVSP project area into an active, mixed use transit village, and the Specific Plan seeks to achieve this, in part, by redesignating the project area with the Residential Mixed Use and Mixed Use land use designations. Both of these land use designations specify a minimum residential density of 22 dwelling units per net acre. This alternative that would substantially reduce the significant air quality impacts would thus fail to achieve the City's goal of creating a transit village at the desired densities. In fact, the proposed Swanston TVSP project was formulated after extensive community workshops to attain the minimum residential density for a transit village using the proposed land use designations.
7. As a result, this reduced size alternative was considered but rejected because it would not meet the project objectives, and would not be consistent with the lengthy community meetings and discussions that led to the proposed Swanston TVSP project.

ALTERNATIVE TO AVOID OR SUBSTANTIALLY REDUCE CONSTRUCTION VIBRATION IMPACT

Finding:

The following facts support the rejection of this alternative as infeasible:

- The need to pile drive is a function of a site's soil conditions, the underlying soil and

groundwater conditions, and the size of the building. The ground-borne vibration impacts would be temporary and could occur with new development under any other plan alternative – even one involving substantially less development potential.

- Crafting an alternative to substantially lessen a short-term construction impact would involve considering other construction techniques and might make sense for a specific development project, but for a project that serves as a long-term road map for revitalizing and transforming a community, such alternatives would not be appropriate.

Alternatives Studied During the Planning Process

Finding:

The following facts support the rejection of this group of alternatives as infeasible:

- A series of community meetings and visioning workshops were held to solicit public involvement in the design of the Swanston TVSP project area. At these meetings, members of the community participated in a hands-on design charette and discussed the merits of different land uses and development intensities that would be supportive of the above goals. The planning team formulated several alternative land use concept plans to test the advantages and disadvantages of each.
- These alternatives were evaluated for their consistency with pending or foreseeable development applications before the City, their circulation and environmental effects, their ability to support the community's vision for the area, and their responsiveness to anticipated market conditions. Based on these assessments, the community identified a preferred land use scheme and the City directed MIG to develop the supporting policies and implementation strategies to revitalize the Swanston TVSP project area.
- Specifically, two land use schemes, the "Medium Intensity Alternative" and the "Higher Intensity Alternative" were developed based on the general ideas and land use designations from the design charette and community workshops. These alternatives are similar to the proposed Swanston TVSP project in that the basic land use pattern, open space and circulation improvements, utility upgrades, and design guidelines were virtually the same under all future scenarios.
- However, the alternatives studied during the planning process are different than the proposed Swanston TVSP project in their proposed land use densities and scale of development. Both the Medium Intensity Alternative and the Higher Intensity Alternative result in greater population and employment than identified for the proposed Specific Plan. As such, neither of these alternatives would substantially reduce the significant impacts identified for the proposed Swanston TVSP.

Summary of Alternatives Considered

The EIR analyzed only one alternative, the No Project alternative. During the planning process to arrive at the proposed Project, a number of other alternatives were reviewed to provide the community with options regarding development in the project area. Those alternatives were evaluated in technical background reports for potential environmental issues, as well as potential policy conflicts. Based on the evaluations, those alternatives were rejected. Two land use schemes were developed during this process; however, they would result in greater population and employment than identified for the Project. As such, neither alternative would substantially reduce the significant impacts identified for the Project, and therefore, would not qualify as CEQA alternatives.

No Project/No Development Alternative

The “No Project” Alternative is defined by a continuation of the General Plan land use designations and recommendations that were in effect at the time that the Swanston TVSP project was initiated. The City has since updated its General Plan (adopted March 2009). The prior plan that was used to formulate the No Project Alternatives anticipated buildout of the land use designations by 2025. The project area is currently designated for a mix of commercial, office, industrial, residential, and parks/open space land uses. The existing-General Plan land use designations for the Swanston TVSP project area anticipate that the area would be developed largely for employment-based uses, primarily heavy commercial and warehousing west of the tracks and regional commercial and offices east of the tracks. According to the existing land use designations, the theoretical maximum development that could occur in the project area would result in 2,275 dwelling units and nearly 2.3 million square feet of commercial and industrial floor area. This total is a theoretical calculation based on the current land use designations and assumptions about the potential floor area ratios that would apply.¹

FACTS IN SUPPORT OF FINDING OF INFEASIBILITY

Finding:

The following facts support the rejection of this alternative as having greater impacts than the proposed project and being less supportive of the project objectives:

- *Aesthetics.* The proposed Swanston TVSP project includes Design Guidelines to guide future development. The No Project Alternative would not include these aesthetic guidelines; however, a portion of the Swanston TVSP project area west of the UP tracks is located within the North Sacramento Design Review District. While the City's design review districts ensure that new development and redevelopment blend appropriately with the existing neighborhood, the No Project Alternative would not benefit from the additional guidelines and standards articulated in the proposed Design Guidelines of the Swanston TVSP project. These guidelines would create a new image for the project area. This new direction would not occur under the No Project Alternative.

¹ This theoretical buildout assumes that all land within the plan area is developed or redeveloped to the maximum density allowed by the General Plan and does not take into consideration existing uses.

- *Air Quality.* The Swanston TVSP project is a transit-oriented development plan aimed at reducing traffic and thus air emissions. Development that could occur under the proposed Swanston TVSP would affect about 71 percent of the parcels in the Swanston TVSP project area. The No Project Alternative would retain existing zoning districts and thus would not result in the revitalization and changes envisioned by the Swanston TVSP project. Under both alternatives, the Sacramento Metropolitan Air Quality Management District's recommended mitigation measures to address particulate matter would be applicable and reduce impacts to less than significant.

With respect to long-term operational air quality impacts, the No Project Alternative would not include traffic reduction measures like the Swanston TVSP project, which includes traffic-calming measures on project area streets and emphasis on pedestrian and bicycle circulation and linkages to the Swanston Light Rail Station. In addition, the No Project Alternative would not take advantage of the regional mobility afforded by the Swanston Light Rail Station nor would it provide the neighborhood-serving retail uses that can further reduce trips on the local roadways (and, hence, air emissions). As a result, future traffic volumes at representative locations throughout the Swanston TVSP project area would be greater under the No Project Alternative than under the proposed Swanston TVSP project. Accordingly, the No Project Alternative would result in greater air emissions than the Swanston TVSP project; this would be a significant and unavoidable impact for emissions of ozone precursors.

- *Hazardous Materials.* The proposed Swanston TVSP project would allow the conversion of industrial land uses in the project area to residential and commercial uses. These new land uses would be expected to use less hazardous materials than the existing industrial uses. As a result, the potential for accidental releases of hazardous materials would be expected to diminish under the proposed Swanston TVSP project, compared to the No Project Alternative, which would continue the current industrial land use pattern. Since industrial uses are more likely to involve the handling of hazardous materials, the No Project Alternative would result in a greater potential for routine or accidental exposure to hazardous materials. As described in Section 6.6, Hazardous Materials, a number of local, state, and federal regulations are in place to control, monitor, and respond to hazardous materials incidents. As a result, even though the No Project Alternative would involve more industrial activity within the project area than the proposed Swanston TVSP project, the potential for significant hazardous materials would still be considered less than significant because of the regulatory framework.
- *Hydrology and Water Quality.* The proposed Swanston TVSP project designates more acreage for open space than the No Project Alternative. Since the No Project Alternative would have less open space and, thus, more impervious surfaces than the proposed Swanston TVSP project, the No Project Alternative would be expected to have greater stormwater runoff volumes. As noted in Section 6.10, Utilities, localized flooding occurs during major storm events because of undersized storm drains in the Swanston TVSP project area and in downstream areas. The City is aware of these capacity problems and proposed upgrades would be equally

applicable under both the No Project Alternative and the proposed Swanston TVSP project. Under both alternatives, the improvements, including a City-recommended stormwater detention basin or on-site detention facilities, would be funded through the City's Capital Improvement Program, special financing mechanisms, or developers, if required by the City.

While storm drainage and capacity constraints would be corrected, the stormwater pollutant characteristics would gradually change under the proposed Swanston TVSP project from industrial to residential and commercial uses. Under the No Project Alternative, constituents in the stormwater would continue to exhibit higher concentrations of metals, solids, oils, and grease, compared to the proposed Swanston TVSP project. The pollutants associated with industrial land uses can pose a potential for greater degradation of receiving water quality than for residential and commercial land uses. However, both alternatives would be required to follow applicable federal, state, and local regulations to implement best management practices to avoid adverse effects on receiving waters and result in less-than-significant water quality impacts.

- *Noise.* The proposed Swanston TVSP project is a transit-oriented development plan which reduces vehicular traffic and associated noise impacts. As shown in Section 6.8, Noise, of the Draft EIR, future traffic volumes and noise levels at representative locations throughout the Swanston TVSP project area would be less under the proposed Swanston TVSP project than under the No Project Alternative. Under both alternatives, however, the noise impacts from vehicular traffic associated with future land uses would be less than significant. The No Project Alternative retains more industrial land uses than the proposed Swanston TVSP project. Thus, development under the No Project Alternative would be expected to have higher noise levels due to truck activity and loading/unloading activities than the residential and commercial development that could occur under the proposed Specific Plan. Within areas that are predominantly industrial or commercial in character, these types of activities would not be expected to result in a noise impact; however, if such uses are near existing or proposed residential uses, there could be adverse but mitigable noise impacts. Project-specific review as development in accordance with the No Project Alternative occurs would ensure land use noise compatibility and compliance with the City's Municipal Code noise standards and General Plan noise policies should reduce such impacts to less than significant.
- *Transportation.* The proposed project is a transit-oriented development plan which could reduce vehicular traffic throughout the Swanston TVSP project area. As described in Section 6.11, Transportation, of the Draft EIR, the total number of vehicular trips would be less under the proposed Swanston TVSP project than under the No Project Alternative. The future No Project conditions, described as the "baseline conditions" in the Year 2025 show four intersections, three roadway segments, and nine freeway on- or off-ramps that would operate at unacceptable levels. Thus, the No Project Alternative would be expected to result in significant traffic impacts, unless mitigated. Notably, the No Project Alternative would not promote use of the Swanston and Royal Oaks Light Rail Stations, would not foster a walkable, pedestrian-oriented community around the light rail stations, and would not

encourage bicycle circulation through the Swanston TVSP project area and beyond. By contrast, the proposed Swanston TVSP project would have beneficial effects on pedestrian and bicycle circulation in the project area.

- *Project Objectives.* 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.

H. Statement of Overriding Considerations:

Pursuant to Guidelines section 15092, the City Council finds that in approving the Project it has eliminated or substantially lessened all significant and potentially significant effects of the Project on the environment where feasible, as shown in Sections 5.0 through 5.6. The City Council further finds that it has balanced the economic, legal, social, technological, and other benefits of the Project against the remaining unavoidable environmental risks in determining whether to approve the Project and has determined that those benefits outweigh the unavoidable environmental risks and that those risks are acceptable. The City Council makes this statement of overriding considerations in accordance with section 15093 of the Guidelines in support of approval of the Project.

Statement of Overriding Considerations:

The Swanston Station Transit Village Specific Plan satisfies citywide and regional goals:

- The Specific Plan would be consistent with, and help implement, the City's Smart Growth Principles, the Regional Transit Master Plan, the Transit for Livable Communities Recommendations, the SACOG Blueprint Study, the North Sacramento Redevelopment Plan, and the North Sacramento 2005-2009 Redevelopment Implementation Plan.
- The Specific Plan fulfills the City and the Sacramento region's goals to promote public transit ridership, provide higher-density infill residential development, small neighborhood-serving retail, small- to medium-scale professional office uses, and public open space – all within convenient walking distances of the light rail station.

The Swanston Station Transit Village Specific Plan reflects the desires of the local community:

- The Specific Plan has incorporated meaningful community input into every stage of the process by exchanging, sharing ideas, and collaborating with interested groups, property owners, individuals, and other agencies active in the Swanston area.
- The Specific Plan is based on a series of community meetings and visioning workshops that were held to solicit public involvement in the design of the Swanston TVSP project area. At these meetings, members of the community participated in a

hands-on design charette and discussed the merits of different land uses and development intensities that would be supportive of the identified goals. The plan reflects the preferred land use scheme selected by the community to revitalize the Swanston TVSP project area.

The Swanston Station Transit Village Specific Plan creates an integrated, sustainable community:

- The Specific Plan creates a transit-oriented, pedestrian-friendly, mixed use and residential development adjacent to the Sacramento Regional Transit light rail line and Swanston and Royal Oaks light rail stations.
- The Specific Plan guides future development and revitalization within the area towards land uses that support transit ridership, and provide needed housing, employment opportunities, and neighborhood supporting retail uses.
- The Specific Plan incorporates urban parks, plazas and open space into the project in a manner that provides community connectivity.

The Swanston Station Transit Village Specific Plan supports economic revitalization of the community:

- The Specific Plan bolsters/supports private investment through investment in the public realm.
- The Specific Plan creates a transit village, defined by a mix of uses that is responsive to current market conditions.
- The Specific Plan increases office and retail job opportunities in the City and the residential component that accompanies such jobs.
- The Specific Plan enhances the City's supply of housing that provides a range of housing opportunities available to residents from a wide range of economic levels.
- The Specific Plan identifies the infrastructure needs, cost estimates, phasing, and implementation programs to realize the plan's vision.

The Swanston Station Transit Village Specific Plan supports alternative modes of travel:

- The Specific Plan promotes transit-oriented development adjacent to the Swanston and Royal Oaks light rail stations.
- The Specific Plan guides future development and revitalization within the area towards land uses that support transit ridership.
- The Specific Plan provides transit and neighborhood and community retail near residential development to shorten or reduce the number of vehicle trips.

- The Specific Plan improves the pedestrian, bicycle, and automobile circulation and access of the Swanston Light Rail Station area and vicinity.

