

City of SACRAMENTO

COMMUNITY DEVELOPMENT
DEPARTMENT

ENVIRONMENTAL PLANNING
SERVICES

300 Richards Boulevard
Third Floor
Sacramento, CA 95811

MITIGATED NEGATIVE DECLARATION

The City of Sacramento, California, a municipal corporation, does hereby prepare, declare, and publish this Mitigated Negative Declaration for the following described project:

Maverik Store at Sheldon Road and Stockton Boulevard Project (P21-029) The proposed project consists of a request for a Conditional Use Permit (CUP) to establish a gas station with 10 fuel dispensers, a CUP to sell beer and wine (Type 20), a CUP to sell tobacco, and Site Plan and Design Review for the construction of a 5,637 square foot convenience store, fueling station canopy, and associated site improvements on a portion of a 3.66-acre parcel in the General Commercial (C-2-R) zone.

The Lead Agency is the City of Sacramento. The City of Sacramento, Community Development Department, has reviewed the proposed project and, on the basis of the whole record before it, has determined that there is no substantial evidence that the project, as identified in the attached Initial Study, will have a significant effect on the environment. This Mitigated Negative Declaration reflects the lead agency's independent judgment and analysis. An Environmental Impact Report is not required pursuant to the Environmental Quality Act of 1970 (Sections 21000, et seq., Public Resources Code of the State of California).

This Mitigated Negative Declaration has been prepared pursuant to the California Environmental Quality Act (Public Resources Code Sections 21000 et seq.), CEQA Guidelines (Title 14, Sections 15000 et seq. of the California Code of Regulations), the Sacramento Local Environmental Regulations (Resolution 91-892) adopted by the City of Sacramento, and the Sacramento City Code.

A copy of this document and all supportive is available on the City's EIR Webpage at:
<http://www.cityofsacramento.org/Community-Development/Planning/Environmental/Impact-Reports>

Environmental Services Manager, City of Sacramento,
California, a municipal corporation

By: Scott Johnson for Tom Buford

Date: December 11, 2023



Maverik Store at Sheldon Road and West Stockton Boulevard [(P21-029)]

INITIAL STUDY/ MITIGATED NEGATIVE DECLARATION FOR ANTICIPATED SUBSEQUENT PROJECTS UNDER THE 2035 GENERAL PLAN MASTER EIR

This Initial Study has been prepared by the City of Sacramento, Community Development Department, 300 Richards Boulevard, Third Floor, Sacramento, CA 95811, pursuant to the California Environmental Quality Act (Public Resources Code Sections 21000 *et seq.*), CEQA Guidelines (Title 14, Section 15000 *et seq.* of the California Code of Regulations) and the Sacramento Local Environmental Regulations (Resolution 91-892) adopted by the City of Sacramento.

ORGANIZATION OF THE INITIAL STUDY

This Initial Study is organized into the following sections:

SECTION I - BACKGROUND: Provides summary background information about the project name, location, sponsor, and the date this Initial Study was completed.

SECTION II - PROJECT DESCRIPTION: Includes a detailed description of the proposed project.

SECTION III - ENVIRONMENTAL CHECKLIST AND DISCUSSION: Reviews proposed project and states whether the project would have additional significant environmental effects (project-specific effects) that were not evaluated in the Master EIR for the 2035 General Plan.

SECTION IV - ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED: Identifies which environmental factors were determined to have additional significant environmental effects.

SECTION V - DETERMINATION: States whether environmental effects associated with development of the proposed project are significant, and what, if any, added environmental documentation may be required.

REFERENCES CITED: Identifies source materials that have been consulted in the preparation of the Initial Study.

APPENDICES: Supporting materials used to prepare the analysis are included as appendices A through F and are appended to this document.

SECTION I - BACKGROUND

Project Name and File Number: Maverik Store at Sheldon Road and West Stockton Boulevard (P21-029)

Project Location: Northwest corner of Sheldon Road and West Stockton Boulevard (APN 117-0220-019)

Project Applicant: Mike Micheels, Cartwright Nor Cal
Christie Hutchings, Maverik

Project Planner: Angelo Anguiano, Associate Planner

Environmental Planner: Ron Bess, Associate Planner

Date Initial Study Completed: December 14, 2023

This Initial Study (IS) was prepared in accordance with the California Environmental Quality Act (CEQA) (Public Resources Code Sections 1500 *et seq.*). The Lead Agency is the City of Sacramento (City).

The City of Sacramento, Community Development Department, has reviewed the Maverik Store at Sheldon Road and West Stockton Boulevard project (project or proposed project) and, on the basis of the whole record before it, has determined that the proposed project is an anticipated subsequent project identified and described in the 2035 General Plan Master EIR – State Clearinghouse #201212006 (Master EIR) and is consistent with the land use designation and the permissible densities and intensities of use for the project site as set forth in the 2035 General Plan. See CEQA Guidelines Section 15176 (b) and (d).

The City has prepared the attached IS to review the discussion of cumulative impacts, growth inducing impacts, and irreversible significant effects in the 2035 General Plan Master EIR to determine their adequacy for the project (see CEQA Guidelines Section 15178(b),(c)) and identify any potential new or additional project-specific significant environmental effects that were not analyzed in the Master EIR and any mitigation measures or alternatives that may avoid or mitigate the identified effects to a level of insignificance, if any.

As part of the Master EIR process, the City is required to incorporate all feasible mitigation measures or feasible alternatives appropriate to the project as set forth in the Master EIR (CEQA Guidelines Section 15177(d)) Policies included in the 2035 General Plan that reduce significant impacts identified in the Master EIR are identified and discussed. See also the Master EIR for the 2035 General Plan. The mitigation monitoring plan for the 2035 General Plan, which provides references to applicable General Plan policies that reduce the environmental effects of development that may occur consistent with the General Plan, is included in the adopting resolution for the Master EIR. The resolution is available at

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

This analysis incorporates by reference the general discussion portions of the 2035 General Plan Master EIR. (CEQA Guidelines Section 15150(a)). The Master EIR is available for public review at the City of Sacramento's web site at:

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

The City is soliciting views of interested persons and agencies on the content of the environmental information presented in this document. Written comments should be sent at the earliest possible date, but no later than the 30-day review period ending January 15, 2024.

Please send written responses (preferably via email) to:

Ron Bess
Community Development Department
City of Sacramento
300 Richards Blvd, 3rd Floor
Sacramento, California 95811
Direct Line: (916) 808-5842
Rbess@cityofsacramento.org

SECTION II - PROJECT DESCRIPTION

INTRODUCTION

The proposed Maverik Store project (project or proposed project), located at the intersection of Sheldon Road and West Stockton Boulevard is the development of a vacant site with a small convenience store, gas station, and other associated amenities. The 3.66-acre project site includes an existing drainage swale within a California Department of Transportation (Caltrans) right-of-way along the southern and eastern boundaries that would not be developed, reducing the amount of developable acreage to 2.02-acres.

PROJECT LOCATION AND SURROUNDING LAND USES

The project site is located at the northwest corner of Sheldon Road and West Stockton Boulevard (APN 117-0220-019) in the City of Sacramento (City), as shown in Attachment 1, Vicinity Map. The project site is in the southeast corner of the city and is adjacent to the City of Elk Grove to the south and east, across Sheldon Road and West Sexton Boulevard. The project site is approximately 500 feet west of California State Route 99 (SR 99).

The project site is currently unoccupied, undeveloped, and does not contain any structures. A few trees are located along the southern boundary. The topography of the site is generally flat, with an elevation of 31 feet above mean sea level. Along the southern and eastern perimeter of the project site there is an existing drainage swale, high-power electrical poles, and overhead powerlines. The drainage swale varies in depth and width along the perimeter of the site; the swale is generally four feet deep and 20 feet wide and is located between a separated sidewalk and electrical power poles. The sidewalk runs along project frontage on Sheldon Road and West Stockton Boulevard. Street frontage along most of Sheldon Road and all of West Stockton Boulevard is within the Caltrans right-of-way.

Adjacent land uses include a mix of residential, retail, and semi-public uses. Residences are located directly to the north, south, and west of the site; retail businesses are across Sheldon Road to the southwest of the site; and the San Joaquin Cemetery is located across West Stockton Boulevard to the east of the site.

Class II bike lanes are provided in both directions on Sheldon Road. Regional Transit light rail service is available at Cosumnes River College approximately 1.2 miles northwest of the project site, providing light rail connections to the City of Folsom and Downtown Sacramento. The nearest active bus stop is approximately 700 feet west of the project site along Sheldon Road and Lewis Stein Road serviced by the City of Elk Grove Transit.

The project site is designated Suburban Center in the City's 2035 General Plan and is zoned General Commercial (C-2), as shown on Attachment 2, Land Use and Zoning.

PROJECT DESCRIPTION

The proposed project includes a 5,637 square foot (sf) single-story convenience store with a small outdoor dining area, a covered 20-pump gas station, parking for up to 39 vehicles including two Americans with disabilities (ADA) spaces, space for two high speed Level III electric vehicle (EV) charging stations, and bike storage, see Attachment 3, Site Plan. The proposed project also includes two side-by-side underground fuel storage tank and landscaping. The convenience store and gas station would be open 24 hours a day, seven days a week (24/7) and would employ 15 to 18 people. Five to eight employees would be on shift at a given time. The convenience store would offer food to order. Project access would be via two driveways along Sheldon Road and West Stockton Boulevard. Both driveways would be limited to right in and right out only. The driveway access to and from West Stockton Boulevard requires crossing a small portion of a drainage swale, approximately 1,000 sf, within the Caltrans right-of-way that runs along the easterly side of the project site.

Utilities

Existing water and sewer utility mains in adjacent roadways would need to be extended to in order to serve the project. An existing Sacramento County sewer line is located approximately 400 feet north of the site in West Stockton Boulevard. The project would connect to the existing sewer main and extend a new sewer main in the West Stockton Boulevard right-of-way to connect to the project site. Existing city water mains are located approximately 1,340 feet north of the site in West Stockton Boulevard and 1,150 feet west of the site in Sheldon Road. The water mains would be required to be extended and connected at the intersection of the two roadways. New city water mains would be constructed within existing city rights-of-way along the site frontage in both West Stockton Boulevard and Sheldon Road and would connect within the West Stockton Boulevard/Sheldon Road intersection.