**DETERMINATION OF PROJECT QUALIFICATION FOR TREATMENT
PURSUANT TO GOVERNMENT CODE SECTION 65457 AND PUBLIC
RESOURCES CODE SECTION 21155.4**

ARDEN WAY AFFORDABLE HOUSING PROJECT (DR18-390)

Attachment C

Resolution No. 2011-218

(adopting Swanston Station Transit Village Specific Plan)

RESOLUTION NO. 2011-218

Adopted by the Sacramento City Council

April 12, 2011

ADOPTING THE SWANSTON STATION TRANSIT VILLAGE SPECIFIC PLAN (M09-020)

BACKGROUND

- A. On March 10, 2011 the City Planning Commission conducted a public hearing on, and forwarded to the City Council a recommendation to approve the Swanston Station Transit Village Specific Plan.
- B. On April 12, 2011 the City Council conducted a public hearing, for which notice was given pursuant Sacramento City Code Section 2.112.110, and received and considered evidence concerning the Swanston Station Transit Village Specific Plan.

BASED ON THE FACTS SET FORTH IN THE BACKGROUND, THE CITY COUNCIL RESOLVES AS FOLLOWS:

Section 1. Based on the verbal and documentary evidence received at the hearing on the Swanston Station Transit Village Specific Plan, the City Council makes the following findings:

- A. Environmental Determination: The Environmental Impact Report and Mitigation Monitoring Program for the Swanston Station Transit Village Specific Plan have been adopted by Resolution No. 2011-XXX.
- B. The Swanston Station Transit Village Specific Plan conforms to the requirements of Government Code section 65451 by specifying, in detail, all of the following:
 - 1. The distribution, location, and extent of uses of land, including open space;
 - 2. The proposed distribution, location, and extent and intensity of the major components of essential public facilities and infrastructure proposed for the Plan area and needed to support the identified land uses;
 - 3. Standards and criteria by which development will proceed;

4. A program for implementation measures, including financing measures, to carry out the Plan.
- C. The Swanston Station Transit Village Specific Plan is consistent with the Sacramento 2030 General Plan and promotes several city policies including: Smart Growth, Infill, the City's Strategic Plan, and the Budget/Capital Improvement Program by increasing development opportunities adjacent to a light rail station; creating policy and vision for the redevelopment of a blighted and underutilized area; encouraging compact, higher density development with a mix of land uses; utilizing existing infrastructure; and refining development guidelines to support mobility and promote pedestrian and bicycle activity.

The following are key Sacramento 2030 General Plan policies furthered by the approval of the Swanston Station Transit Village Specific Plan:

The City shall manage the use of transportation right-of-ways by all travel modes, consistent with the goal to provide Complete Streets, as described in Goal M 4.2. (M 1.1.1 Right-of-Ways)

The City shall promote development of an integrated, multi-modal transportation system that offers attractive choices among modes including pedestrianways, public transportation, roadways, bikeways, rail, waterways, and aviation and reduces air pollution and greenhouse gas emissions. (M 1.2.1 Multimodal Choices) The City shall promote the provision of multimodal access to activity centers such as commercial centers and corridors, employment centers, transit stops/stations, airports, schools, parks, recreation areas, and tourist attractions. (M 1.2.3 Multimodal Access)

The City shall eliminate "gaps" in roadways, bikeways, and pedestrian networks. (M 1.3.3 Eliminate Gaps)

The City shall remove barriers, where feasible, to allow people of all abilities to have access within and among infrastructure serving the community. (M 1.3.4 Barrier Removal for Accessibility)

The City shall provide connections to transit stations by identifying roadway, bikeway, and pedestrianway improvements to be constructed within ½ mile of major transit stations. Transportation improvements in the vicinity of major transit stations shall emphasize the development of complete streets. (M 1.3.5 Connections to Transit Stations)

The City shall develop a cohesive pedestrian network of public sidewalks and street crossings that makes walking a convenient and safe way to travel. (M 2.1.4 Cohesive Network)

The City shall ensure that new buildings are designed to engage the street and encourage walking through design features such as placing the building with entrances facing the street and providing connections to

sidewalks. (M 2.1.6 Building Design)

The City shall support a well-designed transit system that meets the transportation needs of Sacramento residents and visitors including seniors, the disabled, and transit-dependent persons. The City shall enhance bicycle and pedestrian access to stations. (M 3.1.1 Transit for All)

The City shall evaluate and strive to balance impacts to the community and the environment with economic development goals when adding or modifying roads and bridges. (M 4.1.2 Balancing Community Impacts with Economic Development Goals)

The City shall identify existing and new bridges that can be built, widened, or restriped to add pedestrian and/or bicycle facilities. (M 4.2.4 Pedestrian and Bicycle Facilities on Bridges)

The City shall provide bikeway facilities that are appropriate to the street classifications and type, traffic volume, and speed on all right-of-ways. (M 5.1.2 Appropriate Bikeway Facilities)

The City shall develop safe and convenient bikeways that reduce conflicts between bicyclists and motor vehicles on streets, and bicyclists and pedestrians on multi-use trails and sidewalks. (M 5.1.4 Motorists, Bicyclists, and Pedestrian Conflicts)

Section 2. The City Council adopts the Swanston Station Transit Village Specific Plan as attached in Exhibit A.

Section 3. Exhibit A is a part of this Resolution.

Table of Contents:

Exhibit A - Swanston Station Transit Village Specific Plan

Adopted by the City of Sacramento City Council on April 12, 2011 by the following vote:

Ayes: Councilmembers Ashby, Cohn, D Fong, R Fong, McCarty, Pannell, Schenirer, Sheedy, and Mayor Johnson.

Noes: None.

Abstain: None.

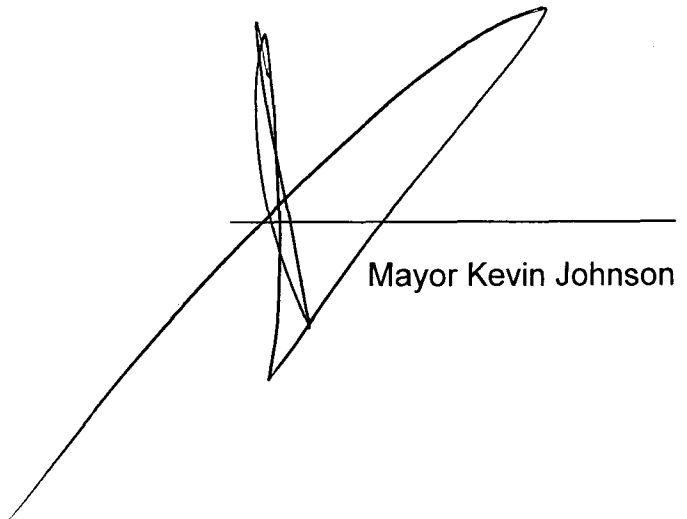
Absent: None.

Attest:



Shirley Concolino

Shirley Concolino, City Clerk



Mayor Kevin Johnson

**DETERMINATION OF PROJECT QUALIFICATION FOR TREATMENT
PURSUANT TO GOVERNMENT CODE SECTION 65457 AND PUBLIC
RESOURCES CODE SECTION 21155.4**

ARDEN WAY AFFORDABLE HOUSING PROJECT (DR18-390)

Attachment D

Swanston Station Transit Village Specific Plan Mitigation Monitoring Plan

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.

Impact	Implementation Schedule	Monitoring Agency	Mitigation Measure	Signoff
<p>Air Quality</p> <p>AQ-2. Development that could occur in the Strategic Plan area would generate construction-related emissions of particulate matter (PM₁₀) that could exceed SMAQMD standards.</p>	<p>During all phases of demolition and construction activities</p>	<p>CDD</p> <p>SMAQMD</p>	<p><i>AQ-2.1 Particulate Matter Emission Reduction.</i> 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.</p> <p>a) If a project requires that the maximum disturbance for grading at any given time is 5 acres or less, no mitigation measures would be required unless the SMAQMD stipulates otherwise.</p> <p>b) If a project requires that the maximum disturbance for grading at any given time is between 5.1 and 8 acres, Level One mitigation is required, as specified by the prevailing SMAQMD Guide at the time a particular development project is approved.</p> <ul style="list-style-type: none"> • 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. <p>c) If a project requires that the maximum</p>	

Impact	Implementation Schedule	Monitoring Agency	Mitigation Measure	Signoff
			<p>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.</p> <ul style="list-style-type: none"> • 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. <p>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.</p> <ul style="list-style-type: none"> • 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. 	

Impact	Implementation Schedule	Monitoring Agency	Mitigation Measure	Signoff
<p>AQ-5. Development that could occur under the Long-Term Plan would generate construction-related emissions of ozone precursors and particulate matter that could exceed SMAQMD standards.</p>	<p>During all phases of demolition and construction activities</p>	<p>CDD SMAQMD</p>	<p>Implementation of Mitigation Measure AQ-2.1 (Particulate Matter Emission Reduction) during construction of individual developments under the Long-Term Plan would ensure that impacts due to emissions of PM₁₀ during grading phases would be reduced to a less-than-significant level.</p>	
<p>AQ-6. Development that could occur under the Long-Term Plan would generate operational emissions of ozone precursors that may exceed SMAQMD standards</p>	<p>Prior to approval of improvement plans</p>	<p>CDD SMAQMD</p>	<p>The measures identified in SMAQMD's Guide in Table E-2 represent strategies for reducing operational emissions. It is noteworthy that the Swanston TVSP project 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 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.</p>	

Impact	Implementation Schedule	Monitoring Agency	Mitigation Measure	Signoff
<p>Biological Resources</p> <p>BIO-2. Development that could occur under the proposed Swanston TVSP project (Strategic Plan area and Long-Term Plan area) would not result in substantial degradation of the quality of the environment or reduction of habitat or population below self-sustaining levels of threatened or endangered species of plant or animal. Development could, however, impact nesting birds protected under state and federal regulations.</p>	<p>During all phases of demolition and construction</p>	<p>CDD</p>	<p><i>BIO-2.1 Preconstruction Surveys and Protection Measures for Nesting Birds.</i> If trees are removed outside the nesting season (typically March 15 to August 30), there would be no effect on nesting birds and no mitigation is required. Construction activities shall be timed to avoid tree removal during the nesting season. If this cannot be accomplished, then a qualified biologist shall conduct a preconstruction nesting survey no more than one week prior to tree removal to determine if nesting birds 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.</p> <p>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:</p>	

Impact	Implementation Schedule	Monitoring Agency	Mitigation Measure	Signoff
<p>BIO-3. Development that could occur in the Strategic Plan area would have no effect on species of special concern. However, development that could occur in the Long-Term Plan area could affect the purple martin.</p>	<p>During all phases of demolition and construction</p>	<p>CDD</p>	<ul style="list-style-type: none"> • 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. <p><i>BIO-3.1 Construction Limits Around the Purple Martin Nests.</i> 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. The buffer area shall be avoided to 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 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 the species to nest disturbances to specific construction activities. No project activity shall commence within the buffer area until a qualified biologist experienced with purple martin biology confirms that nests are no</p>	

Impact	Implementation Schedule	Monitoring Agency	Mitigation Measure	Signoff
<p>BIO-4. Development that could occur under the proposed Swanston TVSP project (Strategic Plan area and Long-Term Plan area) could affect wetlands, waters of the US, or waters of the State.</p>	<p>Prior to construction and demolition</p>	<p>CDD US Army Corps of Engineers</p>	<p>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.</p> <p>Before construction occurs within portions of the Swanston TVSP project area that could support potentially jurisdictional wetlands and other waters of the U.S. (i.e., the drainage ditch on the undeveloped parcel 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 by the Corps. Implementation of Mitigation Measure BIO-4.1 would ensure that no net loss of the function or value of wetlands would occur. If avoidance is not possible, then the conditions and mitigation requirements established by the Corps 404 permit shall apply and be implemented by the project applicant seeking to fill the wetland or other waters of the U.S.</p> <p><i>BIO-4.1 Avoidance of Wetlands.</i> The City of Sacramento shall ensure no-net loss of the function or value of all jurisdictional wetlands. 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:</p> <ul style="list-style-type: none"> • A four-foot-tall, brightly colored (usually 	

Impact	Implementation Schedule	Monitoring Agency	Mitigation Measure	Signoff
			<p>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.</p> <ul style="list-style-type: none"> • 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 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 	

Impact	Implementation Schedule	Monitoring Agency	Mitigation Measure	Signoff
Cultural Resources				
<p>CR-2. Development that could occur under the proposed Swanston TVSP project (Strategic Plan area and Long-Term Plan area) would not be expected to cause a substantial change in the significance of an archeological or paleontological resource because such development would be subject to the City's Historic Preservation Ordinance. Nevertheless there may be unknown resources encountered that could be adversely affected by future development.</p>	<p>During all phases of demolition and construction</p>	<p>Contractor CDD</p>	<p><i>CR-2.1 Treatment of Unexpected Archeological Resources.</i> In the event that any prehistoric or historic-period subsurface archeological features or deposits, including locally darkened soil ("midden"), that could conceal cultural deposits, animal bone, obsidian, and/or mortar are discovered during demolition/ construction-related earth-moving activities, all ground-disturbing activity within 100 feet of the resources shall be halted immediately, and the City of Sacramento Development Services Department and the City's Preservation Director shall be notified within 24 hours. The project applicant shall retain 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</p>	

Impact	Implementation Schedule	Monitoring Agency	Mitigation Measure	Signoff
			<p>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.</p> <p><i>CR-2.2 Cessation of Construction if Human Remains Encountered.</i> If human remains are discovered during any demolition/construction activities, all ground-disturbing activity within 50 feet of the remains shall be halted immediately, and the Sacramento County coroner shall be notified immediately, according to Section 5097.98 of the State Public Resources Code and Section 7050.5 of California's Health 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</p>	

Impact	Implementation Schedule	Monitoring Agency	Mitigation Measure	Signoff
			<p>American burial experience to conduct a field 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 human remains. The City of Sacramento 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 the resumption of ground-disturbing activities within 50 feet of where the remains were discovered.</p> <p><i>CR-2.3 Treatment of Unexpected Paleontological Resources.</i> 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</p>	

Impact	Implementation Schedule	Monitoring Agency	Mitigation Measure	Signoff
			<p>any suggested mitigation proposed by the consulting paleontologist, the City of Sacramento Development Services Department shall determine whether avoidance is necessary and feasible in light of factors such as the nature of the find, project design, costs, specific plan policies and land use assumptions, and other considerations. If avoidance is unnecessary or infeasible, other appropriate measures (e.g., data recovery) shall be instituted. Work may proceed on other parts of the project site while mitigation for paleontological resources is carried out.</p>	