Existing storm drain infrastructure is located in the Caltrans right-of-way adjacent to the drainage swale running along the southerly and easterly sides of the project site. The project includes driveway access to and from West Stockton Boulevard, which would cross an approximately 1,000 square foot portion of this swale. The project would include stormwater detention and treatment prior to releasing stormwater into the Caltrans drainage swale via a new 12-inch storm drain line. The project also involves relocation of existing overhead power poles and streetlights along Sheldon Road.

Landscaping, Lighting and Signage

The project would include removal of two trees along the southern boundary of the site. The project's landscaping plan includes planting a mix of trees along the perimeter of the project site including nine Redbud, ten Red Crape Myrtle, nine Valley oak, six Cork oak, and three Northern Red Oak along with a mix of shrubs and groundcover. A total of approximately 44 new trees would be planted. Landscaping would occur along the perimeter of the gas station and convenience store property and along the street frontages. Landscaping is not proposed within the Caltrans right-of-way.

The project would include ten freestanding light poles evenly distributed throughout the parking and driveway areas. These light fixtures would be downward facing, LED, and mounted to poles approximately 17 feet tall. Other building light fixtures are proposed along the perimeter of the convenience store building and recessed within the overhead fueling canopy. Signage would include building wall signage and one dual-face single pole sign approximately 35 feet in height at the southeastern corner of the site adjacent to the intersection of Sheldon Road and West Stockton Boulevard.

Off-Site Improvements

Road widening for Sheldon Road and West Stockton Boulevard would be required by the City. Sheldon Road would be widened to include a deceleration lane to the proposed driveway including new curb, gutter and sidewalk. Widening for a dual left-turn lane including new curb, gutter and sidewalk is required for West Stockton Boulevard. Driveway construction would also involve the installation of two new culverts within a drainage swale along Sheldon Road and West Stockton Boulevard. The project also includes the relocation of a currently inoperative bus stop pad approximately 100 feet west of the site, along Sheldon Road.

Project Construction

If the project is approved construction would take approximately 8 months to complete. Construction of the underground fuel storage tank would require excavating an area 10 to 12-feet deep. The earthwork is estimated at approximately 5,000 cubic yards (cy) of cut and 5,000 cy of fill for a net balanced site.

Required Project Approvals

The project is requesting a Conditional Use Permit for the gas station and a variance for the driveway location in proximity to the property line along Sheldon Road, which are discretionary approvals, along with a variety of ministerial permits including a tree permit relating to the tree removal and a sign permit.

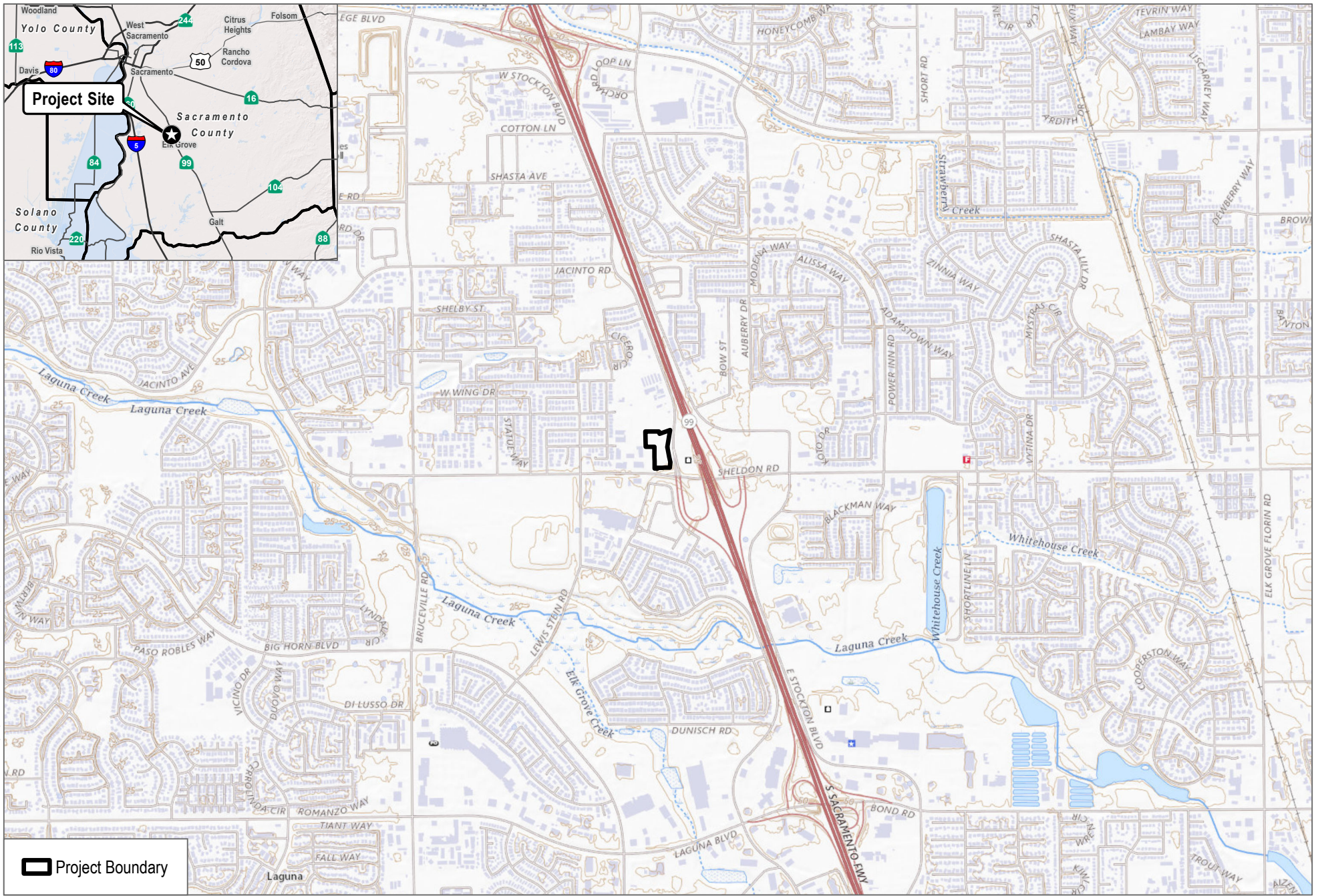
Permits from other agencies may be required. These include a permit to construct and operate the gas station from the Sacramento Metropolitan Air Quality Management District (SMAQMD) and an encroachment permit for work in the Caltrans right-of-way that would be issued by Caltrans District 3.

Attachments

Attachment 1 - Vicinity Map

Attachment 2 - Land Use and Zoning

Attachment 3 - Site Plan



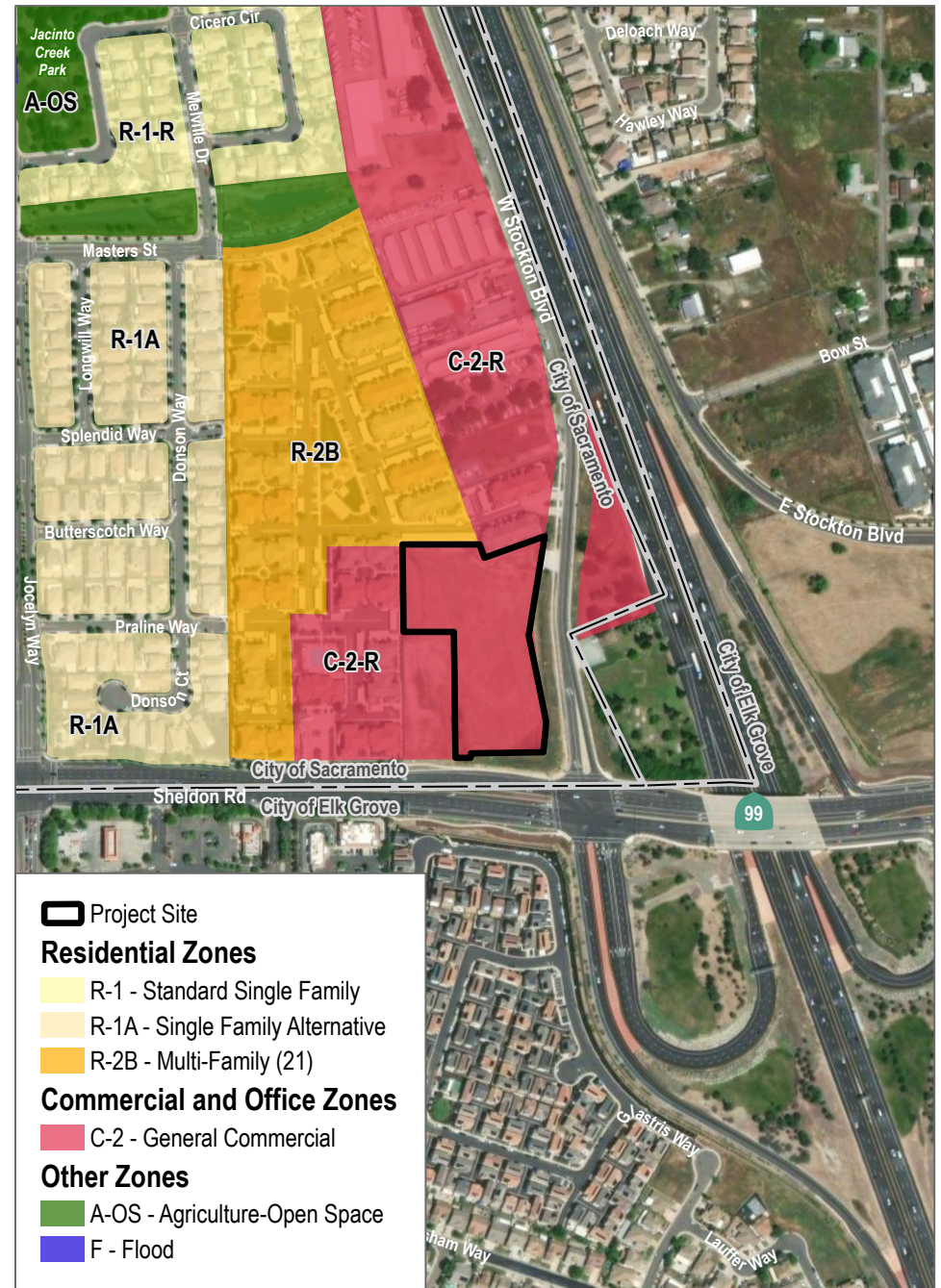
SOURCE: USGS National Map 2023
 Florin Quadrangle - Township 7N Range 4E Section 26



FIGURE 1

Project Location

Maverik Store at Sheldon Road and West Stockton Boulevard



SOURCE: Maxar 2022; City of Sacramento 2020

FIGURE 2

Land Use and Zoning

Maverik Store at Sheldon Road and West Stockton Boulevard

SECTION III – ENVIRONMENTAL CHECKLIST AND DISCUSSION

AGRICULTURAL AND FORESTRY RESOURCES, LAND USE AND PLANNING, AND POPULATION AND HOUSING

Introduction

The California Environmental Quality Act (CEQA) requires the Lead Agency to examine the effects of a project on the physical conditions that exist within the area that would be affected by the project. CEQA also requires a discussion of any inconsistency between a project and applicable general plans and regional plans.