Impact	Implementation Schedule	Monitoring Agency	Mitigation Measure	Signoff
<p>Hazardous Materials</p> <p>HM-1. Construction and development that could occur within the Swanston TVSP project area (Strategic Plan area and Long-Term Plan area) could expose people to previously unidentified sources of potential health hazards, such as soil or groundwater contamination, from historic on or off-site uses.</p>	<p>During all phases of demolition and construction</p>	<p>Contractor</p> <p>CDD</p>	<p><i>HM-1.1 Remediation Plan for Contaminated Soils or Groundwater and Site Health and Safety Plan.</i> In the event that previously unidentified underground storage tanks or other features or materials that could present a threat to human health or the environment are discovered during excavation and grading, construction in that immediate area shall 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.</p> <p>In the event that site inspections find evidence of contamination, waste discharges, underground storage tanks, abandoned drums, or other environmental impairments, the Sacramento County Environmental Management Department (SCEMD) shall be 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</p>	

Impact	Implementation Schedule	Monitoring Agency	Mitigation Measure	Signoff
<p>HM-2. Construction and/or operation of development that could occur within the Swanston TVSP project area (Strategic Plan area and Long-Term Plan area) could expose workers, the public, and the environment to potential health hazards from lead-based paint, asbestos, and/or PCBs.</p>	<p>Prior to demolition</p>	<p>CDD</p>	<p>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 hazards shall not proceed until all identified hazards are managed to the satisfaction of the City and SCEMD and the SCEMD allows work to commence.</p>	
<p>HM-2.1 Investigation of Buildings for Lead, ACM, or PCBs. Prior to demolition of any structure in the Swanston TVSP project area, the project applicant shall ensure that each structure to be demolished has been investigated for the presence of lead-based paint, ACM, or PCBs. If the investigation finds lead-based paint, ACM, or PCBs at 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 with applicable regulations and standards, and by suitable contractors certified by the California Department of Health Services.</p>				

Impact	Implementation Schedule	Monitoring Agency	Mitigation Measure	Signoff
Hydrology and Water Quality				
<p>HY-5. Development that could occur under the proposed Swanston TVSP project (Strategic Plan and Long-Term Plan areas) would generate stormwater that would exceed the capacity of the stormwater system. Provisions of the proposed Swanston TVSP project would encourage stormwater control and treatment, but would not ensure that adequate stormwater capacity exists to serve future development.</p>			<p>Either of the following mitigation measures would reduce impacts to less than significant.</p> <p><i>HY-5.1 Construction of Recommended Stormwater Detention Basins.</i> The City shall identify a mechanism to fund the construction of the required detention basins by requiring individual project applicants to pay their fair share towards the improvement. Funds from this mechanism shall be used to pay for the drainage improvements identified in the 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.</p> <p><i>HY-5.2 On-site Stormwater Detention.</i> Project applicants shall provide on-site stormwater detention to ensure that peak runoff from the project site will not exceed existing runoff volumes, until the required detention basins are constructed.</p>	
Noise				
<p>NO-2. Development that could occur under the proposed Swanston TVSP project (Strategic Plan area and</p>	<p>During all phases of construction requiring pile</p>	<p>CDD</p>	<p><i>NO-2.1 Vibration Reduction Practices for Pile Driving.</i> For pile driving within 100 feet of an existing building, project</p>	

Impact	Implementation Schedule	Monitoring Agency	Mitigation Measure	Signoff
<p>Long-Term Plan area) would temporarily increase levels of ground-borne vibration as a result of construction activities associated with the development.</p>	<p>driving</p>		<p>applicants shall implement vibration reduction practices, such as drilling pilot holes for piles, to the extent feasible, prior to commencement of impact pile driving. Prior 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</p>	

Impact	Implementation Schedule	Monitoring Agency	Mitigation Measure	Signoff
<p>NO-4. Development that could occur within the Strategic Plan area could permanently expose sensitive receptors to increased noise produced by on-site stationary sources.</p>	<p>Prior to issuance of building permits</p>	<p>CDD</p>	<p>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.</p> <p>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.</p> <p>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</p>	

Impact	Implementation Schedule	Monitoring Agency	Mitigation Measure	Signoff
<p>NO-6. Development that could occur within the Long-Term Plan area could expose sensitive receptors to increased noise levels.</p>	<p>Prior to issuance of building permits</p>	<p>CDD</p>	<p>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.</p>	
<p>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.</p> <p>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.</p>	<p>Prior to issuance of building permits</p>	<p>CDD</p>	<p>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.</p> <p>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.</p>	
<p>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.</p>	<p>Prior to issuance of building permits</p>	<p>CDD</p>	<p>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</p>	

Impact	Implementation Schedule	Monitoring Agency	Mitigation Measure	Signoff
<p>NO-8. Development that could occur within the Long-Term Plan area could expose sensitive receptors to excessive vibration levels.</p>			<p>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.</p> <p><i>NO-8.1 Buffer Zones or Structural Measures to Reduce Vibration Levels.</i> 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.</p>	
Public Utilities				
<p>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.</p>	<p>Prior to occupancy</p>	<p>Department of Utilities</p>	<p><i>UT-2.1 Sewer Study and Necessary Improvements.</i> 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</p>	

Impact	Implementation Schedule	Monitoring Agency	Mitigation Measure	Signoff
<p>UT-3. Development that could occur in the Strategic Plan area would increase water demand but would not exceed available sources of water supply. While the projected increase in water demand would not require modifications to water supply deliveries or the City's water treatment plants, improvements to the wastewater conveyance system would be necessary.</p>	<p>Prior to occupancy</p>	<p>Department of Utilities</p>	<p>that enable the wastewater collection system to satisfy the City's design standards.</p> <p>None required; however, the following measure would ensure that adequate water supply is provided to new development and adequate water pressure for fire flow conditions.</p> <p><i>UT-3.1 Hydraulic Modeling and Necessary Improvements.</i> Prior to occupancy of new development, project applicants shall perform hydraulic modeling to confirm that water main sizes are adequate to meet the following City standards:</p> <ul style="list-style-type: none"> • A maximum velocity of 10 feet per second • Fire flow demands of: <ol style="list-style-type: none"> 1. 1,500 gallons per minute for single-family 2. 2,000 gallons per minute for multi-family 3. 3,000 gallons per minute for commercial/industrial <p>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</p>	

Impact	Implementation Schedule	Monitoring Agency	Mitigation Measure	Signoff
<p>UT-7. Development that could occur within the Long-Term Plan area would generate additional wastewater flow in the City of Sacramento and SASD service areas. 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.</p>	<p>Prior to occupancy</p>	<p>Department of Utilities</p>	<p>system on their own. Implementation of Mitigation Measure UT-2.1, which calls for preparation of sewer studies and making the necessary improvements to avoid capacity deficiencies, would ensure that adequate wastewater conveyance capacity is provided to new development prior to occupancy. This measure shall be included as a condition of project approval and would reduce wastewater conveyance system impacts to a less-than-significant level</p>	
<p>UT-8. Development that could occur within the Long-Term Plan area would not exceed available sources of water supply. While the projected increase in water demand would not require modifications to water supply deliveries or the City's water treatment plants, improvements to the wastewater conveyance system would be necessary</p>	<p>Prior to occupancy</p>	<p>Department of Utilities</p>	<p>Implementation of Mitigation Measure UT-3.1, which calls for individual project applicants to perform hydraulic modeling and to make necessary improvements to the water distribution system, would ensure that adequate water supply is provided to new development prior to occupancy. The mitigation measure would also ensure that adequate water pressure would be provided under fire flow conditions. As a result, this measure would ensure that impacts remain less than significant.</p>	

**DETERMINATION OF PROJECT QUALIFICATION FOR TREATMENT
PURSUANT TO GOVERNMENT CODE SECTION 65457 AND PUBLIC
RESOURCES CODE SECTION 21155.4**

ARDEN WAY AFFORDABLE HOUSING PROJECT (DR18-390)

Attachment E

SACOG Correspondence May 1, 2019

May 1, 2019

Mr. Scott Johnson
Department of Community Development
300 Richards Blvd
Sacramento, CA 95811

Re: MTP/SCS Consistency for Arden Way Apartments

Dear Mr. Johnson:

You requested SACOG's confirmation that the proposed Arden Way Apartments project is consistent with the Metropolitan Transportation Plan/Sustainable Communities Strategy for 2036 (MTP/SCS). SACOG provides a consistency determination at the request of the lead agency. However, it is the responsibility of the lead agency to make the final determination on a project's consistency with the MTP/SCS. This letter concurs with the City's determination that the Arden Way Apartments project is consistent with the MTP/SCS. SACOG reviewed the project description and SCS consistency analysis compared to the MTP/SCS assumptions for the project area in order to make our determination.

The Arden Way Apartments project includes 128 affordable units on two parcels totaling 2.7 acres near the Royal Oaks light rail station. The residential density of the project is 48 dwelling units per acre and is 100 percent residential.

The project is also located within a Transit Priority Area. Transit Priority Areas are areas of the region within one-half mile of a major transit stop (existing or planned light rail, street car, train station, or the intersection of two or more major bus routes) or an existing or planned high-quality transit corridor included in the MTP/SCS. The project is 520 ft from the Royal Oaks light rail station, which is an existing major transit stop. In addition, Sac RT bus routes 22 and 23 provide connecting routes to this light rail station. Because of the close proximity to the light rail station, the project also meets the transit requirements for a Sustainable Communities Project.

The Arden Way Apartments project, is an infill project within the Center/Corridor Community designation of the MTP/SCS for the City of Sacramento. Within the Center/Corridor Community, the MTP/SCS forecasts a range of low to high density residential, commercial, office, and industrial uses (MTP/SCS Appendix E-3, Land Use Forecast Background Documentation, pp. 138, February 19, 2016). The project's land uses fall within this range of general uses, densities, and building intensities. The MTP/SCS also relies heavily on consistency with the City's General Plan. Infill projects that are consistent with the General Plan are generally considered consistent with the MTP/SCS. Therefore, development at the proposed densities is consistent with the build out assumptions for the area within this community type of the MTP/SCS.

Auburn
Citrus Heights
Colfax
Davis
El Dorado County
Elk Grove
Folsom
Galt
Isleton
Live Oak
Lincoln
Loomis
Marysville
Placer County
Placerville
Rancho Cordova
Rocklin
Roseville
Sacramento
Sacramento County
Sutter County
West Sacramento
Wheatland
Winters
Woodland
Yolo County
Yuba City
Yuba County

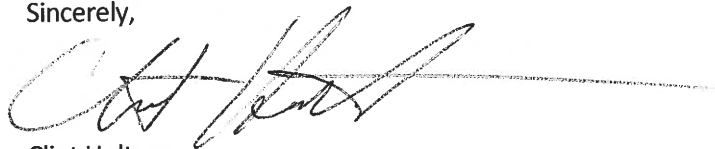
With respect to consistency with the MTP/SCS policies, the applicable policies are embedded in the metrics and growth forecast assumptions of the MTP/SCS. For the purposes of determining SCS consistency, projects consistent with the growth forecast assumptions of the MTP/SCS are consistent with these policies. The MTP/SCS housing forecast for the Center/Corridor Communities was based not only on the City's land use plans and policies, but also on the following: an assessment of past building activity, current project entitlement activity, and consideration of changing demographic and housing market demand. Infill development and redevelopment is a strategy essential to the success of the Blueprint Preferred Scenario and the MTP/SCS. The Blueprint Preferred Scenario, the adopted MTP/SCS, and the draft MTP/SCS achieve transportation, air quality, and other quality of life benefits by relying in part on infill and redevelopment projects such as this one. The proposed project is consistent with MTP/SCS growth forecast assumptions.

Given the project's mix and density of land uses (over 20 dwelling units per acre and over 50 percent of square footage in residential use), the project's location and its consistency with the use, density/intensity and applicable policies of the MTP/SCS, the project satisfies the density and transit proximity requirements of a Transit Priority Project or a Sustainable Communities Project, as defined by SB 375 (PRC § 21155). It is the responsibility of the city to determine that the project meets all the requirements of a Transit Priority Project or a Sustainable Communities Project as described in PRC § 21155. Our confirmation of the project's consistency with the MTP/SCS is not intended to express any opinion on the site design or the appropriate conditions of approval of the project.

Thank you for inviting SACOG's input as to the consistency of the the Arden Way Apartments project with the 2016 MTP/SCS. If you have further questions or need further assistance, please don't hesitate to contact me at (916) 340-6246.

If you have additional questions, please feel free to contact me.

Sincerely,

A handwritten signature in black ink, appearing to read 'Clint Holtzen', with a long horizontal line extending to the right.

Clint Holtzen
Planning Manager

**DETERMINATION OF PROJECT QUALIFICATION FOR TREATMENT
PURSUANT TO GOVERNMENT CODE SECTION 65457 AND PUBLIC
RESOURCES CODE SECTION 21155.4**

ARDEN WAY AFFORDABLE HOUSING PROJECT (DR18-390)

Attachment F

Soil Management Plan

May 9, 2019
File Number 01218050.02

Mr. David Von Aspern
Sacramento County Environmental Management District
10590 Armstrong Avenue
Mather, California 95655-4153

**Subject: Soil Management Plan and Conceptual Development Approach, 880, 924,
and 936 Arden Way, Sacramento, California**

Dear Mr. Von Aspern:

On behalf of our Client, Community Housing Works (CHW), SCS Engineers (SCS) has prepared the attached Soil Management Plan and Conceptual Development Approach (SMP) for the Sacramento County Environmental Management District (SCEMD). We submit this SMP along with SCS' March 22, 2018 Phase I Environmental Site Assessment (ESA) and April 5, 2018 Limited Phase II Services Reports for your consideration.

CHW proposes to develop the Site for high density residential purposes – a change from the prior commercial land use. We understand this proposed change in land use requires your review and approval. To facilitate this process, we have included a Conceptual Approach summary in the SMP describing how the proposed Site preparation and development will also address and mitigate Site environmental concerns.

We furthermore understand SCEMD requires the project proponent enter an agreement to reimburse your oversight costs, which CHW is willing to do. We look forward to answering any questions or comments following your review of the attached documents. Please do not hesitate to contact SCS at (925) 426-0080.

Sincerely,



Ted Sison
Senior Project Scientist
SCS ENGINEERS



James G. Ritchie, PG #4974
Vice President
SCS ENGINEERS



Daniel E. Johnson
Vice President
SCS ENGINEERS

cc: Lisa Huff, Community Housing Works



Attachments:

Phase I Environmental Site Assessment Report, 880 – 936 Arden Way, Sacramento, California, for Community Housing Works, March 22, 2018.

Limited Phase II Services, 880 – 936 Arden Way, Sacramento, California, for Community Housing Works, April 5, 2018.

Soil Management Plan, 880, 924 to 924 Arden Way, Sacramento, California, for Community Housing Works, April 30, 2019.

Soil Management Plan and Conceptual Development Approach, 880, 924, and 936 Arden Way, Sacramento, California, for Community Housing Works



Prepared for:

Mr. David Von Aspern
Sacramento County Environmental Management District
10590 Armstrong Avenue
Mather, California 95655-4153

SCS ENGINEERS

01218050.02 | May 9, 2019

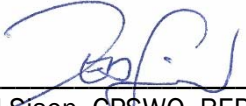
SCS Engineers
7041 Koll Center Parkway, Suite 135
Pleasanton, California 94566
925-426-0080

LIMITATIONS AND DISCLAIMER

This Soil Management Plan and Conceptual Development Approach (SMP) has been prepared for Community Housing Works (CHW) with specific application to property addressed as 888 to 924 Arden Way, Sacramento, California, in accordance with the care and skill generally exercised by reputable professionals, under similar circumstances, in this or similar localities. No other warranty, expressed or implied, is made as to the professional opinions or information presented herein. Aside from use of this SMP as guidance by Owner representatives involved with Site construction, and review by the lead regulatory agency, the Sacramento County Environmental Management Department, or the City of Sacramento, no other party, known or unknown to SCS Engineers, is intended as a beneficiary of this work product, its content, or information embedded therein. This document is not a legal opinion.


We trust this document provides the information you require at this time and appreciate the opportunity to work with you on this project. If you require any additional information or have any questions, please do not hesitate to contact SCS at (925) 426-0080.

Prepared By:



Ted Sison, CPSWQ, REPA, QSD
Senior Project Scientist

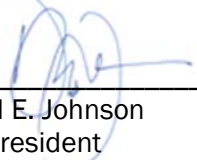
May 9, 2019
Date



James G. Ritchie, P.G. #4974, QSD
Vice President

May 9, 2019
Date

Reviewed by:



Daniel E. Johnson
Vice President

May 9, 2019
Date

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1 INTRODUCTION

SCS Engineers (SCS) has prepared this Soil Management Plan and Conceptual Development Approach (SMP) for land located at 880 to 924 Arden Way, Sacramento, California (Property, or Site, see **Figure 1**). This work is being conducted for Community Housing Works (CHW, or Client), to facilitate the redevelopment of the Site. The Site comprises a total of approximately 2.69 acres of land. The Site is currently vacant with two single story, unoccupied buildings located at the eastern and western ends of the property. The Client is proposing to construct two, four-story high-density residential structures over a structural concrete mat-slab foundation designed to distribute building loads over the building footprint, minimizing total settlement and reducing differential settlement.

Due to the presence of residual petroleum hydrocarbons and lead in Site soils, SCS has developed Site development and environmental mitigation and monitoring strategies to evaluate and mitigate residual constituents of concern (COCs) and protect human health and the environment.

2 OBJECTIVE

The intent of the work described in this SMP is to remediate and manage, as necessary, soils and soil vapor with elevated concentrations of COCs in a manner that is protective of human health both during construction and for the proposed residential end use. For the purposes of this SMP, elevated concentrations are defined in terms of human health risk standards, as more fully described below.

The objective of this SMP is to assess and remove via excavation and disposal soil containing elevated concentrations of COCs prior to mass grading and Site construction, and to provide a dynamic strategy to properly manage soil potentially containing COCs that may be present after “hot spot removal” or otherwise encountered during mass grading.

This SMP describes the sequencing, methodology, and scope of work that will detail the proper excavation, segregation, characterization, and disposal of soil containing COCs at the Site during redevelopment, as well as safety precautions during development, including monitoring for dust and volatile organic compound (VOC) containing vapors, including benzene. This SMP incorporates the results of previous environmental investigations at the Site.

3 PROJECT INFORMATION/BACKGROUND

3.1 SITE DESCRIPTION SUMMARY

Assessor’s Parcel Numbers (APNs)	277-0134-003, -004, and -005
Project Name	Arden Way Affordable Housing
Address	880, 924 and 936 Arden Way, Sacramento, California
Area	2.69 acres
Site Land Use	Vacant, with two unoccupied buildings
Future Site Land use	High Density Residential

Project Proponent/ Developer	Community Housing Works 3111 Camino del Rio North Suite 800 San Diego, California 92108 Contact: Lisa Huff Office: 619-450-8713 lhuff@chworks.org
General Contractor (Construction)	To Be Determined
Environmental Consultant	SCS Engineers 7041 Koll Center Parkway, Suite 135 Pleasanton, California 94566 Contact: James Ritchie 925-426-0080 x 3313 jjritchie@scsengineers.com
Regulatory Oversight	Sacramento County Environmental Management Division (SCEMD) (local enforcement agency, or LEA) 10590 Armstrong Avenue Mather, California 95655-4153 Contact: David Von Aspern 916-875-8467 VonAspernD@saccounty.net

3.2 BACKGROUND

CHW recently purchased and now proposes to develop the Site with two buildings (Building A or west building and Building B or east building). The current concept is a two-phase development with two, four-story apartment buildings. Construction is anticipated to be wood-frame. Parking will be at-grade.

A geotechnical investigation performed at the Site by Berlogar Stevens & Associates (BSA, 2018) identified fill material below the current paved ground surface in thicknesses of at least three feet and in several cases, to unknown depths or thicknesses. The consistency and strength of the soils within the upper five to ten feet of the Site are variable and therefore BSA recommended removing uncontrolled fills down to undisturbed native soils followed by backfilling and compacting engineered fill. The work conducted by BSA did not identify the extent of undocumented fill soils across the Site.

Site grading is anticipated to be limited to cuts and fills of about three feet or less, with the exception of previously excavated and filled areas ranging up to approximately ten feet below ground surface (bgs) near the former on-Site underground storage tanks (USTs). The BSA report recommended removing all existing fill soils down to undisturbed native soils, followed by clearing the excavated fill soils of debris, organic matter, and material larger than four inches in largest dimension. Smaller concrete rubble can be mixed into the soil. The report also indicated the excavated soils may be replaced as engineered fill with proper moisture conditioning, placement and compaction.

We have prepared this SMP prepared for SCEMD consideration. It will guide the prime contractor and associated subcontractors to properly manage soils containing COCs in a manner that is protective of human health during development and proposed future land use. This SMP is also intended for use by future Site owners/personnel responsible for facility maintenance and repairs.

3.3 SITE LOCATION, SETTING AND LAND USE

The Site is located west of the intersection of Evergreen Street and Arden Way in Sacramento, California (**Figure 1**). Driveway access is located on the north side of the property via Arden Way. The access point is blocked by a locked gate when the Site is not occupied. The Site perimeter to the northeast is bordered by metal fencing, and the Site is bordered to the east, south, west, and northwest by a chain link fence (**Figure 2**).

The Site grounds are asphalt-paved with trash, construction debris, and some minor vegetation. During our Site reconnaissance as part of our Phase I ESA, SCS observed minor surficial, *de minimis* stains from vehicles, but no staining significant enough to be considered a recognized environmental condition (REC). A storm drain is present near the center of the Site with a lateral drain running southward.

A paved-over railroad track is present on Site forking from the current railroad that exists adjacent to the south of the Site. The railroad is currently not in use. A railroad corridor is located adjacent to the Site along the southern Site boundary. The railroad corridor has been in existence from at least 1949 until present. The Sacramento Regional Transit “Evergreen Facility” and the Royal Oaks Station with a parking lot can be seen from the southern end of the Site. The Evergreen Facility and Royal Oaks Station are bordered by Evergreen Street to the south.

Two unoccupied buildings are located on the east and west ends of the Site. The east building (936 Arden Way) has a faded imprint labeled “Nursery”, and the west building (880 Arden Way) was not obviously labeled. The “Nursery” building extends to a point approximately 40 feet from the northern perimeter of the Site, while the eastern building extends to a point approximately five to 30 feet from the southern perimeter of the Site. The majority of the Property is relatively flat, with a slight downward grade to the south-southwest with a slight rise at the southern portion occupied by the abandoned train tracks.

Arden Way borders the Site immediately to the north. Commercial warehouse buildings (addressed as 897 to 973 Arden Way) are located to the north of the Site across Arden Way. The buildings are bordered with parking lots and streets (Empress Boxwood Street Alley, Boxwood Street, and Erickson Street). Restaurants and other industrial businesses are located further north. An unoccupied building is immediately adjacent to the Site to the east.

The Site is bordered to the west by a Chevron gasoline service station, which is bordered further to the west by the intersection of Arden Way, a light rail line, and Royal Oaks Drive. The border between the Site and Chevron is delineated by a chain link fence.

3.4 SITE PLAN, TOPOGRAPHY, AND SOIL BALANCE

A Site Plan showing Property boundaries and locations of recent environmental and geotechnical assessment borings is included as **Figure 2**. A Site Plan showing the proposed on grade multi-family residential and related hard and landscaping is included as **Figure 3**. According to information provided by EDR, the USGS, Sacramento East, California 7.5-minute topographic map, the Site is located at an elevation of approximately 33 feet above mean sea level (msl). Site topography is generally flat with a topographic slope to the southwest.

The Site geotechnical investigation encountered groundwater in one boring (B-4, see **Figure 2**) at 22 feet bgs, but did not encounter groundwater in two other borings advanced to depths of 30 to 31-1/2 feet bgs. Prior Site investigations indicated the presence of two water bearing zones beneath at least a portion of the Site. According to groundwater monitoring reports prepared by EMCON in 1996, the upper water bearing zone is perched, and localized with the depth to perched groundwater ranging from 19 to 21 feet bgs. The deeper water bearing zone is approximately 57 feet bgs and fluctuates seasonally. Based upon these data, SCS does not anticipate Site redevelopment work will encounter groundwater as part of planned grading and construction activities.

SCS understands from a review of the geotechnical report and conversations with the general contractor that the soil at the Site will require a removal and recompaction to address fill material, but that in general it appears that the export and import of soil are balance with a net zero export. Once the grading plans are completed, this information can be validated. Based on this information, it appears that soil management from the point of view of addressing possible human health risk rather than from a soil export perspective should be the emphasis.

3.5 SITE HISTORY

Two gasoline USTs (1,000 gallon and 550 gallon) were formerly located at the northwestern portion of the 936 Arden Way property and near the southwestern corner of the former Nursery building at 936 Arden Way (see **Figure 2**). The USTs were initially closed in place by filling with sand, and were subsequently exhumed and disposed off-Site in 1989. The UST nearest the Nursery was reported as a leak case under the jurisdiction of the SCEMD. Subsequently, approximately 45 cubic yards of soil was excavated from the tank pit, and five monitoring wells and three soil vapor extraction (SVE) wells were installed around the former UST.

Groundwater beneath the Site was monitored for natural attenuation of the petroleum hydrocarbon plume for thirteen years. During this time, approximately 200 pounds of gasoline were removed through operation of a soil vapor extraction (SVE) system. A No Further Action (NFA) letter was issued on May 11, 2007 (SCEMD, 2007), confirming the completion of site investigation and corrective actions and closing the LUST case.

The Case Closure Summary noted that the SCEMD should be notified prior to a change in land use, development or subsurface work, and corrective actions should be reviewed. The Case Closure Summary also noted that a health risk assessment, assuming a commercial land use scenario using pre-SVE system maximum soil concentrations, yielded one failing sample with respect to the indoor air exposure pathway. The note further stated there was no significant risk posed by residual constituents in soil and groundwater. SCS notes that the assessment work did not include a soil vapor survey at the conclusion of remedial activities to document soil vapor conditions.

In 2018, SCS conducted limited Phase II investigation work (SCS, 2018b) to evaluate soil conditions near the former USTs, shallow soil vapor conditions across the Site, and shallow soil adjacent to the southern property boundary and in the vicinity of the former on-Site nursery.

3.5.1 Summary of Previous Environmental Investigations / Known Areas of Residual COCs

Environmental investigations performed at the Site included work to investigate and remediate impacts attributed to USTs formerly associated with the former Lumberjack Building Materials facility (1989 to 2007), and the more recent due diligence Phase II work conducted by SCS on behalf of CHW (SCS, 2018b). The work has included soil sampling, soil gas surveys, groundwater monitoring

well installation, monitoring and abandonment, and remedial system installation and operation. Details including key findings and the Site closure approved by SCEMD in 2007 are summarized below.

3.5.1.1 UST Case Soil and Groundwater Sampling and Remediation

Information available on GeoTracker and from SCEMD files indicates two USTs (one-1,000 gallon capacity and one 550 gallon capacity, both gasoline) were previously located at the Site, and were respectively filled with sand and closed in place in 1965 and 1974. Both tanks were later removed in 1989, and post removal soil sampling beneath the 1,000 gallon UST did not yield detectable concentrations of total petroleum hydrocarbons as gasoline (TPHg) and benzene, toluene, ethylbenzene and xylenes (BTEX compounds). The soil samples collected from beneath the 550 gallon UST contained (generally) increasing concentrations of TPHg and BTEX compounds with depth in the 10 and 17 feet samples. The 17 feet sample was collected after over-excavation of approximately 45 cubic yards of soil and over excavation removed an estimated 89 pounds of hydrocarbons.