An inconsistency between the proposed project and an adopted plan for land use development in a community would not constitute a physical change in the environment. When a project diverges from an adopted plan, however, it may affect planning in the community regarding infrastructure and services, and the new demands generated by the project may result in later physical changes in response to the project.

In the same manner, the fact that a project brings new people or demand for housing to a community does not, by itself, change the physical conditions. An increase in population may, however, generate changes in retail demand or demand for governmental services, and the demand for housing may generate new activity in residential development. Physical environmental impacts that could result from implementing the proposed project are discussed in the appropriate technical sections.

This section of the Environmental Checklist identifies the applicable land use designations, plans and policies, and permissible densities and intensities of use, and discusses any inconsistencies between these plans and the proposed project. This section also discusses agricultural resources and the effect of the project on these resources.

Discussion

Agricultural and Forestry Resources

The Master EIR discussed the potential impact of development under the 2035 General Plan on agricultural resources; see Master EIR, Chapter 4.1. In addition to evaluating the effect of the General Plan on sites within the city, the Master EIR noted that to the extent the 2035 General Plan accommodates future growth within the city limits, the conversion of farmland outside the city limits is minimized. The Master EIR concluded that the impact of the 2035 General Plan on agricultural resources within the city was less than significant.

The project site does not contain soils designated as Important Farmland (i.e., Prime Farmland, Unique Farmland or Farmland of Statewide Importance). According to the California Department of Conservation Important Farmland Map, the project site is designated as urban and built-up land (DOC 2018). The project site is vacant and does not contain nor is zoned for agricultural uses. There are no Williamson Act contracts that affect the project site. No existing agricultural or timber-harvest uses are located on or in the vicinity of the project site. Therefore, development of the site would result in no impacts on agricultural or forestry resources.

Land Use

The project site has been designated Suburban Center in the City's 2035 General Plan and is zoned General Commercial (C-2).

The project site is located in an urbanized area of the city on an undeveloped vacant parcel. It is surrounded by development including a mix of residential, retail, and semi-public uses. Residences are located directly to the north, south, and west of the site; retail businesses are across Sheldon Road to the southwest of the site; and the San Joaquin Cemetery is located across West Stockton Boulevard

to the east of the site. Development of the site as proposed would alter the existing landscape, but the project site has been designated for nonresidential single-use commercial development in the 2035 General Plan and the Planning and Development Code; therefore, the proposed project is consistent with the City General Plan and zoning designations.

Population and Housing

The project does not include any housing. Therefore, it would not contribute to new housing or population within the City; there would be no impacts to population or housing.

Issues:	Potentially Significant Effect	Effect can be mitigated to less than significant	No significant environmental effect
1. <u>AESTHETICS</u> Would the proposal: A) Create a source of glare that would cause a public hazard or annoyance?			X
B) Create a new source of light that would be cast onto oncoming traffic or residential uses?			X
C) Substantially degrade the existing visual character of the site or its surroundings?			X

ENVIRONMENTAL SETTING

The project site is located in an urbanized area of the city surrounded by development and residential and retail uses. The project site is undeveloped, generally flat, and does not include any buildings or structures. A few trees are located along the southern boundary. Along the southern and eastern perimeter of the project site there is an existing drainage swale, high-power electrical poles, and overhead powerlines. A separated pedestrian sidewalk runs along the project frontage on Sheldon Road and West Stockton Boulevard.

Existing sources of lights are provided by building lights in the vicinity of the project site and from cars traveling along Sheldon Road., West Stockton Boulevard and SR 99.

STANDARDS OF SIGNIFICANCE

The significance criteria used to evaluate the project impacts to aesthetics are based on Appendix G of the CEQA Guidelines, thresholds of significance adopted by the City in applicable general plans and previous environmental documents, and professional judgment. A significant impact related to aesthetics would occur if the project would:

- substantially interfere with an important scenic resource or substantially degrade the view of an existing scenic resource; or

- create a new source of substantial light or glare that is substantially greater than typical urban sources and could cause sustained annoyance or hazard for nearby sensitive receptors.

SUMMARY OF ANALYSIS UNDER THE 2035 GENERAL PLAN MASTER EIR AND APPLICABLE GENERAL PLAN POLICIES

The Master EIR described the existing visual conditions in the City, and the potential changes to those conditions that could result from development consistent with the 2035 General Plan. See Master EIR, Section 4.13, Visual Resources. The 2035 General Plan includes Goal ER 7.1 to help preserve, maintain and protect the visual resources that define the city. Policy ER 7.1.3 addresses light sources and requires lighting to be directed downward to minimize spill-over onto adjacent properties and reduce vertical glare. Policy ER 7.1.4 addresses reflective glass and glare and prohibits new development to include large expanses of mirrored glass, black glass, or metal building materials and also large expanses of exposed concrete.

The Master EIR identified potential impacts for light and glare (Impact 4.13-1) and concluded that impacts would be less than significant.

ANSWERS TO CHECKLIST QUESTIONS

A,B) The proposed project includes a gas station and convenience store. The project would be open 24/7 and includes building lights, signage lights, and lights for the gas fueling station canopy. The project includes ten freestanding light poles that would include fixtures focused downward, LED bulbs, and mounted to poles approximately 17 feet tall. Other building-mounted light fixtures are proposed along the perimeter of the convenience store building and recessed within the fueling canopy. There are residences to the north, west, and south of the project site. However, the project would be separated from these residences by neighboring unoccupied parcels to the north and west and Sheldon Boulevard to the south. Furthermore, all lights would be directed downward to minimize spill-over onto adjacent properties and reduce vertical glare consistent with General Plan Policy ER 7.1.3. The project's photometric plan specifies the types of light fixtures selected for the project and indicates that the project would not lead to significant off-site lighting levels. The plan shows that 0.0 footcandle light levels outside of 60 feet in all directions of the project site.

Glare is produced when expansive surfaces reflect light, creating a nuisance and hazard for people in the vicinity. Large light-colored surfaces or glass are the most likely to produce glare. The project's building design is required to be consistent with General Plan Policy ER 7.1.4, which prohibits using reflective glass that exceeds 50% of any building surface, using mirrored glass or black glass that exceeds 25% of any surface of a building, or using exposed concrete that exceeds 50% of the building. As indicated in the project plans, to be verified during the building permit plan review process, building materials would not exceed these standards; the convenience store's building exterior would be comprised of stone veneer, fiber cement board and batten siding, and steel; the gas fueling canopy structure would be comprised mostly of aluminum composite metal paneling. All glass would be clear and would not be mirrored or contain black glass. The project would not create a source of glare that could cause a public hazard or annoyance and would not result in an additional environmental effect.

C) The proposed project is located in an urbanized area of the city surrounded by roads and developed uses. The project site is an undeveloped parcel but does not contain any features that are characterized as visually scenic. Due to its location and flat topography, the site does not represent a high degree of visual character. Development of the site with and urban commercial use would not substantially degrade the existing visual character of the site or its surroundings and would not result in an additional environmental effect.

FINDINGS

The proposed project would have no additional project-specific environmental effects relating to Aesthetics.

Issues:	Potentially Significant Effect	Effect can be mitigated to less than significant	No significant environmental effect
2. <u>AIR QUALITY</u>			
<i>Would the proposal:</i>		X	
A) Result in construction emissions of NO _x above 85 pounds per day?		X	
B) Result in operational emissions of NO _x or ROG above 65 pounds per day?		X	
C) Violate any air quality standard or have a cumulatively considerable contribution to an existing or projected air quality violation?		X	
D) Result in PM ₁₀ and PM _{2.5} concentrations that exceed SAMQMD requirements?		X	
E) Result in CO concentrations that exceed the 1-hour state ambient air quality standard (i.e., 20.0 ppm) or the 8-hour state ambient standard (i.e., 9.0 ppm)?		X	
F) Result in exposure of sensitive receptors to substantial pollutant concentrations?		X	
G) Result in TAC exposures create a risk of 10 in 1 million for stationary sources, or substantially increase the risk of exposure to TACs from mobile sources?		X	

ENVIRONMENTAL SETTING

The City is located within the Sacramento Valley Air Basin (SVAB), which is a valley bounded by the North Coast Mountain Ranges to the west and the Northern Sierra Nevada Mountains to the east. The terrain in the valley is flat and approximately 25 feet above sea level.

Hot, dry summers and mild, rainy winters characterize the Mediterranean climate of the Sacramento Valley. Throughout the year, daily temperatures may range by 20 degrees Fahrenheit with summer highs often exceeding 100 degrees and winter lows occasionally below freezing. Average annual rainfall is about 20 inches and snowfall is very rare. Summertime temperatures are normally moderated by the presence of the "Delta breeze" that arrives through the Carquinez Strait in the evening hours.

The mountains surrounding the SVAB create a barrier to airflow, which can trap air pollutants in the valley. The highest frequency of air stagnation occurs in the autumn and early winter when large high-pressure cells lie over the valley. The lack of surface wind during these periods and the reduced vertical flow caused by less surface heating reduces the influx of outside air and allows air pollutants to become concentrated

in a stable volume of air. The surface concentrations of pollutants are highest when these conditions are combined with temperature inversions that trap cooler air and pollutants near the ground.

The warmer months in the SVAB (May through October) are characterized by stagnant morning air or light winds, and the Delta breeze that arrives in the evening out of the southwest. Usually, the evening breeze transports a portion of airborne pollutants to the north and out of the Sacramento Valley. During about half of the day from July to September, however, a phenomenon called the “Schultz Eddy” prevents this from occurring. Instead of allowing the prevailing wind patterns to move north carrying the pollutants out of the valley, the Schultz Eddy causes the wind pattern to circle back south. This phenomenon exacerbates the pollution levels in the area and increases the likelihood of violating federal or state standards. The Schultz Eddy normally dissipates around noon when the Delta breeze begins.