In January 1990, Applied GeoSystems (AGS) drilled four soil borings to depths of 20 to 30 feet bgs (B-1, B-1A/MW-1, B-2, and B-3) and completed one of the borings as a groundwater monitoring well (MW-1). A wet fine-to-coarse grained sand was encountered from approximately 19 feet below grade to approximately 22 feet below grade. Groundwater was present in MW-1 at a depth of 19 feet. A soil sample collected from a depth of 15 feet in B-1 contained TPHg at 760 parts per million (ppm), benzene at 1.6 ppm, toluene at 26 ppm, ethylbenzene at 9.7 ppm, and xylenes at 75 ppm. None of the other soil samples yielded analytes at or above corresponding laboratory reporting limits (RLs).

AGS described an aquitard at 26 feet below grade in B-1 and the following hydrocarbon concentrations in groundwater: TPHg at 76,000 parts per billion (ppb); benzene at 5,500 ppb; toluene at 11,000 ppb; ethylbenzene at 1,100 ppb; and xylenes at 8,300 ppb. In September 1990, AGS drilled four soil borings (B-4 through B-7) and constructed groundwater monitoring wells (MW-2 through MW-5) in the borings, encountering a deeper water-bearing zone at 57 feet below grade in B-4/MW-2, B-5/MW-3, and B-7/MW-5. AGS completed well MW-4 in the shallower water-bearing zone. Soil samples did not yield hydrocarbons at or above corresponding laboratory RLs and none of the four wells yielded groundwater with petroleum hydrocarbons at or above laboratory RLs.

AGS then prepared a Problem Assessment Report (PAR) which indicated:

- Concentrations of TPHg at 760 ppm and benzene at 1.6 ppm are present in soil at a depth of 15 feet near the former 550-gallon UST cavity.
- Hydrocarbons were not detected in soil samples from borings B-2 through B-7 that were drilled laterally from the former 550-gallon UST cavity.
- A three foot thick water-bearing zone "A" exists at approximately 19 feet bgs and is perched on a silty clay aquitard.
- The perched A-zone is not extensive to the north, south, and northwest.
- A groundwater sample collected from MW-1 (A-zone, next to the former 550-gallon tank cavity) contained TPHg at 76,000 ppb and benzene at 5,500 ppb.
- A groundwater sample collected from MW-4 (also A-zone) contained no hydrocarbons.

- A soil sample from the aquitard underlying the A-zone did not contain detectable concentrations of hydrocarbons.
- A deep water-bearing zone (B-zone) exists at approximately 57 feet below grade.
- Groundwater samples from three wells in the B-zone were clean.

In December 1994, EMCON installed three SVE wells (B-8/VW-1, B-9/VW-2, and B-10/VW-3) around the former 550-gallon UST cavity. Analysis of collected soil samples for TPHg, BTEX compounds, and lead by the waste extraction test (WET) method did not yield those constituents at or above the corresponding RL values. Groundwater was not encountered in these wells. EMCON then conducted an SVE pilot test and determined that the radius of influence was approximately 55 feet. The SVE system was subsequently installed and operated between December 1995 and March 1996 and was operational for approximately 50% of the time due to a high water table, condensate problems, and a power outage. The system removed approximately 200 pounds of TPHg during its operation.

In September 1996, EMCON submitted a well survey that identified three domestic supply wells, three municipal supply wells, and one industrial well within 1/2 mile of the Site, with the closest well being the municipal well located approximately 700 feet south (upgradient in B-zone) of the Site. In November 2000, Stratus Environmental submitted a "Human Health Risk Assessment" for residual hydrocarbons in soil and groundwater, under a commercial exposure scenario. One soil sample collected in 1990 contained benzene at 1.6 ppm, above the target cleanup level for indoor air (0.72 ppm). Groundwater concentrations passed both exposure pathways (indoor and outdoor air) and Stratus concluded that no significant (10^{-5}) risk was posed by residuals in soil and groundwater, citing biodegradation and the presence of asphalt as mitigating factors for benzene. Further, the SVE system targeted the location of the residual benzene detection in soil, reducing the likelihood of a complete indoor air exposure pathway.

Post-remediation groundwater monitoring and reporting documented reduced concentrations of COCs. After SVE operation, the maximum reported hydrocarbon concentrations in groundwater were TPHg at 4,800 ppb, benzene at 420 ppb, toluene at 140 ppb, ethylbenzene at 130 ppb, and xylenes at 270 ppb. In August 2000, the SCEMD issued a request for a "Human Health Risk Assessment" and a projection of when the water quality objectives for constituents of concern would be met, based on historical degradation rates.

Subsequent monitoring activities demonstrated a reduction in COCs sufficient to enable the SCEMD and RWQCB to issue case closure (May 11, 2007). The Case Closure Summary letter stated, "*Human Health Risk Assessment Results: Commercial exposure scenario using indoor and outdoor pre-SVE maximum soil concentrations yields one sample failing the indoor air exposure pathway. See report for explanation by consultant – no significant risk posed by residuals in soil or groundwater.*" The NFA letter also stated that the site management requirements required the property owner to: "*Notify prior to change in land use, development or subsurface work.*" All monitoring and vapor extraction wells were subsequently abandoned by Stratus Environmental.

Based on a review of the reports and work described above, while it is likely that some residual petroleum hydrocarbon bearing soil remains at the Site, it is unlikely that this soil will be encountered during grading and mass excavation due to its depth. In the event that petroleum impacted soil is present at depths that are shallower than was reported in the documents reviewed, SCS has developed a soil monitoring and management program that will respond to these conditions and ensure the proper management and disposal of this soil.

3.5.1.2 Due Diligence Soil and Soil Vapor Sampling

In 2018, as part of due diligence support to CHW, SCS performed limited shallow soil and soil vapor sampling and analysis to evaluate soil and vapor conditions on-Site and near the former USTs. This included borings USTB-1 and USTB-2 advanced to ten feet bgs, borings B-1 through B-5 (advanced to two feet bgs in the vicinity of the former USTs, the Nursery building and along the southern portion of the Site) and nine shallow soil vapor probes advanced across the Site and at locations near the former USTs (see *Figure 2*).

Soil Sample Collection and Analysis

The soil samples collected from the vicinity of the former UST locations (sample depths of 4.5 to 5 feet bgs and 9.5 to 10 feet bgs) were analyzed for TPHg, total petroleum hydrocarbons as diesel (TPHd), and VOCs. The 4.5 foot sample from boring USTB-1 yielded TPHg and TPHd at respective concentrations of 3.8 and 35 milligrams per kilogram (mg/kg), well below corresponding residential ESL values. No other analytes were detected above RLs in any of the four analyzed samples.

The shallow soil samples collected from borings B-1 through B-5 (sample depths ranging from 0.5 to 1.5 feet bgs) were each analyzed for select metals (arsenic, cadmium, chromium, copper and lead).

The shallow soil samples each yielded arsenic in concentrations in excess of the residential ESL value, but all within the range considered background for the area. The shallow soil samples collected from the southern portion of the Site in the former lumber storage area and along the light rail alignment (B-1 and B-4) yielded lead at 180 mg/kg (above the residential ESL value) and 50 mg/kg (below the residential ESL value but at a value of ten times the soluble threshold limit concentration or STLC value). No other metals were detected in concentrations above corresponding residential ESL values or ten times the STLC value.

Samples collected near the former Nursery building (B-2, B-3 and B-5) were also analyzed for organochlorine pesticides (OCPs) by EPA Method 8081. Samples collected near the former lumber storage area were also analyzed for semi-volatile organic compounds (SVOCs) by EPA Method 8270. None of the samples collected from the former Nursery area yielded OCPs above corresponding RLs. The soil samples collected from the former lumber storage area yielded benzo(a)pyrene (sample B-1 at 0.011 mg/kg) and benzo(b)fluoranthene (B-1 and B-2 at 0.018 and 0.028 mg/kg, respectively) at levels well below corresponding ESL values.

Shallow Soil Vapor Sample Collection and Analysis

The shallow soil vapor investigation consisted of installing and sampling nine temporary soil vapor probes SV-1 through SV-9 at locations selected based on our understanding of past and current land uses at the Site (*Figure 2*). Transglobal Environmental Geochemistry (TEG) advanced soil vapor probes to approximate depths of 4.9 feet bgs using procedures following the July 2015 Advisory – Active Soil Gas Investigations published by the California Environmental Protection Agency (Cal EPA), Department of Toxic Substances Control (DTSC), and the California RWQCB.

Five of the soil vapor samples collected and analyzed by TEG in their on-site mobile laboratory yielded benzene at concentrations above the reporting limits (RLs) at concentrations ranging from 63 to 150 micrograms per cubic meter ($\mu\text{g}/\text{m}^3$).

Neither methane, nor the leak check compound 1,1-DFA were detected at or above the corresponding RLs listed in the TEG Report. Carbon dioxide was detected in six of the primary samples and the duplicate sample at concentrations ranging from 1.1 to 4.3%. Oxygen was

detected in each of the analyzed samples at concentrations of 15 to 22%, well above the 4.0% value required by the State Water Resource Control Board (SWRCB) Low-Threat Case Closure Policy (LTCP) guidance. Due to the lack of leak check compound detection in the analyzed vapor samples, SCS believes the collected samples were valid and not compromised by a sample train leak.

3.5.2 On-Site Areas of Potential Residual Environmental Concern

Based upon the foregoing, the areas of potential residual environmental concern and media are as follows:

- Former UST locations (soil and soil vapor) – The UST Case Closure summary (SCEMD, 2007) estimated 255 pounds of hydrocarbons remain in Site soils. The summary and available documents did not identify specific areas of residual impact, however, the data suggest residual hydrocarbons remain in soils in the immediate vicinity of the former USTs. The residually impacted soils have not been deemed to represent a risk to human health or the environment. Based on our current understanding of the removal and re-compaction of soil for site development it appears that this impacted soil will not be encountered during remedial grading. However, SCS plans on monitoring the cuts in the areas of the former USTs.
- Subsequent soil vapor sampling and analysis revealed benzene at detectable concentrations in five of the nine analyzed samples. Two of the five slightly elevated benzene detections appear to be beneath the proposed building footprint, while the remaining three locations are in areas intended for parking and/or recreational uses.
- Areas of undocumented fill (soil) - As noted in the BSA report, undocumented fill is present beneath the pavement across the Site, although the lateral extent and depth of fill is not defined. The fill is composed of a variety of soil types and in some cases includes smaller diameter concrete debris. The undocumented fill will be addressed during the “cut” or removal portion of the remedial grading process and SCS will use an observational approach during grading and mass excavation to monitor and screen for impacted soil.
- Areas of shallow metals-impacted soil – The SCS investigation identified slightly elevated concentrations of lead in two near surface soil samples, particularly near the southern Site boundary. One location yielded lead at a concentration in excess of the residential land use ESL assuming direct contact, while the second location yielded lead at a concentration of ten times the STLC value (typically used when considered off-Site soils disposal). SCS proposes to remove and properly dispose of the areas of lead impacted soil that are above the residential human health risk standards (80 mg/kg – CHHSL).

3.5.3 Proposed Mitigation Approach for Potential Residual Impacts and Additional Phase II Investigation

To address the noted areas of potential residual impacts, SCS proposes the following approach:

- Possible concerns regarding petroleum hydrocarbon-containing soil vapor are proposed to be addressed through application of the SWRCB LTCP. The applicable LTCP scenario requires the existence of a bio-attenuation zone where oxygen readings collected at a five-foot depth are at or above four percent and documented TPHg concentrations in soil are less than 100 mg/kg, in which case the allowable benzene soil vapor concentration at five feet bgs may not exceed 85,000 µg/m³. The data collected by SCS document oxygen concentrations ranging

from 15 to 22%, and the soils data collected from the former UST areas yielded only one TPHg detection (3.8 mg/kg).

- The applicability of the LTCP with respect to soil vapor conditions is further supported by the plan to remove existing fill materials to the native soil interface (to depth of the contact with native or formational material) , followed by soils replacement/recompaction. This process will further oxygenate the shallow (bio-attenuation) zone, enhancing the likelihood of an elevated oxygen concentration within the zone, and thereby increasing the probability that residual benzene will be degraded.
- Removal and Off-site Disposal of Metals Impacted Soil –Based on the current Phase II data, it appears that the area of lead impacted soil is limited and discrete. As such, we propose to excavate and properly dispose of soils containing elevated concentrations of lead using 80 mg/kg as the remedial objective. An additional Phase II investigation is proposed as part of this SMP to further delineate and confirm the extent and volume of lead impacted soil and to validate the extent of the proposed remedial excavation. If the extent of lead impacted soil is greater than anticipated, SCS will revisit the proposed remedial strategy and may consider other remedial options including the establishment of a “soil management zone” to properly segregate and manage the soil on site and eliminate exposure pathways, rather than off site disposal.
- The additional proposed step out borings are depicted in **Figure 2**. Soil samples will be collected as undisturbed drive samples at one foot depth intervals starting at one foot below grade to a total depth of three feet below grade. Samples will be analyzed for total lead in accordance with EPA Method 6010.
- Once the data have been evaluated, SCS will provide the Client and SCEMD with summary report including figures and tables summarizing the data as well an estimate of the extent and volume of impacted soil requiring offsite disposal. If the volume of lead impacted soil proves greater than anticipated, SCS may propose alternative remedial strategies, as described above.

4 PROPOSED DEVELOPMENT PLANS

CHW proposes to develop the Site for high density residential purposes, the most current version of which is presented on **Figure 3**. Proposed development features will include:

- Two, high-density, four-story apartment buildings (Building A on the west and Building B on the east). The buildings will be supported on shallow mat foundations overlying ground improvement per the BSA report recommendations. The ground improvement beneath the shallow foundations will consist primarily of removing and replacing and re-compacting undocumented to the fill-native soil interface.
- Employee and tenant parking (asphalt pavement surface).
- Irrigated landscaped areas.
- Swimming pool.
- Raised community planter beds.
- A walking path along the southern property boundary.

- Surface water drainage system to route storm water through lined bioretention areas (bioswales) that in turn will connect to the storm drain system. Bioretention and flow-through planters will be lined with an impermeable barrier to prevent water infiltration into subsurface soils.