Criteria Air Pollutants

Concentrations of emissions from criteria air pollutants (the most prevalent air pollutants known to be harmful to human health) are used to indicate the quality of the ambient air. Criteria air pollutants include ozone, carbon monoxide (CO), nitrogen dioxide (NO₂), sulfur dioxide (SO₂), respirable and fine particulate matter (PM₁₀ and PM_{2.5}), and lead. The sources of criteria air pollutants and their respective acute and chronic health impacts are described in Table 2-1.

Table 2-1. Sources and Health Effects of Criteria Air Pollutants

Pollutant	Sources	Acute¹ Health Effects	Chronic² Health Effects
Ozone	Secondary pollutant resulting from reaction of ROG and NO _x in presence of sunlight. ROG emissions result from incomplete combustion and evaporation of chemical solvents and fuels; NO _x results from the combustion of fuels	Increased respiration and pulmonary resistance; cough, pain, shortness of breath, lung inflammation	Permeability of respiratory epithelia, possibility of permanent lung impairment
Carbon monoxide (CO)	Incomplete combustion of fuels; motor vehicle exhaust	Headache, dizziness, fatigue, nausea, vomiting, death	Permanent heart and brain damage
Nitrogen dioxide (NO ₂)	Combustion devices; e.g., boilers, gas turbines, and mobile and stationary reciprocating internal combustion engines	Coughing, difficulty breathing, vomiting, headache, eye irritation, chemical pneumonitis or pulmonary edema; breathing abnormalities, cough, cyanosis, chest pain, rapid heartbeat, death	Chronic bronchitis, decreased lung function
Sulfur dioxide (SO ₂)	Coal and oil combustion, steel mills, refineries, and pulp and paper mills	Irritation of upper respiratory tract, increased asthma symptoms	Insufficient evidence linking SO ₂ exposure to chronic health impacts
Respirable particulate matter (PM ₁₀), Fine particulate matter (PM _{2.5})	Fugitive dust, soot, smoke, mobile and stationary sources, construction, fires and natural windblown dust, and formation in the Atmosphere by condensation and/or transformation of SO ₂ and ROG	Breathing and respiratory symptoms, aggravation of existing respiratory and cardiovascular diseases, Premature death	Alterations to the immune system, carcinogenesis

Table 2-1. Sources and Health Effects of Criteria Air Pollutants

Pollutant	Sources	Acute¹ Health Effects	Chronic² Health Effects
Lead	Metal processing	Reproductive/developmental effects (fetuses and children)	Numerous effects including neurological, endocrine, and cardiovascular effects

Notes: NO_x = oxides of nitrogen; ROG = reactive organic gases.

1. "Acute" refers to effects of short-term exposures to criteria air pollutants, usually at fairly high concentrations.

2. "Chronic" refers to effects of long-term exposures to criteria air pollutants, usually at lower, ambient concentrations.

Source: EPA 2022.

Existing Air Quality

The U.S. Environmental Protection Agency (EPA) has been charged with implementing national air quality programs. EPA's air quality mandates are drawn primarily from the federal Clean Air Act (CAA), which was enacted in 1970 and most recently amended by Congress in 1990. The CAA required EPA to establish the National Ambient Air Quality Standards (NAAQS) for the following criteria air pollutants: ozone, CO, NO₂, SO₂, PM₁₀, PM_{2.5}, and lead. The CAA also requires each state to prepare a State implementation plan (SIP) for attaining and maintaining the NAAQS. The federal Clean Air Act Amendments of 1990 added requirements for states with nonattainment areas to revise their SIPs to incorporate additional control measures to reduce air pollution. Individual SIPs are modified periodically to reflect the latest emissions inventories, planning documents, and rules and regulations of the air basins as reported by their jurisdictional agencies.

The California Air Resources Board (CARB) is the agency responsible for coordination and oversight of state and local air pollution control programs in California and for implementing the California Clean Air Act (CCAA). The CCAA, which was adopted in 1988, required CARB to establish its own California Ambient Air Quality Standards (CAAQS). CARB has established CAAQS for sulfates, hydrogen sulfide, vinyl chloride, visibility-reducing particulate matter, and the above-mentioned criteria air pollutants. In most cases the CAAQS are more stringent than the NAAQS. In addition, in 1988 CARB adopted the Airborne Toxic Control Measure (ATCM) for emissions of benzene from retail service stations. CARB requires the installation of CARB-certified Phase I and II vapor recovery control equipment at all retail service stations. The ATCM is designed to reduce benzene and total hydrocarbon emissions from retail service stations by 95%.

The SVAB is currently designated as nonattainment for the NAAQS 8-hour ozone standard and the CAAQS for both 1-hour and 8-hour O₃ standard. The SVAB is also currently designated as nonattainment for both NAAQS and CAAQS 24-hour PM₁₀ standards. In addition, the SVAB is currently designated as nonattainment for the NAAQS 24-hour PM_{2.5} standard. The air basin is designated as unclassified or in attainment for the remaining criteria air pollutants (SMAQMD 2020a).

Toxic Air Contaminants

According to the California Almanac of Emissions and Air Quality (CARB 2013), the majority of the estimated health risks from toxic air contaminants (TACs) can be attributed to relatively few compounds, the most important being diesel particulate matter (diesel PM). Diesel PM differs from other TACs in that it is not a single substance, but rather a complex mixture of hundreds of substances. Although diesel PM is emitted by diesel-fueled internal combustion engines, the composition of the emissions varies depending on engine type, operating conditions, fuel composition, lubricating oil, and whether an emissions control system is being used. In addition to diesel PM, the TACs for which data are available that pose the greatest existing ambient risk in California are benzene, 1,3-butadiene, acetaldehyde, carbon tetrachloride, hexavalent chromium, para-dichlorobenzene, formaldehyde, methylene chloride, and perchloroethylene.

TACs are generated by a number of sources, including stationary sources, such as dry cleaners, gas stations, combustion sources, and laboratories; mobile sources, such as automobiles; and area sources, such as landfills. Adverse health effects associated with exposure to TACs may include carcinogenic (i.e., cancer-causing) and non-carcinogenic effects. Non-carcinogenic effects typically affect one or more target organ systems and may be experienced on either short-term (acute) or long-term (chronic) exposure to a given TAC.

Sensitive Receptors

Sensitive receptors are generally considered to include those land uses where exposure to pollutants could result in health-related risks to sensitive individuals, such as children or the elderly. Residential dwellings, schools, hospitals, playgrounds, and similar facilities are of primary concern because of the presence of individuals particularly sensitive to pollutants and/or the potential for increased and prolonged exposure of individuals to pollutants. The closest sensitive receptors to the project site are existing multi-family residences located to the north and west of the project site. There are no schools located within a quarter mile of the project site.

STANDARDS OF SIGNIFICANCE

The significance criteria used to evaluate the project impacts to air quality based on Appendix G of the CEQA Guidelines, thresholds of significance adopted by the City in applicable general plans and previous environmental documents, and professional judgment. A significant impact related to air quality would occur if the project would:

- construction emissions of NO_x above 85 pounds per day;
- operational emissions of NO_x or ROG above 65 pounds per day;
- violation of any air quality standard or contribute substantially to an existing or projected air quality violation;
- any increase in PM₁₀ concentrations, unless all feasible Best Available Control Technology (BACT) and Best Management Practices (BMPs) have been applied, then increases above 80 pounds per day or 14.6 tons per year;
- CO concentrations that exceed the 1-hour State ambient air quality standard (i.e., 20.0 ppm) or the 8-hour State ambient standard (i.e., 9.0 ppm); or
- exposure of sensitive receptors to substantial pollutant concentrations.

Ambient air quality standards have not been established for TAC. TAC exposure is deemed to be significant if:

- TAC exposures create a risk of 10 in 1 million for stationary sources, or substantially increase the risk of exposure to TACs from mobile sources; or

SUMMARY OF ANALYSIS UNDER THE 2035 GENERAL PLAN MASTER EIR AND APPLICABLE GENERAL PLAN POLICIES

The Master EIR addressed the potential effects of the 2035 General Plan on ambient air quality and the potential for exposure of people, especially sensitive receptors such as children or the elderly, to unhealthful pollutant concentrations. See Master EIR, Section 4.2.

Environmental Resource (ER) policies in the 2035 General Plan in were identified as mitigating potential effects of development that could occur under the 2035 General Plan. For example, Policy ER 6.1.1 calls

for the City to work with the CARB and the Sacramento Metropolitan Air Quality Management District (SMAQMD) to meet state and federal air quality standards; Policy ER 6.1.2 requires the City to review proposed development projects to ensure that the projects incorporate feasible measures that reduce construction and operational emissions; Policy ER 6.1.4 and ER 6.1.11 calls for coordination of City efforts with SMAQMD; and Policy ER 6.1.15 requires the City to give preference to contractors using reduced-emission equipment.

The Master EIR identified exposure to sources of TAC as a potential effect. Policies in the 2035 General Plan would reduce the effect to a less-than-significant level. The policies include ER 6.1.4, requiring coordination with SMAQMD in evaluating exposure of sensitive receptors to TACs, and impose appropriate conditions on projects to protect public health and safety; as well as Policy LU 2.7.5 requiring extensive landscaping and trees along freeways fronting elevation and design elements that provide proper filtering, ventilation, and exhaust of vehicle air emissions from buildings.

ANSWERS TO CHECKLIST QUESTIONS

A-G) **Construction**

Construction of the proposed project would result in a temporary addition of pollutants to the local air shed caused by soil disturbance, fugitive dust emissions, and combustion pollutants from on-site construction equipment, as well as from off-site trucks hauling demolition debris, and from construction workers traveling to and from the site. Construction emissions can vary substantially from day to day, depending on the level of activity, the specific type of operation and, for dust, the prevailing weather conditions. Therefore, an increment of day-to-day variability exists.

Pollutant emissions associated with construction of the proposed project were quantified using the California Emissions Estimator Model (CalEEMod), Version 2022.1.1.19 (see Appendix A, Air Quality Model Outputs). Default values provided by the program were used where detailed project information was not available.