We propose to use the construction process to also address remaining areas of possible environmental concern which are further described in Section 3.5.3 above.

5 SOIL MANAGEMENT PLAN

This document will serve as a guideline for CHW contractors and subcontractors who will prepare their own health and safety plans (HASPs) specific to known Site conditions and proposed development plans. To the extent that any construction activities may constitute “hazardous substances removal work” as defined in Title 8 Section 5192 in the California Department of Industrial Relations Standards, each contractor shall ensure that the work will be overseen or conducted by personnel with appropriate training, and subject to medical surveillance in accordance with Cal/OSHA standards (HAZWOPER-trained personnel). The HAZWOPER requirements are expected to apply only to earthwork trades involved with grading, subsurface utility trenching and excavation, and not to any other trades.

Please note that, based on available data for the Site, excavations for grading and utility trenches are expected to be confined to depth of fill material which is currently documented to extend to three feet below grade or greater, and to depths of up to the ten feet within ground surface in the areas of the former USTs. We do not currently anticipate that remedial or other excavations extend to depths that will encounter petroleum impacted soil or groundwater which could contain dissolved petroleum hydrocarbons.

5.1 PRE-CONSTRUCTION LEAD-CONTAINING SOIL EVALUATION

As discussed above in Section 3.5.3, one location containing known soil with elevated lead remains on-Site. SCS recommends handling this feature ahead of construction to reduce the likelihood of it requiring special attention during primary Site redevelopment activities.

This area is identified on **Figure 2** and represented by borings B1 and B4. Lead has been detected in B1 and B4 at respective concentration of 180 and 50 mg/kg. Neither result indicates a confirmed threat to human health or designation of Resource Conservation and Recovery Act (RCRA) hazardous waste, but indicates additional investigation and or testing is warranted or required. Current results do suggest the area of lead impacted soil is limited. As such, SCS proposes to delineate, excavate and properly dispose of soils containing elevated concentrations of lead using 80 mg/kg as the remedial objective.

SCS recommends performing an additional Limited Phase II investigation as an initial part of this SMP to further delineate soil with elevated lead to validate the need and extent of the proposed remedial excavation described below.

If the extent of lead impacted soil is greater than anticipated, SCS will revisit the proposed remedial strategy and may consider other remedial options including the establishment of a “soil management zone” to property segregate and manage the soil on site and eliminate exposure pathways, rather than off-Site disposal.

5.1.1 Additional Limited Phase II Investigation

The additional Limited Phase II investigation will consist of several shallow step-out soil borings for the purpose of collecting soil samples for lead testing. Proposed step-out soil sample locations are depicted in **Figure 2**. Soil samples will be collected as undisturbed drive samples at one-foot depth intervals starting at one foot below grade to a total depth of three feet below grade. Samples will be analyzed for total lead in accordance with EPA Method 6010. If any samples indicate total lead concentrations at or above 10 times the STLC, then those samples will also be analyzed for soluble lead.

Once the data has been evaluated, SCS will provide the Client and SCEMD with summary report including figures and tables summarizing the data as well an estimate of the extent and volume of impacted soil requiring offsite disposal. In addition, if the results of this Limited Phase II Investigation suggest limited focused soil excavation of disposal is appropriate, SCS will recommend such work as generally described below in Section 5.2.

If the volume of lead impacted soil proves greater than anticipated, SCS may propose alternative remedial strategies, as described above.

5.2 FOCUSED SOIL REMOVAL AND MASS GRADING (CUT) MONITORING AND SAMPLING

5.2.1 Focused Soil Removal

Prior to the commencement of mass grading and excavation, soil containing elevated concentrations of lead will be excavated, segregated, profiled, and disposed of off-Site at a permitted disposal facility.

The excavation limits will be based on the Phase II sampling documented in our previous Phase II investigation, and the proposed Phase II sampling described and summarized above.

The excavation limits will be based on the residential CHHSL for lead, 80 mg/kg.

Confirmation samples are proposed based on the following protocol:

- Field screen soil using XRF at a rate of one sample per 500 square feet of excavation bottom and one sample per 50 linear feet of excavation sidewall at one-foot depth intervals.
- If XRF samples indicate remedial action objectives have been met, laboratory confirmation duplicate soil samples will be submitted to a fixed-base analytical laboratory to confirm and validate that XRF confirmation sample data.

Excavated soil will either be pre-characterized for direct loading and offsite disposal or will be temporarily stockpiled pending soil profile preparation and approval by an appropriate off site disposal facility.

If soil will be temporarily stockpiled, it will be covered by 6 mil viqueen and secured by sandbags, and in accordance with the protocol described below.

5.2.2 Monitoring During Mass Grading

The monitoring and potential sampling activities to be performed during the removal or “cut” portion of the grading may include but are not limited to:

- Visual observation performed during excavation and grading activities (cut) to detect areas of soil that may contain residual petroleum hydrocarbons.
- Screening with a photo-ionization detector (PID), XRF, and/or other appropriate field instrument, as necessary, to document new or previously undetected sources of COCs.
- Soil sampling and chemical testing of any COC-bearing soil for waste characterization purposes.

During excavation and grading activities, trained SCS personnel will evaluate exposed soil by visual observation for the presence of petroleum hydrocarbons or other COCs. Visual observation will include noting soil color, odor, staining, debris, and any subsurface features encountered. Typically residual petroleum hydrocarbons are evidenced by greenish-gray soil, a distinct odor, and elevated PID readings. When placed in water, petroleum hydrocarbon-impacted soils may release a rainbow-colored sheen into the water.

Lead is the only heavy metal considered to be a COC associated with shallow soil adjacent to the railroad corridor and with fill soils of unknown origin. Metals in soil may not exhibit features distinguishable to the eye, however, suspect fill material should be handled as if COC are present, including the use of an XRF for field screening purposes.

Any observed discoloration, odor, or evidence of other COCs (such as petroleum hydrocarbons or volatile organic compounds [VOCs]) will be documented on field forms and serve as the basis for further evaluation.

If suspected COC impacted soil is encountered during excavation or grading activities by the Contractor, an Environmental Monitor¹ will be contacted. Depending on visual, olfactory, and direct reading instrument indicators, soil samples may be collected by the Environmental Monitor and analyzed by a state-accredited laboratory, as described in Section 5.1.3 below. Depending on Site conditions, field screening may be conducted using an XRF or PID, as appropriate, by the Environmental Monitor. An XRF is used to provide real-time data in the field for the presence of metals in soil in the event that metal-containing soil is not easily visually distinguishable from inert fill soils. By providing real-time data and eliminating the need to deliver samples to the lab and await results, the XRF has proven to be a very effective tool for expediting construction/remediation projects.

In the event that excavation of suspected impacted soil is deemed appropriate, a backhoe or track excavator will be used to excavate impacted soil, under the supervision of the Environmental

¹ A person having demonstrated knowledge of, and professional experience in the observation and documentation of environmental excavating activities, environmental and geologic conditions including burn ash and releases of lead-containing materials, and recognition of, and testing for hazardous materials and conditions. A competent person also must have current Occupational Safety and Health Administration (OSHA) training and certificates pertinent to this type of work, and the authority to respond to changed conditions. A competent environmental consultant will be a state-licensed geologist or engineer with sufficient knowledge of local conditions and environmental regulations, or a person working under the direct supervision of such a professional geologist or engineer.

Monitor, from the location where chemicals of potential concern have been confirmed by laboratory analysis. Each excavation will be initiated at the location where the highest concentrations of COCs have been reported. The excavation will be extended to a depth where visual hazardous materials impacts (e.g., obvious discoloration) are no longer observed or the maximum depth of the excavation required for development purposes. All impacted soil will be stockpiled on plastic sheeting and covered at the end of each day. All stockpiles will be inventoried, sampled, and handled based on the results of laboratory analysis. Please refer to section 5.1.3 below for further discussion on stockpiled soil.

Fill soils not suspected to contain COCs may be reused within the Project Area, as appropriate.

5.2.3 Soil Sampling

If field observations and instrumentation indicate suspect soils, soil samples will be collected and analyzed by a state-certified laboratory to evaluate for the presence of regulated chemicals or compounds in the exposed soil and to characterize the COC-bearing soil for disposal. Selected soil samples will be analyzed by an off-site laboratory, and the analyses may include the following:

Suspected fill/metal-bearing soil will be analyzed for:

- Title 22 Metals by EPA Method 6010/7000.
- Any additional constituents required by the receiving disposal facility.
- Soil that appears dark or oil stained and/or contains petroleum-hydrocarbon odors will be analyzed for TPHg and TPHd by EPA Method 8015M, and as necessary VOCs by EPA Method 8260B.

Soil samples will be collected in steel sampling sleeves or laboratory-supplied glass jars by qualified personnel. The location where the soil samples are collected will be annotated on the field base map and the field form.

5.2.4 Stockpiles

If impacted soil is to be stockpiled it will be placed on and covered with 10-mil (or thicker) plastic sheeting to control dust and minimize exposure to precipitation. The edges of the plastic sheeting will have an overlap of at least 24 inches. Plastic sheeting will be secured at the base of the stockpile and along seams of overlapping plastic sheeting, if any, with sandbags or by equivalent means. If a stockpile remains on site during the rainy season (October through May), a perimeter sediment barrier, constructed of material such as straw bales or fiber roll, will be installed around the base of the stockpile. The stockpiles should only be exposed when soil is being added to or removed from the pile, and remain covered until the soil is ready for final disposition.

Periodic inspection of impacted soil stockpiles will be conducted to verify cover integrity. Any gaps, tears, or other deficiencies will be corrected immediately. Records will be kept of stockpile inspections and any repairs made.

Stockpiles will be characterized using laboratory analytical data. Based on the analytical data, a waste profile will be created for each waste stream. Impacted soil will be loaded into trucks and transported to an appropriately licensed facility. During stockpile removal, only the working face of the stockpile will be uncovered.

5.3 DUST CONTROL

5.3.1 Dust Control Measures

Appropriate procedures will be implemented to control the generation of airborne dust by impacted soil removal activities, including, but not limited to, the following:

- Dust emissions will be controlled by spraying with water, at least twice a day or as necessary to prevent visible dust from migrating off-Site, as excavation, grading, stockpiling, and loading activities are conducted. The water will be available from on-Site water service, via a water truck, or through a metered discharge from a fire hydrant located on or proximate to the Project Area.
- If visual observations indicate dust emission into the atmosphere beyond the Property line, dust suppression efforts will be increased. If visual observations indicate dust emission into the atmosphere beyond the Property line for a period or periods aggregating more than three minutes in any 60 minute period, excavation activities will be stopped until further dust suppression measures can be implemented.
- Use of track-out grates or gravel beds at each egress point, wheel-washing at each egress during muddy conditions, and for outbound transport trucks.
- Using secured tarps or cargo covering on haul trucks transporting soil, sand, or other loose material.
- Limit vehicle speeds on Site to 15 miles per hour or less.
- Pave all roadways, driveways, and sidewalks as soon as possible; building pads should be laid as soon as possible after grading unless seeding or soil binders are used.
- If necessary, a street sweeper will be used daily to remove any track-out/carry-out dust in the roadway.
- Activities that have the potential to generate fugitive dust will cease in the event wind conditions are such that dust cannot be controlled.
- Post a publicly visible sign with the telephone number and person to contact at the LEA and the Sacramento Metropolitan Air Quality Management District (SMAQMD) regarding dust complaints. The LEA representative will respond and take corrective action with 48 hours.

5.3.2 Air Quality Monitoring

Air quality monitoring will be implemented at the Site while soil contain COCs is being excavated that could generate dust, i.e., the lead impacted soil.

Air quality monitoring will focus on particulate matter with an aerodynamic diameter of ten micrometers or less (PM₁₀) and will consist of the following:

- Instantaneous real-time particulate dust monitoring using a hand-held portable instrument (e.g., Miniature Real-Time Aerosol Monitor [Mini-Ram] or equivalent), to be used by on-Site health and safety personnel and the contractors near the work areas.

- Dust monitoring using portable air sampling pumps, equipped with the proper sampling media, at the perimeter of the Site utilizing an upwind/downwind sampling approach. Air sample media will be collected after each workday and transported under standard chain-of-custody to an accredited laboratory for analysis. Time weighted averages (TWAs) will be calculated for each sample.
- Recordkeeping, data management and reporting.

Health and Safety of on-Site workers will be monitored using a Mini-Ram (or equivalent) capable of measuring PM₁₀ dust generation. The United State Department of Labor Occupational Health and Safety Administration (OSHA) has established the Permissible Exposure Limit for respirable dust at five milligrams per cubic meter (mg/m³). Therefore, the Mini-Ram (or equivalent) will be programmed to a threshold of a five-minute average of five mg/m³. If an exceedance of this threshold is observed, an alarm on the monitoring equipment will sound and appropriate dust control methods will be implemented. The eight-hour average dust concentration will also be recorded by the monitoring equipment and reviewed at the end of each day.

Portable air sampling pumps equipped with the proper sampling media will also be placed at the perimeter of the Site at upwind and downwind locations to identify the contribution to PM₁₀ levels from Site activities. The wind direction at the Site will be continuously monitored using a wind sock or equivalent. Dust levels generated by Site activities will be calculated using the difference between the downwind and upwind PM₁₀ TWAs.

Unless otherwise directed by SMAQMD, we will observe a threshold for PM₁₀ at 50 µg/m³. The recorded monitoring data will be analyzed daily and compared with this threshold. When an exceedance (i.e., 50 µg/m³ difference between upwind and downwind 8-hour TWAs) occurs, Site conditions will be evaluated and additional dust control measures will be implemented as appropriate.

Dust control and monitoring may be implemented by multiple parties including the general contractor and/or a third party supervising Site activities. The contractor/subcontractor(s) conducting grading and excavation activities on behalf of the Property owner will control the generation of dust using the dust control measures described above. Full-time Site construction personnel can perform the monitoring and sampling under the oversight of a qualified consultant.