It was assumed that total construction would occur over a period of 8 months. CalEEMod was used to quantify emissions of ozone precursors (ROG and NO_x) and coarse particulate matter (PM₁₀) emissions from off-road equipment, grading, on-road worker vehicle emissions, and vendor delivery trips. Construction of the project would also generate carbon monoxide (CO), sulfur dioxide (SO_x) and fine particulate matter (PM_{2.5}) emissions; however, only the criteria air pollutants that the SMAQMD have adopted thresholds for are presented in Table 2-2, Estimated Construction Emissions.

As shown in Table 2-2, emissions of NO_x, PM₁₀, and PM_{2.5} associated with construction activities would not exceed the SMAQMD significance thresholds because compliance with Basic Construction Emissions Control Practices (BCECP) and Best Management Practices (BMPs) was factored into the model. To ensure dust that generates particulate matter is minimized during construction, the proposed project would comply with the SMAQMD's Rule 403 - Fugitive Dust which requires, where possible, use of water or chemicals to control dust in the demolition of existing buildings or structures, construction operations, and the construction of roadways or the clearing of land; and the application of asphalt, oil, water, or suitable chemicals on dirt roads, materials stockpiles, and other surfaces which can give rise to airborne dusts.

To ensure compliance with the SMAQMD thresholds, mitigation measures AQ-1 and AQ-2 are included (although not required to reduce the impact to less than significant), which identifies all feasible BCECP and BMPs to minimize construction-related dust and emissions.

Table 2-2. Estimated Construction Emissions

Year	NO _x	PM ₁₀	PM _{2.5}
Summer Emissions (Pounds per Day)			
2024	25.20	4.57	2.32
2025	-	-	-

Table 2-2. Estimated Construction Emissions

Year	NO _x	PM ₁₀	PM _{2.5}
<i>Pollutant Threshold</i>	85	80*	82*
Threshold Exceeded?	No	No	No
Winter Emissions (Pounds per Day)			
2024	12.94	1.66	0.75
2025	7.71	1.22	0.47
<i>Pollutant Threshold</i>	85	80*	82*
Threshold Exceeded?	No	No	No
Annual Emissions (Tons per Year)			
2024	0.59	0.09	0.04
2025	0.08	0.01	0.01
<i>Pollutant Threshold</i>	NA	14.6*	15*
Threshold Exceeded?	NA	No	No

Notes: Detailed results are included in Appendix A. Because no significance threshold for annual emissions of NO_x 'NA' has been inserted.

* SMAQMD PM Thresholds if all feasible BCECP/BMPs are applied

NA = not applicable; NO_x = oxides of nitrogen; PM₁₀ = coarse particulate matter; PM_{2.5} = fine particulate matter.

Source: Appendix A.

In addition to impacts from criteria pollutants, project impacts may include emissions of pollutants identified by the state and federal government as toxic air contaminants (TACs) or hazardous air pollutants. State law has established the framework for California's TAC identification and control program, which is generally more stringent than the federal program and aimed at TACs that are a problem in California. The state has formally identified more than 200 substances as TACs, including the federal hazardous air pollutants, and has adopted appropriate control measures for sources of these TACs. The following measures are required by state law to reduce DPM emissions:

- Fleet owners of mobile construction equipment are subject to the CARB Regulation for In-use Off-road Diesel Vehicles (13 CCR 2449), the purpose of which is to reduce DPM and criteria pollutant emissions from in-use (existing) off-road diesel-fueled vehicles.
- All commercial diesel vehicles are subject to Title 13, Section 2485 of the California Code of Regulations, limiting engine idling time. Idling of heavy-duty diesel construction equipment and trucks during loading and unloading shall be limited to 5 minutes; electric auxiliary power units should be used whenever possible.

Health effects from carcinogenic air toxics are usually described in terms of cancer risk. The SMAQMD recommends an incremental cancer risk threshold of 10 in a million (SMAQMD 2020a). "Incremental cancer risk" is the net increased likelihood that a person continuously exposed to concentrations of TACs resulting from a project over a 9-, 30-, and 70-year exposure period will contract cancer based on the use of standard OEHHA risk-assessment methodology. In addition, some TACs have noncarcinogenic effects.

TACs that would potentially be emitted during construction activities would be DPM emitted from heavy-duty construction equipment and heavy-duty trucks. Heavy-duty construction equipment and diesel trucks are subject to CARB Airborne Toxic Control Measures to reduce DPM emissions. Although construction activities of the proposed project are short term and variable, in an abundance of caution and to provide information disclosure, a construction health risk assessment (HRA) was performed for the proposed project to evaluate the risk from diesel exhaust emissions on existing nearby off-site sensitive receptors. SMAQMD defines sensitive receptors as facilities that house or attract children, the elderly, people with illnesses, or others who are especially sensitive to the effects of air pollutants or may experience adverse effects from unhealthy concentrations of air pollutants. Hospitals, clinics, schools, convalescent facilities, and residential areas are examples of sensitive receptors. The nearest sensitive receptors are existing multi-family residences, adjacent to the

project's northern and western boundaries. The nearest sensitive receptors in the vicinity of the project site are residential land uses adjacent to the project site to the north and west. Table 2-3, Construction Activity Health Risk Assessment Results, summarizes the results of the HRA for proposed project construction.

Table 2-3. Construction Activity Health Risk Assessment Results

Impact Parameter	Units	Project Impact	CEQA Threshold	Level of Significance
Cancer Risk	Per Million	8.81	10.0	Less than Significant
HIC	Not Applicable	0.02	1.0	Less than Significant

Source: Appendix A.

Notes: CEQA = California Environmental Quality Act; HIC = Chronic Hazard Index.

The results shown in Table 2-3 demonstrate that the cancer risk from construction activities at the maximum exposed individual resident would be below the 10 in a million threshold and chronic hazard index less than 1. The construction HRA output files are contained in Appendix A.

SMAQMD has adopted the quantitative threshold for construction GHG emissions of 1,100 MT CO_{2e} for land use development projects (SMAQMD 2020b). A project that exceeds the thresholds may have a cumulatively considerable contribution of GHG emissions.

Operation

Following the completion of construction activities, the proposed project would generate pollutant emissions from area sources (include the use of consumer products and landscape maintenance equipment), on-site energy use, and vehicles travelling to and from the project site. Table 2-4, Estimated Unmitigated Operational Emissions, presents the estimated operational emissions (Year 2025) from the proposed project.

Table 2-4. Estimated Operational Emissions

Source	ROG	NO _x	PM ₁₀	PM _{2.5}
Summer Emissions (Pounds per Day)				
Area	0.11	<0.01	<0.01	<0.01
Energy	<0.01	0.02	<0.01	<0.01
Mobile	10.51	9.44	15.82	4.12
Total	10.63	9.46	15.82	4.12
<i>Pollutant Threshold</i>	65	65	80*	82*
Threshold Exceeded?	No	No	No	No
Winter Emissions (Pounds per Day)				
Area	0.09	-	-	-
Energy	<0.01	0.02	<0.01	<0.01
Mobile	9.36	11.10	15.82	4.12
Total	9.45	11.12	15.82	4.12
<i>Pollutant Threshold</i>	65	65	80*	82*
<i>Threshold Exceeded?</i>	No	No	No	No
Annual Emissions (Tons per Year)				
Area	0.02	<0.01	<0.01	<0.01

Table 2-4. Estimated Operational Emissions

Source	ROG	NO _x	PM ₁₀	PM _{2.5}
Energy	<0.01	<0.01	<0.01	<0.01
Mobile	1.47	1.03	1.20	0.31
Total	1.48	1.03	1.20	0.31
<i>Pollutant Threshold</i>	NA	NA	14.6*	15*
Threshold Exceeded?	NA	NA	No	No

Notes: Detailed results are included in Appendix A. Because no significance threshold for annual emissions of ROG and NO_x 'NA' has been inserted.

* SMAQMD PM Thresholds if all feasible BACT/BMPs are applied.

ROG = reactive organic gases; NA = not applicable; NO_x = oxides of nitrogen; PM₁₀ = coarse particulate matter, PM_{2.5} = fine particulate matter; <0.01 = value less than reported 0.01.

Source: Appendix A.

As shown in Table 2-4, emissions of ROG, NO_x, PM₁₀, and PM_{2.5} from project operation would be minimal and would not exceed the SMAQMD thresholds of significance. The SMAQMD CEQA guidance states that operational emissions that generate above zero pounds per day of PM₁₀ and PM_{2.5} would result in a significant impact, unless all feasible Best Available Control Technologies (BACT) and BMPs are implemented (SMAQMD 2020a). The proposed project would be required to comply with BMP measures in its final design to reduce operational PM₁₀ and PM_{2.5} emissions including compliance with the California Building Energy Efficiency Standards and Green Building Code (Title 24, Parts 6 and 11) and would also develop sidewalks adjacent to the site. Furthermore, project design review under Policy ER 6.1.2 of the City's General Plan would ensure that the proposed project includes feasible measures that reduce air pollutant emissions through project design. Therefore, there would be no additional effect and the impact would be less than significant.

Another source of TACs is gasoline vapors from fueling operations. Gasoline vapors include several substances considered TACs by the state, including benzene, toluene, and a gasoline additive known as MTBE (methyl tertiary-butyl ether). The CARB led the effort to certify gasoline vapor control systems and require their use starting in 1974. In 1990 the federal Clean Air Act amendments included requirements that vapor recovery systems at gas stations use CARB-certified equipment. Per Rule 449, the SMAQMD requires gasoline fueling stations to install and maintain vapor recovery systems. Vapor recovery systems control vapor emissions from gasoline marketing operations (gasoline dispensing facilities or service stations, tanker trucks (cargo tanks), bulk plants, and terminals). Within 30 calendar days of completion of construction or modification of any vapor recovery system, the operator must conduct and pass all applicable performance tests to receive a use permit. Reverification tests are required annually to maintain the use permit.

In addition, the CARB published the Air Quality and Land Use Handbook in April 2005 to serve as a general guide for considering impacts to sensitive receptors from facilities that emit TAC emissions. The recommendations provided therein are voluntary and do not constitute a requirement or mandate for either land use agencies or local air districts. The goal of the guidance document is to protect sensitive receptors, such as children, the elderly, acutely ill, and chronically ill persons, from exposure to TAC emissions. A summary of the recommended distances is shown in Table 1-1 of CARB's Air Quality and Land Use Handbook. For gasoline dispensing facilities, sensitive land uses located within 300 feet of a large gas station (defined as a facility with a throughput of 3.6 million gallons per year or greater) should be avoided, and a 50-foot separation is recommended for typical gas dispensing facilities. The project's nearest sensitive receptor would be located approximately more than 100 feet of the station canopy.

The project would also not result in CO concentrations that exceed the current 1-hour and 8-hour standards and would not develop housing that could place residents near mobile or stationary sources

of toxic air contaminants (TACs). Impacts associated with construction and operations of the project are less than significant.

MITIGATION MEASURES

Compliance with the following measures already required by SMAQMD or CARB would ensure impacts would remain less than significant.

Mitigation Measure AQ-1 (Construction Emissions)

The following Basic Construction Emission Control Practices (BCECP) shall be implemented during project construction:

- Water all exposed surfaces two times daily. Exposed surfaces include, but are not limited to soil piles, graded areas, unpaved parking areas, and staging areas.
- Cover or maintain at least two feet of free board space on haul trucks transporting soil, sand, or other loose material on the site. Any haul trucks that would be traveling along freeways or major roadways shall be covered.
- Use wet power vacuum street sweepers to remove any visible track-out mud or dirt onto adjacent public roads at least once a day. Use of dry power sweeping is prohibited.
- Limit vehicle speeds on unpaved roads to 15 miles per hour (mph).

The following practices describe exhaust emission control from diesel powered fleets working at a construction site. California regulations limit idling from both on-road and off-road diesel-powered equipment. The California Air Resources Board enforces the idling limitations.

- Minimize idling time either by shutting equipment off when not in use or reducing the time of idling to 5 minutes [required by California Code of Regulations, Title 13, sections 2449(d)(3) and 2485]. Provide clear signage that posts this requirement for workers at the entrances to the site.

Although not required by local or state regulation, many construction companies have equipment inspection and maintenance programs to ensure work and fuel efficiencies.

- Maintain all construction equipment in proper working condition according to manufacturer's specifications. The equipment must be checked by a certified mechanic and determine to be running in proper condition before it is operated.

Mitigation Measure AQ-2 (Construction Traffic)

Route and schedule construction traffic to avoid peak travel times as much as possible to reduce congestion and related air quality impacts caused by idling vehicles along local roads.

FINDINGS

All additional significant environmental effects of the proposed project relating to Air Quality can be mitigated to a less-than-significant level.

Issues:	Potentially Significant Effect	Effect can be mitigated to less than significant	No significant environmental effect
3. <u>BIOLOGICAL RESOURCES</u> Would the proposal: A) Create a potential health hazard, or use, production or disposal of materials that would pose a hazard to plant or animal populations in the area affected?			X
B) Result in substantial degradation of the quality of the environment, reduction of the habitat, reduction of population below self-sustaining levels of threatened or endangered species of plant or animal species?		X	
C) Affect other species of special concern to agencies or natural resource organizations (such as regulatory waters and wetlands)?		X	

ENVIRONMENTAL SETTING

Prior to human development, the natural habitats within the region included perennial grasslands, riparian woodlands, oak woodlands, and a variety of wetlands including vernal pools, seasonal wetlands, freshwater marshes, ponds, streams, and rivers. Over the last 150 years, agriculture, irrigation, flood control, and urbanization have resulted in the loss or alteration of much of the natural habitat within the city limits. Non-native annual grasses have replaced the native perennial grasslands, many of the natural streams have been channelized, much of the riparian and oak woodlands have been cleared, and most of the marshes have been drained and converted to agricultural or urban uses.

The majority of the city is developed with residential, commercial, and other urban development, valuable plant and wildlife habitat still exists. These natural habitats are located primarily outside the city boundaries in the northern, southern and eastern portions of the city, but also occur along river and stream corridors and on a number of undeveloped parcels. Habitats that are present in the city include annual grasslands, riparian woodlands, oak woodlands, riverine, ponds, freshwater marshes, seasonal wetlands, and vernal pools.

A Biological Resource Assessment (BRA) was prepared for the project by Dudek in May 2022 (see Appendix B). Based on this assessment, which included literature review and a field survey, the project site is comprised of land covers including one natural vegetation community, one non-natural land cover type, and two aquatic land cover types. The following vegetation communities and land cover types were documented on site and are described in further detail later in Appendix B: non-native grassland, developed, ditch, and freshwater emergent wetland. A total of 20 species of plants, including 4 native and 16 non-native plant species were recorded during field survey. Two native wildlife species were also recorded. As noted in Appendix B, the lack of species diversity and presence of non-native species reflect the disturbed conditions of the project site.

The City’s Tree Preservation Ordinance (Ordinance (Ord. 2016-0026; City Code Chapter 12.56), protects City trees and certain private trees within city limits. The ordinance specifies that a tree permit is required to perform regulated work, including removal of protected trees. A tree permit for the removal of private protected trees must include a tree replacement plan. The ordinance requires that the tree replacement plan must provide for one inch of replacement tree for every inch of private protected tree or City tree

that is removed. Replacement trees may be planted on-site or off-site and must be monitored and maintained for the specified time period required for tree establishment.

STANDARDS OF SIGNIFICANCE

The significance criteria used to evaluate the project impacts to biological resources are based on Appendix G of the CEQA Guidelines, thresholds of significance adopted by the City in applicable general plans and previous environmental documents, and professional judgment. A significant impact related to biological resources would occur if the project would:

- creation of a potential health hazard, or use, production or disposal of materials that would pose a hazard to plant or animal populations in the area affected;
- substantial degradation of the quality of the environment, reduction of the habitat, reduction of population below self-sustaining levels of threatened or endangered species of plant or animal; or
- affect other species of special concern to agencies or natural resource organizations (such as regulatory waters and wetlands).

For the purposes of this document, “special-status” has been defined to include those species, which are:

- Listed as endangered or threatened under the federal Endangered Species Act (or formally proposed for, or candidates for, listing);
- Listed as endangered or threatened under the California Endangered Species Act (or proposed for listing);
- Designated as endangered or rare, pursuant to California Fish and Game Code (Section 1901);
- Designated as fully protected, pursuant to California Fish and Game Code (Section 3511, 4700, or 5050);
- Designated as species of concern by U.S. Fish and Wildlife Service (USFWS), or as species of special concern to California Department of Fish and Wildlife (CDFW);
- Plants or animals that meet the definition of rare or endangered under the California Environmental Quality Act (CEQA).

SUMMARY OF ANALYSIS UNDER THE 2035 GENERAL PLAN MASTER EIR AND APPLICABLE GENERAL PLAN POLICIES

Section 4.3 of the Master EIR evaluated the effects of the 2035 General Plan on biological resources within the City. The Master EIR identified potential impacts in terms of degradation of the quality of the environment or reduction of habitat or population below self-sustaining levels of special-status birds, through the loss of both nesting and foraging habitat.

Policies in the 2035 General Plan were identified as mitigating the effects of development that could occur under the provisions of the 2035 General Plan. Policy ER 2.1.5 calls for the City to preserve the ecological integrity of creek corridors and other riparian resources; Policy ER 2.1.10 requires the City to consider the potential impact on sensitive plants for each project and to require pre-construction surveys when appropriate; and Policy ER 2.1.11 requires the City to coordinate its actions with those of the CDFW, USFWS, and other agencies in the protection of resources.

The Master EIR discussed biological resources in Section 4.3. The Master EIR concluded that policies in the General Plan, combined with compliance with the California Endangered Species Act, Natomas Basin

Habitat Conservation Plan (when applicable) and CEQA would minimize the impacts on special-status species to a less-than-significant level (see Impact 4.3-1), and that the General Plan policies, along with similar compliance with local, state and federal regulation would reduce impacts to a less-than-significant level for habitat for special-status invertebrates, birds, amphibians and reptiles, mammals and fish (Impacts 4.3-3-6).

Given the prevalence of rivers and streams in the incorporated area, impacts to riparian habitat is a common concern. Riparian habitats are known to exist throughout the City, especially along the Sacramento and American rivers and their tributaries. The Master EIR discussed impacts of development adjacent to riparian habitat that could disturb wildlife species that rely on these areas for shelter and food and could also result in the degradation of these areas through the introduction of feral animals and contaminants that are typical of urban uses. The CDFW regulates potential impacts on lakes, streams, and associated riparian (streamside or lakeside) vegetation through the issuance of Lake or Streambed Alteration Agreements (SAA) (per Fish and Game Code Section 1602) and provides guidance to the City as a resource agency. While there are no federal regulations that specifically mandate the protection of riparian vegetation, federal regulations set forth in Section 404 of the Clean Water Act address areas that potentially contain riparian-type vegetation, such as wetlands.

The General Plan calls for the City to preserve the ecological integrity of creek corridors, canals and drainage ditches that support riparian resources (Policy ER 2.1.5) and wetlands (Policy ER 2.1.6) and requires habitat assessments and impact compensation for projects (Policy ER 2.1.10). has adopted a standard that requires coordination with state and federal agencies if a project has the potential to affect other species of special concern or habitats (including regulatory waters and wetlands) protected by agencies or natural resource organizations (Policy 2.1.11).

Implementation of 2035 General Plan Policy ER 2.1.5 would reduce the magnitude of potential impacts by requiring a 1:1 replacement of riparian habitat lost to development. While this would help mitigate impacts on riparian habitat, large open areas of riparian habitat used by wildlife could be lost and/or degraded directly and indirectly through development under the 2035 General Plan. Given the extent of urban development designated in the General Plan, the preservation and/or restoration of riparian habitat would likely occur outside of the city limits. The Master EIR concluded that the permanent loss of riparian habitat would be a less-than-significant impact. (Impact 4.3-7).

ANSWERS TO CHECKLIST QUESTIONS

A,B) As noted in the Biological Resources Assessment (Appendix B), results of the database searches revealed 23 special-status plant species that have potential to occur in the BRA search area. Of the 23 special-status plant species, one has moderate potential to occur within the BRA study area, Sanford's arrowhead, and five have low potential to occur within the project study area, including bristly sedge, Bolander's water-hemlock, Peruvian dodder, and Delta tule pea. However, as concluded in the BRA, the project site provides low to marginal quality habitat for these species due to regular disturbance and the overall dominance of non-native plants. Furthermore, none of these species were observed during the field survey.

Results of the database searches also revealed 25 listed or special-status wildlife species, or species proposed for listing as rare, threatened, or endangered by either the CDFW or the USFWS that have potential to occur in the BRA search area. Of these, 22 were removed from consideration due to lack of suitable habitat within or adjacent to the study, or due to the study area being outside of the species' known range.