5.4 TREATMENT OF UNEXPECTED DISCOVERY DURING CONSTRUCTION ACTIVITIES

Due to the inherent uncertainty associated with the assessment of subsurface conditions, the extent and concentration of expected COCs may vary from what is described in this SMP. Additional potential “unknowns” (e.g., buried drums, buried trash, contaminated fill) may be encountered during excavation and grading activities at the Site. This condition is not unusual in soil investigation and remediation efforts. The mitigation efforts will therefore be iterative and will be adjusted, if necessary, as development activities proceed.

The Site will be monitored and observed during excavation and grading activities for indications of the presence of additional releases such as areas of stained or odorous soil, additional burn ash, buried drums, buried trash, or other features potentially containing COCs (collectively, “suspected hazardous substances”). If suspected hazardous substances which present an immediate threat of injury to construction workers, human health, or the environment are encountered, then “9-1-1” shall be called by the appropriate personnel to summon the County’s Hazardous Incident Response Team, and LEA will be notified.

If suspected hazardous substances which do not present an immediate health threat are encountered at the Site during construction activities, construction workers will immediately cease work in the area potentially affected by such substances. The construction site supervisor or superintendent will redirect or halt construction activities in that immediate area and notify the Environmental Monitor. The construction activities in the area of the suspected release of hazardous substances shall remain undisturbed until an initial environmental assessment can be performed by the Environmental Monitor. Construction activities will be continued as long as the affected area is not disturbed.

Once suspect soil or materials have been identified, the Environmental Monitor shall perform an initial environmental assessment using a photo-ionization detector, XRF, or other applicable field-screening techniques for indications of potentially hazardous substances. If an immediate determination of the material cannot be made using field-screening methods, the Environmental Monitor will collect material samples and have them analyzed by a State-certified laboratory for the appropriate analyses. Mobile laboratories may be employed for expedited analysis of organic COCs, as necessary and if possible. Upon completion of the initial environmental assessment or immediately upon confirmation of a release of a potentially hazardous substance, the Environmental Monitor will notify the LEA, the Construction Company, and the developer.

COC-bearing soil that is encountered will be segregated, stockpiled, and characterized for proper disposal. If, during these monitoring efforts, soil that initially was suspected to contain hazardous substances, but later, through the subsequent screening efforts described above, is determined by the Environmental Monitor not to contain detectable concentrations of COCs and therefore not considered a regulated waste, the Environmental Monitor will notify the construction site supervisor or Manager and release the soil for continued construction activity or on-Site reuse. The observations and results of the initial environmental assessment will be documented by the Environmental Monitor and submitted to the LEA, the construction company, and the developer.

5.4.1 DEWATERING

There is currently no dewatering anticipated in order to complete this project. If dewatering becomes necessary, the water will be treated as necessary and the discharge will be permitted through either the Sacramento Sanitary District or the National Pollution Discharge Elimination System (NPDES) Storm Drain General Discharge Permit program administered by the RWQCB.

6 POST CONSTRUCTION ACTIVITIES

6.1 DOCUMENTATION

If impacted soil is encountered during site grading or debris stockpile removal, a Summary Report (Report) will be prepared following the completion of removal activities. The report will include a summary of activities including field observations, soil sampling, excavation, field screening, soil stockpile sampling and characterization, and soil disposal activities. The report will include locations of soil sources and final disposition of soil and estimated quantities. Documentation such as photographs, daily field reports, laboratory results, and monitoring data sheets will be appended.

6.1.1 Worker Health and Safety

Due to the potential exposure presence of residual TPH, benzene, and metals that may remain at the Property, the General Contractor responsible for Site development must prepare a Site-specific and project-specific HASP in accordance with 29 CFR. The HASP must address at a minimum potential exposure due to dermal contact and inhalation of residual TPH, benzene, and metals. The HASP

must also specify an air monitoring program for VOCs when performing subsurface earth work and appropriate personal protective equipment (PPE) to be used. work shall develop and implement a HASP to protect its personnel and equipment and the general public from the potential hazards identified in this SMP. The HASP will include the following items:

- Organization structure.
- Hazard analysis for each work task, including procedures for encountering COC-impacted soils, and fill material of unknown origin containing debris such as buried drums or remnant features associated with USTs.
- Employee training and medical monitoring requirements for earthworks trades involved with grading, deep utility excavations and drilling.
- Personal protective equipment to be used for each work task.
- Worker safety monitoring provisions.
- Decontamination measures.
- General safe work practices.
- Site control measures.
- Emergency response plan.

The HASP will be submitted to the LEA for informational or review purposes as required by agency directive.

7 REFERENCES

Berlogar Stevens & Associates (BSA), 2018, Due Diligence Level Geotechnical Investigation, Royal Oaks Proposed Affordable Housing Community, 936 Arden Way, APNs: 277-0134-003, -004 and -005, Sacramento, California, February 28.

EMCON, 1996,

Sacramento County Environmental Management District (SCEMD), 2007, Cover Letter to No Further Action Letter and Case Closure Summary, Local Oversight Program Site No. G061, Former Lumberjack Building Materials Store #112, 936 Arden Way, Sacramento, California 95815, May 11.

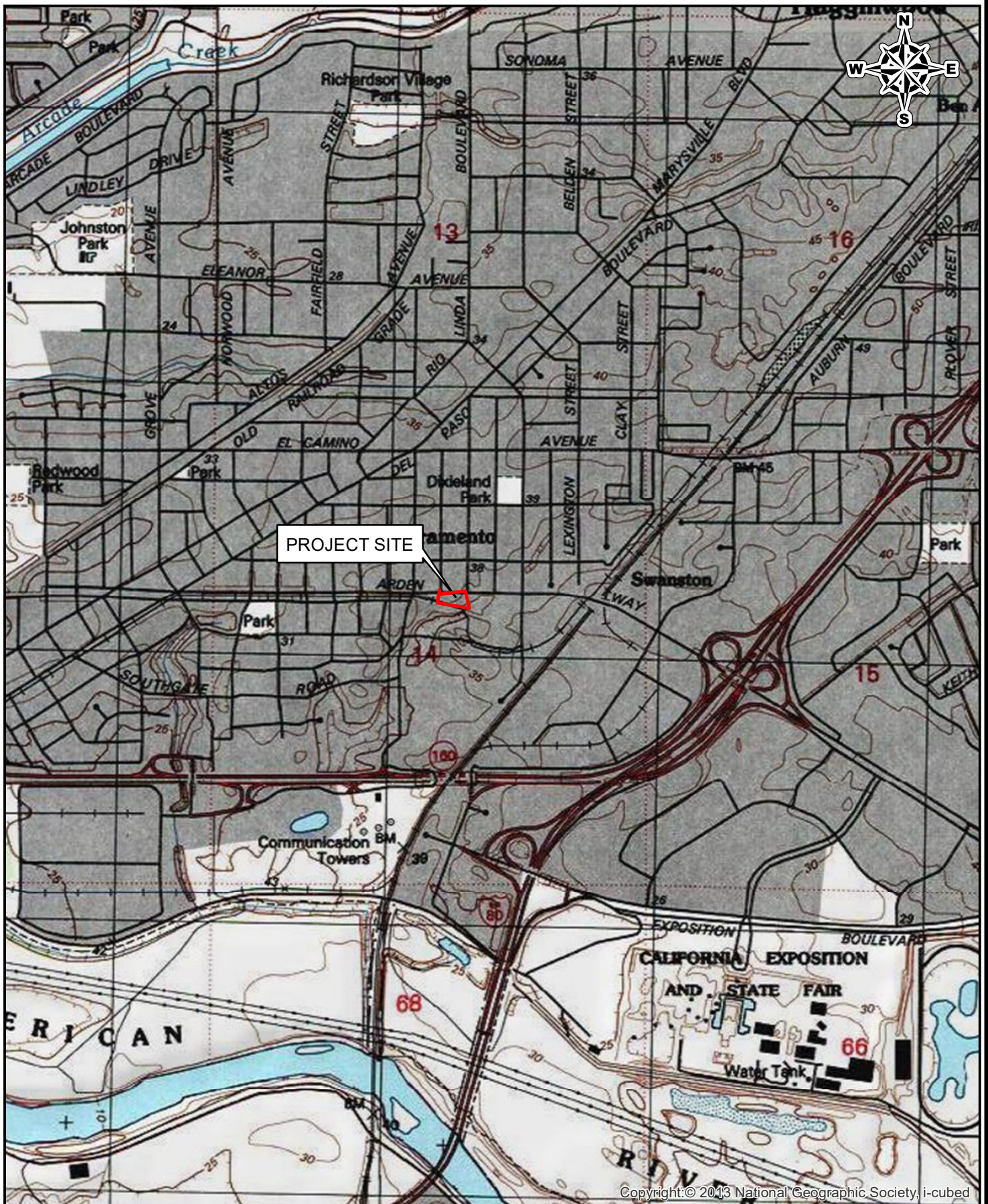
SFBRWQCB, 2016, Environmental Screening Levels, Summary Tables. February (3th Revision).

SFBRWQCB, 2019, Environmental Screening Levels, Summary Tables. January (4th Revision).

SCS Engineers (SCS), 2018a, Phase I Environmental Site Assessment Report, 880 – 936 Arden Way, Sacramento, California, for Community Housing Works, March 22.

SCS 2018b, Report, Limited Phase II Services, 880 to 936 Arden Way, Sacramento, California, for Community Housing Works, April 5.

Figures



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SCS ENGINEERS

7041 KOLL CENTER PARLWAY, SUITE 135
PLEASANTON, CALIFORNIA 94566

SITE:

Royal Oaks Development
880, 924, and 936 Arden Way
Sacramento California

Job No.: 01218050.00

Title: SITE LOCATION MAP

FIGURE

1

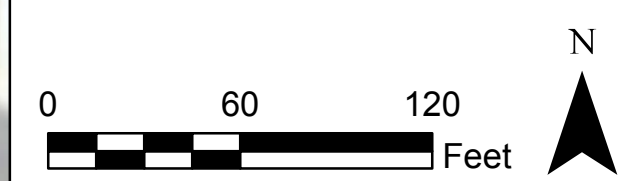
880-936 Arden Way Sacramento, California

- Soil Vapor Boring Location collected by SCS Engineers in March 2018
- Soil Boring Location collected by SCS Engineers in March 2018
- UST Boring Location
- Test Pit Location collected by Berlogar Stevens & Associates (BSA) on February 11, 2018
- Soil Boring Location collected by BSA on February 12, 2018
- ⊕ Proposed borings to delineate lead-impacted soil

Soil vapor samples collected by SCS Engineers in February 2018, and analyzed for volatile organic compounds (VOCs) in general accordance with EPA Method 8260 SV. Results for benzene are reported in micrograms per cubic meter (ug/m3). **Bold font indicates sample results above the laboratory reporting limits.** ND indicates concentration not detected above the laboratory reporting limit

Soil samples, with depth in feet below grade, were collected by SCS Engineers in February 2018 and analyzed for Title 22 Metals in general accordance with EPA Method 6010B. Concentrations reported in milligrams per kilogram (mg/kg). **Bold font indicates sample results above the laboratory reporting limit**

Property Line



<div style="background-color: #800000; color: white; padding: 5px; font-weight: bold; font-size: 1.2em;">SCS ENGINEERS</div> <p>Environmental Consultants 8799 Balboa Avenue, Suite 290 San Diego, California 92123</p>	<p>Site and Site Vicinity with Boring Locations</p> <p>Community Housing Works 936 Arden Way Sacramento, California</p>	<p>Project No.: 01218050.02</p>
	Figure 2	
	<p>Date Drafted: 5/9/2019</p>	

Service Layer Credits: Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AEX, Getmapping, Aerogrid, IGN,



PUBLIC SIDEWALK
 DECORATIVE SCREEN AT PATIOS
 TUBULAR STEEL VEHICULAR ACCESS GATE
 PEDESTRIAN CROSSING W/ ENHANCED PAVING & SCORING
 SHADE STRUCTURE
 BARBEQUE AND SEATING
 BIKE DOCK PARKING

PEDESTRIAN CROSSWALK WITH ENHANCED PAVING & SCORING PATTERN
 EXISTING CHAINLINK FENCE TO REMAIN
 DG TRAIL

TUBULAR STEEL VEHICULAR ACCESS GATE
 BIKE DOCK PARKING (4 SPACES)
 TRANSFORMER
 PROPOSED SHADE TREE, TYP.
 BUFFER PLANTING BETWEEN PATIOS AND COMMON AREA
 MAILBOXES & SEATING AREA
 PLAY AREA
 COMMUNITY CENTER PATIO
 SYNTHETIC TURF
 POOL
 SHADE STRUCTURE
 5' HT. TUBULAR STEEL POOL FENCING & ENTRY GATE
 PROPOSED UNDERSTORY TREE, TYP.
 PEDESTRIAN CROSSWALK W/ ENHANCED PAVING & SCORING PATTERN
 REDWOOD FENCE W/ STEEL POSTS TO (E) BUILDING
 TUBULAR STEEL FENCING AROUND GARDEN AREA
 RAISED COMMUNITY GARDEN BEDS

North
 Not to Scale

Disclaimer: This figure is based on available data. Actual conditions may differ. All locations and dimensions are approximate.

SCS ENGINEERS
 Environmental Consultants
 8799 Balboa Avenue, Suite 290
 San Diego, California 92123

SITE AND SITE VICINITY PLAN
Community Housing Works
 936 Arden Way
 Sacramento, California

Project No.:
 01218050.02
Figure 3
 Date Drafted:
 5/9/19

**DETERMINATION OF PROJECT QUALIFICATION FOR TREATMENT
PURSUANT TO GOVERNMENT CODE SECTION 65457 AND PUBLIC
RESOURCES CODE SECTION 21155.4**

ARDEN WAY AFFORDABLE HOUSING PROJECT (DR18-390)

Attachment G

Sacramento County EMD Closure Correspondence, May 11, 2007



Countywide Services Agency

Environmental Management
Department

Water Protection Division

Cecilia Jensen, Chief

Terry Schutten, County Executive
Penelope Clarke, Agency Administrator
Val F. Siebal, Department Director

County of Sacramento

May 11, 2007

Benjamin F. Mann, Esq.
Blackwell Sanders Peper Martin LLC
P.O. Box 419777
Kansas City, MO 64141-6777

Fedor Turetskiy
First Slavic Evangelical Church
7238 Cromwell Way
Sacramento, CA 95822

Ed Carter
Sacramento Regional Transit District
2811 O Street
Sacramento, CA 95812

Dear Messrs. Mann, Turetskiy, and Carter:

**SUBJECT: LOCAL OVERSIGHT PROGRAM SITE NO. G061
FORMER LUMBERJACK BUILDING MATERIALS STORE #112
936 ARDEN WAY, SACRAMENTO, CA 95815**

On Friday, May 23, 2003, the aforementioned site was presented to staff of the Site Assessment & Mitigation Section and the Central Valley Regional Water Quality Control Board for consideration of case closure. Staff tentatively approved closure of the site, contingent upon completion of an additional groundwater monitoring event, water quality projections, well destruction, wastestream disposal, and electronic reporting verification. All contingencies have been satisfied.