The project study area provides potential habitat for birds of prey and migratory birds, including the burrowing owl, a California Species of Special Concern (SSC), and the state-threatened Swainson's hawk. Additionally, the project study area provides potential foraging habitat for the state-threatened and SSC tricolored blackbird and native bats, although nesting/roosting habitat is absent. Land covers on site provide poor to marginal quality habitat for these species due to regular human disturbance, surrounding development, and/or a lack of suitable microhabitat features.

None of these species were detected during the field survey, except for common and migratory birds protected by California Fish and Game Code and/or the Migratory Bird Treaty Act (MBTA). Although a small area of annual grassland would no longer be available as foraging habitat for these species following project development, these species are expected to use this parcel infrequently under existing conditions given the project study area's location within a matrix of generally unsuitable urban development. Moreover, similar or higher quality habitats are regionally abundant.

All native birds in California are protected by the federal MBTA and Section 3503.5 of the California Fish and Game Code, which specifically protects raptors. The two trees slated for removal could provide nesting habitat for native birds protected by the MBTA and the California Fish and Game Code. Destruction or other adverse impacts to active nests with eggs or chicks during construction could be considered a violation of these regulations and be considered potentially significant impacts under CEQA. Implementation of Mitigation Measure BIO-1 would ensure that no impacts would occur to nesting bird species, if present during construction. Therefore, impacts to special-status wildlife and plant species would be less-than-significant with mitigation.

The proposed project includes a gas station which could create a potential health hazard to plant or wildlife resources on the project site. However, as discussed above, the site does not contain any special-status, or protected, plant or animal species. In addition, construction and operation of the gas station would be required to comply with all federal, state and local requirements that oversee and regulate construction and operation of gas stations. Therefore, the project would not result in an additional environmental effect.

- C) As described in in Appendix B, two aquatic resources were identified within in the project study area that are within the Caltrans right-of-way. A drainage ditch flows to the southwest along the eastern and southern perimeter of the project site. This unnamed drainage ditch varies in depth and width along the perimeter of the project study area but is generally four feet deep and 20 feet wide. During the field survey, the feature was observed supporting annual grassland species consistent with the surrounding upland, but also included facultative species along its bed and banks, including perennial pepper weed, fennel, Italian rye grass, and curly dock. During the biological resource field survey, ponded water, approximately 2 inches deep, was present within the southeastern corner of the drainage at the location of a freshwater emergent wetland. Freshwater emergent wetlands are characterized by frequent flooding and can support vegetation. The project does not propose to develop impervious surface or structures within the area mapped as a freshwater emergent wetland; however, the project does include the construction of a new 12-inch storm drain line within this area. The project also involves the construction of a new driveway to and from West Stockton Boulevard which would cross an approximately 1,000 square foot portion of the drainage ditch. Therefore, the project has the potential to affect jurisdictional wetlands.

To address this potential impact, the project would implement Mitigation Measure BIO-2. This mitigation measure requires a qualified wetland scientist to delineate such resources and ensure they are not directly affected by construction activities. Mitigation Measure BIO-3 also requires, in the scenario that impacts to these resources are unavoidable, as determined by the wetland scientist, that compensatory mitigation be made at a 1:1 ratio for temporary impacts and 2:1 for permanent impacts. This mitigation measure also requires the preparation of project-specific mitigation plan which would specify the criteria and standards for compensation of potential wetland impacts. Through the implementation of these mitigation measures, potential impact to regulatory wetlands would be reduced to a less-than-significant level.

MITIGATION MEASURES

Compliance with the following mitigation measures would ensure any tree removal during nesting season would be subject to nesting bird surveys and that potentially regulated wetlands are delineated and work

impacting them is permitted accordingly. Compliance with this mitigation measure would reduce the impacts to nesting birds and potentially regulated wetlands to less than significant.

Mitigation Measure BIO-1 (Construction)

Project construction could result in impacts to nesting birds, including the loss of active nests with eggs or fledglings tree removal occurs during the nesting season (generally February 1 through August 30, depending on the species). All native migratory bird species are protected by the federal Migratory Bird Treaty Act; active nests of all birds are protected under California Fish and Game Code 3503, and individual raptors (and their active nests) are protected under 3503.5. If tree removal is slated to occur during the nesting season, a preconstruction nesting bird survey shall be conducted by a qualified biologist no sooner than 10 days prior to tree removal, construction and any ground-disturbance activities, to determine if any native birds are nesting on or immediately adjacent to the site (including a 250-foot buffer for raptors). If any active nests are observed during the survey, a suitable avoidance buffer shall be determined and flagged by the qualified biologist based on species, location, and planned construction activity. These nests shall be avoided until the chicks have fledged and the nests are no longer active, as determined by the biologist.

Mitigation Measure BIO-2 (Aquatic Resource Avoidance)

Final design of the proposed project shall avoid jurisdictional aquatic resources regulated by the U.S. Army Corps of Engineers, Regional Water Control Board, and California Department of Fish and Wildlife, to the maximum extent practicable. A qualified wetland scientist shall delineate such resources to the applicable standards of each agency before or during the early stages of project design so that they can be clearly identified on construction documents. All jurisdictional aquatic resources not directly affected by construction activities shall be avoided and protected by establishing staking, flagging or fencing between the identified construction areas and aquatic resources to be avoided.

Mitigation Measure BIO-3 (Aquatic Resource Compensation)

For any unavoidable impacts to jurisdictional aquatic resources, the City shall ensure that there is no net loss of such resources. This shall be accomplished by providing compensatory mitigation at a minimum ratio of 1:1 for temporary impacts and 2:1 for permanent impacts, or at other ratios as determined through negotiations with the regulatory agencies. A project-specific mitigation plan shall be developed for submittal to the U.S. Army Corps of Engineers, Regional Water Control Board, and/or California Department of Fish and Wildlife, as appropriate, through their respective regulatory permitting processes, and implemented. The mitigation plan shall specify the criteria and standards by which the mitigation will compensate for impacts of the proposed project and include discussion of the following:

- a) The mitigation objectives and type and amount of mitigation to be implemented;
- b) The location of the proposed mitigation site(s);
- c) The methods to be employed for mitigation implementation (jurisdictional aquatic resource establishment, re-establishment, enhancement, and/or preservation);
- d) Success criteria and a monitoring program to ensure mitigation success; and
- e) Adaptive management and remedial measures if performance standards are not achieved.

FINDINGS

All additional significant environmental effects of the proposed project relating to Biological Resources can be mitigated to a less-than-significant level.

Issues:	Potentially Significant Effect	Effect can be mitigated to less than significant	No significant environmental effect
4. CULTURAL RESOURCES Would the project: A) Cause a substantial adverse change in the significance of a historical or archaeological resource as defined in § 15064.5?		X	
B) Directly or indirectly destroy a unique paleontological resource?		X	
C) Disturb any human remains?		X	

ENVIRONMENTAL SETTING

The City of Sacramento and the surrounding area are known to have been occupied by Native American groups for thousands of years prior to settlement by non-Native peoples. Archaeological materials, including human burials, have been found throughout the city. Human burials outside of formal cemeteries often occur in prehistoric contexts. Areas of high sensitivity for archaeological resources, as identified in the 2035 General Plan Background Report (which provides information on the existing environmental setting), are located within close proximity to the Sacramento and American rivers and other watercourses (City of Sacramento 2015).

The 2035 General Plan land use diagram designates a wide swath of land along the American River as Parks, which limits development and impacts on sensitive prehistoric resources. High sensitivity areas may be found in other areas related to the ancient flows of the rivers, with differing meanders than found today. Recent discoveries during infill construction in downtown Sacramento have shown that the downtown area is highly sensitive for both historic- and prehistoric-period archaeological resources. Native American burials and artifacts were found in 2005 during construction of the New City Hall and historic period archaeological resources are abundant downtown due to the evolving development of the area and, in part, to the raising of the surface street level in the 1860s and 1870s, which created basements out of the first floors of many buildings.

The project site is an undeveloped parcel located in a developed, urbanized area of the city. The project site is not located near any rivers, streams, water source, or any of the sensitive cultural resource areas described above.

The 2035 General Plan Background Report designates areas within the City that have the potential to have high or moderate sensitivity for archeological resources. The project site is not located within an area of high or moderate archeological sensitivity according to this report (City of Sacramento 2015).

STANDARDS OF SIGNIFICANCE

The significance criteria used to evaluate the project impacts to cultural resources are based on Appendix G of the CEQA Guidelines, thresholds of significance adopted by the City in applicable general plans and previous environmental documents, and professional judgment. A significant impact related to cultural resources would occur if the project would:

- cause a substantial change in the significance of a historical or archaeological resource as defined in CEQA Guidelines Section 15064.5; or

- directly or indirectly destroy a unique paleontological resource; or
- a substantial adverse change in the significance of such resources.

SUMMARY OF ANALYSIS UNDER THE 2035 GENERAL PLAN MASTER EIR AND APPLICABLE GENERAL PLAN POLICIES

The Master EIR evaluated the potential effects of development under the 2035 General Plan on prehistoric and historic resources; see Chapter 4.4. General plan policies identified as reducing such effects call for identification of resources on project sites (Policy HCR 2.1.1), implementation of applicable laws and regulations (Policy HCR 2.1.2), early consultation with owners and land developers to minimize effects (Policy HCR 2.1.10) and encouragement of adaptive reuse of historic resources (Policy HCR 2.1.14). Demolition of historic resources is deemed a last resort (Policy HCR 2.1.15).

The Master EIR concluded that implementation of the 2035 General Plan would have a significant and unavoidable effect on historic resources and archaeological resources (Impacts 4.4-1, -2).

Section 7050.5 of the California Health and Safety Code states that it is a misdemeanor to knowingly disturb a human grave. In the unlikely event that human graves are encountered on the project site, work should halt in the vicinity and the County Coroner should be notified immediately. At the same time, an archeologist should be contacted to evaluate the situation and grave. If the human remains are determined to be of Native American origin, the Coroner must contact the NAHC within 24 hours of identification.