I have enclosed your "No Further Action" letter and the "Case Closure Summary" for the site. Both of these documents will be available for public review in the GeoTracker database (<https://geotracker.swrcb.ca.gov>) shortly. Please feel free to contact me at (916) 875-8452 if you have any questions.

Sincerely,


Susan B. Williams, M.S.
Site Assessment & Mitigation Section

SBW:lc

Enclosures: "No Further Action" letters (3 pages)
"Case Closure Summary" (2 pages)

c: Vera Fischer, CVRWQCB
Scott Bittinger, Stratus Environmental

W:\DATA\WILLIAMS\936ARDENWAY\NFACOVERLETTER.DOC



Countywide Services Agency

Environmental Management
Department

Water Protection Division

Cecilia Jensen, Chief

Terry Schutten, County Executive
Penelope Clarke, Agency Administrator
Val F. Siebal, Department Director

County of Sacramento

May 11, 2007

Benjamin F. Mann, Esq.
Blackwell Sanders Peper Martin LLP
P.O. Box 419777
Kansas City, MO 64141-6777

Dear Mr. Mann:

**SUBJECT: LOCAL OVERSIGHT PROGRAM SITE NO. 0568
FORMER LUMBERJACK BUILDING MATERIALS STORE NO. 112
936 ARDEN WAY, SACRAMENTO, CA 95815**

This letter confirms the completion of a site investigation and corrective action for the underground storage tank system located at the above-described location. Thank you for your cooperation throughout this investigation. Your willingness and promptness in responding to our inquiries concerning the underground storage tank system are greatly appreciated.

Based on information in the above-referenced file and with the provision that the information provided to this agency was accurate and representative of site conditions, this agency finds that the site investigation and corrective action carried out at your underground storage tank site is in compliance with the requirements of subdivisions (a) and (b) of Section 25296.10 of the Health and Safety Code and with corrective action regulations adopted pursuant to Section 25299.3 of the Health and Safety Code and that no further action related to the petroleum release at the site is required.

This notice is issued pursuant to subdivision (g) of Section 25296.10 of the Health and Safety Code.

Please contact our office if you have any questions regarding this matter.

Sincerely,

Val F. Siebal, Director
Environmental Management Department

VFS:CJ:DWB:SBW:lc

W:\DATA\WILLIAMSS\936ARDENWAY\NFALETTER1.DOC



Countywide Services Agency

Environmental Management
Department

Water Protection Division

Cecilia Jensen, Chief

Terry Schutten, County Executive
Penelope Clarke, Agency Administrator
Val F. Siebal, Department Director

County of Sacramento

May 11, 2007

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First Slavic Evangelical Church
7238 Cromwell Way
Sacramento, CA 95822

Dear Mr. Turetskiy:

**SUBJECT: LOCAL OVERSIGHT PROGRAM SITE NO. 0568
FORMER LUMBERJACK BUILDING MATERIALS STORE NO. 112
936 ARDEN WAY, SACRAMENTO, CA 95815**

This letter confirms the completion of a site investigation and corrective action for the underground storage tank system located at the above-described location. Thank you for your cooperation throughout this investigation. Your willingness and promptness in responding to our inquiries concerning the underground storage tank system are greatly appreciated.

Based on information in the above-referenced file and with the provision that the information provided to this agency was accurate and representative of site conditions, this agency finds that the site investigation and corrective action carried out at your underground storage tank site is in compliance with the requirements of subdivisions (a) and (b) of Section 25296.10 of the Health and Safety Code and with corrective action regulations adopted pursuant to Section 25299.3 of the Health and Safety Code and that no further action related to the petroleum release at the site is required.

This notice is issued pursuant to subdivision (g) of Section 25296.10 of the Health and Safety Code.

Please contact our office if you have any questions regarding this matter.

Sincerely,

Val F. Siebal, Director
Environmental Management Department

VFS:CJ:DWB:SBW:lc

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Countywide Services Agency

Environmental Management
Department

Water Protection Division

Cecilia Jensen, Chief

Terry Schutten, County Executive
Penelope Clarke, Agency Administrator
Val F. Siebal, Department Director

County of Sacramento

May 11, 2007

Ed Carter
Sacramento Regional Transit District
2811 O Street
Sacramento, CA 95812

Dear Mr. Carter:

**SUBJECT: LOCAL OVERSIGHT PROGRAM SITE NO. 0568
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936 ARDEN WAY, SACRAMENTO, CA 95815**

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Environmental Management Department

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Case Closure Summary
Leaking Underground Fuel Storage Tank Program

I. AGENCY INFORMATION

DATE: May 11, 2007

Agency Name: Sacramento County Environmental Mgmt. Dept.	Address: 8475 Jackson Road, Suite 230
City/State/Zip: Sacramento, CA 95826	Phone: (916) 875-8452
Responsible staff person: Susan B. Williams	Title: Environmental Specialist III

II. CASE INFORMATION

Site Facility Name: Former Lumberjack Building Materials Store No. 112				
Site Facility Address: 936 Arden Way, Sacramento, CA 95815				
RB LUSTIS Case No: 340447	Local Case No: RO0000185	LOP Case No: 0568		
URF file date: July 26, 1990	Global ID: T0606700370			
Responsible Parties	Address	Phone Numbers		
Mr. Benjamin F. Mann, Esq. Blackwell Sanders Peper Martin LLP (Bankruptcy Trustees)	2300 Main Street, Suite 1000 P.O. Box 419777 Kansas City, MO 64141-6777	(816) 983-8000		
Mr. Fedor Turetskiy First Slavic Evangelical Church	7238 Cromwell Way Sacramento, CA 95822	(916) 421-2872		
Mr. Ed Carter Sacramento Regional Transit District	2811 O Street Sacramento, CA 95812	(916) 726-2877		
Tank No.	Size in Gallons	Contents	Closed in-Place/Removed?	Date
1	550 gallons	Leaded gasoline	Removed	May 23, 1989
2	1,000 gallon	Leaded gasoline	Removed	May 23, 1989

III. RELEASE AND SITE CHARACTERIZATION INFORMATION

Cause and type of release: Unknown			
Site characterization complete? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO		Date approved by oversight agency: May 23, 2003	
Monitoring Wells Installed? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO		Number: 5	Proper screen interval? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
Highest GW depth below ground surface: 18.09 feet		Lowest Depth: 58.08 feet	Flow Direction: NE
Most Sensitive Current Use: Municipal			
Are drinking water wells affected? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO		Aquifer name: Sacramento River Basin	
Is surface water affected? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO		Nearest/affected SW name: Sacramento River	
Off-site beneficial use impacts (addresses/locations): None			
Report(s) on file? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO		Where is report(s) filed? SCEMD - WPD	
Treatment and Disposal of Affected Material			
Materials	Amount (Include Units)	Action (Treatment or Disposal w/Destination)	Date
Tank	1 @ 550; 1 @ 1,000	Disposal - C & C Metals, Sacramento, CA	May 23, 1989
Piping	Unknown	Unknown	Unknown
Free Product	N/A	N/A	N/A
Soil	45 cubic yards	Unknown	Unknown
Groundwater	Unknown	Unknown	Unknown

Case Closure Summary
Leaking Underground Fuel Storage Tank Program

III. RELEASE AND SITE CHARACTERIZATION INFORMATION (CONTINUED)

Maximum Documented Contaminant Concentrations--Before and After Cleanup									
Contaminant	Soil (ppm)		Water (ppm)		Contaminant	Soil (ppm)		Water (ppm)	
	Before	After*	Before	After		Before	After*	Before	After
TPH (Gas)	760	N/A	76	0.260	Xylene	75	N/A	8.3	0.011
TPH (Diesel)	NA	N/A	NA	NA	Ethylbenzene	9.7	N/A	1.1	0.014
Benzene	1.7	N/A	5	0.068	Oil & Grease	NA	N/A	NA	NA
Toluene	26	N/A	11	0.00059	Lead	STLC <0.1	N/A	TOTAL 0.110	NA
1,2-DCA	NA	N/A	NA	<0.001	MTBE	NA	N/A	NA	<0.0005

Comments (Depth of Remediation, Mass Balance Calculations, etc.): 89 pounds of hydrocarbons removed by over-excavation; 200 pounds hydrocarbons removed by soil vapor extraction system operated between December 1995 and March 1996. Mass remaining: 255 pounds of HC's in soil; 0.025 pounds of HC's in groundwater as of 1996.

* Soil confirmation borings were not completed; therefore "after" concentrations are not listed.

IV. CLOSURE

Does completed corrective action protect existing beneficial uses per the Regional Basin Plan? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO		
Does the completed corrective action protect potential beneficial uses per the Regional Board Basin Plan? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO Consultants project that "Water Quality Objectives" will be met for TPHg and benzene by 2011 and 2007, respectively.		
Does corrective action protect public health for current land use? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO		
Site management requirements: Notify prior to change in land use, development, or subsurface work.		
Should corrective action be reviewed if land use changes? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		
Monitoring wells Decommissioned: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	No. Decommissioned: 5 MW/3 VEW	No. Retained: 0
Fee Title Certification: Received.		
GeoTracker Submittals: Uploaded February 2, 2007 and May 8, 2007.		
List Enforcement Actions Taken: NOR dated January 2, 1991		
List enforcement actions rescinded: None.		

V. LOCAL AGENCY REPRESENTATIVE DATA

Name: Val F. Siebal	Title: Director, EMD
Signature: 	Date: May 11, 2007

VI. RWQCB NOTIFICATION

Date Submitted to RB: May 20, 2003	RB Response: Concurrence	
RWQCB Staff Name: Christyl Escarda	Title: Sanitary Engineering Associate	Date: May 23, 2003

VII. ADDITIONAL COMMENTS, DATA, ETC.

"Human Health Risk Assessment" results: Commercial exposure scenario for indoor and outdoor air using pre-SVE maximum soil concentrations yielded one sample failing the indoor air exposure pathway. See report for explanation by consultant - no significant risk posed by residuals in soil or groundwater.

**DETERMINATION OF PROJECT QUALIFICATION FOR TREATMENT
PURSUANT TO GOVERNMENT CODE SECTION 65457 AND PUBLIC
RESOURCES CODE SECTION 21155.4**

ARDEN WAY AFFORDABLE HOUSING PROJECT (DR18-390)

Attachment H

**Meeting Minutes, May 17, 2019 (Sacramento County Environmental Management
Department, Central Valley Regional Water Quality Control Board)**

SA/MS STAFF MEETING MINUTES
May 17, 2019

Present: Ron Bess, Billie Boothe, Jeff Brooke, Dayna Cordano, Tom Buford, Vera Fischer, Christopher Flower, Lisa Huff, Nancy Kitz, Charley Langer, Jane Macaulay, Michael Meyer, Willie Mincey, James Ritchie, David Von Aspern

I. Closure Items: (Nothing)

II. Discussion Items:

A. 936 Arden Way (RO0000185, 204, 1.5 hr). Staff comments:

1. The site currently meets State Water Resources Control Board's (SWRCB's) Low Threat Closure Policy (LTCP) for residential use.
2. Revise page 12 of Section 5.2.2 to include more rigorous wording. Instead of "may," say "shall."
3. Confirmation sampling rate: 10 foot centers on excavation floor. Every 20 lineal feet on sidewalls.
4. New data presented since remediation in 1990s has been coupled with the soil management plan. Potential concerns indicated by new data are mitigated by implementation of the soil management plan (SMP).
5. Public notification requirements only exist for open cases. 936 Arden Way is not an open case. If a Local Oversight Program (LOP) is opened (e.g., due to new information that changes our office's conceptual understanding of the site), public notification requirements are specified in the LTCP.
6. Current sample concentrations are different from what was previously recorded due to biodegradation. Reports demonstrate site has a bio-attenuation zone.
7. SMP addresses removing any soil that is impacted by lead.
8. Environmental Screening Levels (ESL) screening criteria explained: San Francisco Bay Area guidance is not directly applicable to the Central Valley Region due to diverse hydrogeology. Thus, Central Valley Regional Water Quality Control Board (CVRWQCB) does not use ESLs
9. Future excavation will determine the path forward. If evidence is found during excavation that negatively changes our office's conceptual understanding of the site, a new case will be opened.
10. Proposed SMP appears appropriate based on currently known lead concentrations.
11. Dispute over timeliness of public notification addressed: Expectation of public notification is premature; initial sampling conducted for "due diligence" prior to purchase of property.
12. Additional revision of SMP:
 - a) Phase I, page 22, "It has been our experience that railroad spurs are more likely to have been impacted by chemical releases." No sampling of old railroad spur recorded in Phase II. Correction- determine location of old railroad spur. If not

- removed when Regional Transit constructed new lightrail line, sampling and testing along old railroad spur needs to occur. Map and identify location(s).
- b) Berlogar Stevens & Associates tested soil borings without securing a permit for drilling through EMD. Submit copy of geotechnical report drafted by Berlogar Stevens & Associates to EMD by Friday May 24, 2019. EMD will consider enforcement.
 - c) Include language that states “all relative permits will be adhered to,” and reference general permit requirements in a footnote.
13. Clarification of open and closed determination: “closed” means there is low risk to human health; “open” means there is a potential health risk.
14. GeoTracker may be utilized to review findings (past and future) related to the site.

III. Program Summary: (Nothing)

IV. Round Table: (Nothing)