ANSWERS TO CHECKLIST QUESTIONS

- A,B) According to Chapter 6, Environmental Resources, of the General Plan Technical Background Report, the project site is not located in area of high sensitivity for subsurface prehistoric or historic-era resources. However, it is always possible that archaeological and paleontological deposits are present at subsurface levels. Implementation of Mitigation Measure CUL-1 would reduce potential impacts to cultural and paleontological resources that may be unexpectedly discovered during project construction activities to less than significant; therefore, there would be no additional significant environmental effect.
- C) In the event human remains are unearthed during construction state law (Section 7050.5 of the California Health and Safety Code) sets forth specific protocol in the unlikely event human remains are encountered, which includes stopping work in the vicinity and the County Coroner be notified immediately. If the human remains are determined to be of Native American origin, the Coroner must contact the NAHC within 24 hours. Compliance with this existing requirement, as provided in Mitigation Measure CUL-2 would ensure any impacts to discovered human remains would be less than significant and that there would be no additional significant environmental effect.

MITIGATION MEASURES

Mitigation Measure CUL-1: In the Event that Cultural Resources Are Discovered During Construction, Implement Avoidance and Minimization Measures to Avoid Significant Impacts and Procedures to Evaluate Resources.

If cultural resources (such as structural features, unusual amounts of bone or shell, artifacts, or human remains) are encountered at the project site during construction, work shall be suspended within 100 feet of the find (based on the apparent distribution of cultural materials), and the construction contractor shall immediately notify the project's City representative. Avoidance and preservation in place is the preferred manner of mitigating impacts to cultural resources. This will be accomplished, if feasible, by several alternative means, including:

- Planning construction to avoid archaeological sites and/or other cultural resources; incorporating cultural resources within parks, green-space or other open space; covering archaeological resources; deeding a cultural resource to a permanent conservation easement; or other preservation and protection methods agreeable to consulting parties and regulatory authorities with jurisdiction over the activity.
- Recommendations for avoidance of cultural resources will be reviewed by the City representative and other appropriate agencies, in light of factors such as costs, logistics, feasibility, design, technology and social, cultural and environmental considerations, and the extent to which avoidance is consistent with project objectives. Avoidance and design alternatives may include realignment within the project site to avoid cultural resources, modification of the design to eliminate or reduce impacts to cultural resources or modification or realignment to avoid highly significant features within a cultural resource.
- If the discovered cultural resource can be avoided, the construction contractor(s), will install protective fencing outside the site boundary, including a 100-foot buffer area, before construction restarts. Use of temporary and permanent forms of protective fencing will be determined in consultation with Native American representatives from interested culturally affiliated Native American tribes.
- The construction contractor(s) will maintain the protective fencing throughout construction to avoid the site during all remaining phases of construction. The area will be demarcated as an “Environmentally Sensitive Area”.

If a cultural resource cannot be avoided, the following performance standard shall be met prior to continuance of construction and associated activities that may result in damage to or destruction of cultural resources:

- Each resource will be evaluated for California Register of Historical Resources- (CRHR) eligibility through application of established eligibility criteria (California Code of Regulations 15064.636), in consultation with consulting Native American Tribes, as applicable.

If a cultural resource is determined to be eligible for listing in the CRHR, the City will avoid damaging effects to the resource in accordance with California PRC Section 21084.3, if feasible. The City shall coordinate the investigation of the find with a qualified archaeologist (meeting the Secretary of the Interior’s Professional Qualifications Standards for Archeology) approved by the City. As part of the site investigation and resource assessment, the City and the archaeologist shall assess the significance of the find, make recommendations for further evaluation and treatment as necessary and provide proper management recommendations should potential impacts to the resources be determined by the City to be significant. A written report detailing the site assessment, coordination activities, and management recommendations shall be provided to the City representative by the qualified archaeologist. These recommendations will be documented in the project record.

Mitigation Measure CUL-2: Implement Procedures in the Event of the Inadvertent Discovery of Human Remains.

If an inadvertent discovery of human remains is made at any time during Project-related construction activities or Project planning, the City the following performance standards shall be met prior to implementing or continuing actions such as construction, which may result in damage to or destruction of human remains. In accordance with the California Health and Safety Code (HSC), if human remains are encountered during ground-disturbing activities, the City shall immediately halt potentially damaging excavation in the area of the remains and notify the Sacramento County Coroner and a professional

archaeologist to determine the nature of the remains. The Coroner is required to examine all discoveries of human remains within 48 hours of receiving notice of a discovery on private or State lands (HSC Section 7050.5[b]).

If the human remains are of historic age and are determined to be not of Native American origin, the City will follow the provisions of the HSC Section 7000 (et seq.) regarding the disinterment and removal of non-Native American human remains.

If the Coroner determines that the remains are those of a Native American, he or she must contact the Native American Heritage Commission (NAHC) by phone within 24 hours of making that determination (HSC Section 7050[c]). After the Coroner's findings have been made, the archaeologist and the NAHC-designated Most Likely Descendant (MLD), in consultation with the landowner, shall determine the ultimate treatment and disposition of the remains. The responsibilities of the City for acting upon notification of a discovery of Native American human remains are identified in California PRC Section 5097.9 et seq.

FINDINGS

All additional significant environmental effects of the proposed project relating to Cultural Resources can be mitigated to a less-than-significant level.

Issues:	Potentially Significant Effect	Effect can be mitigated to less than significant	No significant environmental effect
5. <u>ENERGY</u> Would the project:			
A) Result in a potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy, or wasteful use of energy resources, during project construction or operation?			X
B) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?			X

ENVIRONMENTAL SETTING

Sacramento Municipal Utility District (SMUD) is a community-owned and not-for-profit utility that provides electric services to 900 square miles, including most of Sacramento County. Pacific Gas and Electric (PG&E) is an inventory-owned utility that provides electric and natural gas services to approximately 16 million people within a 70,000-square-mile service area in both northern and central California. SMUD is the primary electricity supplier, and PG&E is the primary natural gas supplier for the City and the project area.

Energy demand related to the proposed project would include energy directly consumed for space heating and cooling and proposed electric facilities and lighting. Indirect energy consumption would be associated with the generation of electricity at power plants. Transportation-related energy consumption includes the use of fuels and electricity to power cars, trucks, and public transportation. Energy would also be consumed by equipment and vehicles used during project construction and routine maintenance activities.

California Green Building Standards

The energy consumption of new residential and nonresidential buildings in California is regulated by the state's Title 24, Part 6, Building Energy Efficiency Standards (California Energy Code). The California Energy Code was established by CEC in 1978 in response to a legislative mandate to create uniform building codes to reduce California's energy consumption and provide energy efficiency standards for residential and non-residential buildings. CEC updates the California Energy Code every 3 years with more stringent design requirements for reduced energy consumption, which results in the generation of fewer GHG emissions.

The 2019 California Energy Code was adopted by CEC on May 9, 2018 and applies to projects constructed after January 1, 2020. The 2019 California Energy Code is designed to move the State closer to its zero-net energy goals for new residential development. It does so by requiring all new residences to install enough renewable energy to offset all the electricity needs of each residential unit (California Code of Regulations (CCR), Title 24, Part 6, Section 150.1(c)4). CEC estimates that the combination of mandatory on-site renewable energy and prescriptively required energy efficiency standards will result in a 53 percent reduction in new residential construction as compared to the 2016 California Energy Code. Non-residential buildings are anticipated to reduce energy consumption by 30% as compared to the 2016 California Energy Code primarily through prescriptive requirements for high efficiency. The Energy Code is enforced through the local plan check and building permit process. Local government agencies may adopt and enforce additional energy standards for new buildings as reasonably necessary due to local climatologic, geologic, or topographic conditions, provided that these standards exceed those provided in the California Energy Code.

STANDARDS OF SIGNIFICANCE

The significance criteria used to evaluate the project impacts to energy are based on Appendix G of the CEQA Guidelines, thresholds of significance adopted by the City in applicable general plans and previous environmental documents, and professional judgment. A significant impact related to energy would occur if the project would:

- result in a potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy, or wasteful use of energy resources, during project construction or operation; and/or
- conflict with or obstruct a state or local plan for renewable energy or energy efficiency.

SUMMARY OF ANALYSIS UNDER THE 2035 GENERAL PLAN MASTER EIR AND APPLICABLE GENERAL PLAN POLICIES

Structures built would be subject to Titles 20 and 24 of the California Code of Regulations, which reduce demand for electrical energy by implementing energy-efficient standards for residential and non-residential buildings. The 2035 General Plan includes policies (see 2035 General Plan Energy Resources Goal U 6.1.1) and related policies to encourage energy-efficient technology by offering rebates and other incentives to commercial and residential developers, coordination with local utility providers and recruitment of businesses that research and promote energy conservation and efficiency.

The Master EIR discussed energy conservation and relevant General Plan policies in section 6.3 (page 6-3). The discussion concluded that with implementation of the General Plan policies and energy regulation (e.g., Title 24) development allowed in the General Plan would not result in the inefficient, wasteful or unnecessary consumption of energy. See also Section 12, below, discussing impacts related to energy. The Master EIR concluded that implementation of state regulation, coordination with energy providers and implementation of general plan policies would reduce the potential impacts from construction of new energy production or transmission facilities to a less-than-significant level.

Structures built would be subject to Titles 20 and 24 of the California Code of Regulations, which reduce demand for electrical energy by implementing energy-efficient standards for residential and non-residential buildings. The 2035 General Plan includes policies (see 2035 General Plan Energy Resources Goal U 6.1.1) and related policies to encourage energy-efficient technology by offering rebates and other incentives to commercial and residential developers, coordination with local utility providers and recruitment of businesses that research and promote energy conservation and efficiency.

The Master EIR discussed energy conservation and relevant General Plan policies in Section 6.3 (page 6-3). The discussion concluded that with implementation of the General Plan policies and energy regulation (e.g., Title 24) development allowed in the General Plan would not result in the inefficient, wasteful or unnecessary consumption of energy.

The Master EIR concluded that implementation of state regulation, coordination with energy providers and implementation of General Plan policies would reduce the potential impacts from construction of new energy production or transmission facilities to a less-than-significant level.

ANSWERS TO CHECKLIST QUESTIONS

A,B) Neither federal or state law nor the State CEQA Guidelines establish thresholds that define when energy consumption is considered wasteful, inefficient and unnecessary. Compliance with CCR Title 24 Energy Efficiency Standards would result in energy-efficient buildings. However, compliance with building codes does not adequately address all potential energy impacts during construction and operation. For example, energy would be required to transport people and goods to and from the project site. If approved, construction is anticipated 8 months to clear and grade the site and construct the gas station and associated convenience store. The amount of energy required to construct and operate the project is not anticipated to exceed what the City has assumed for development of these types of uses throughout the city. Impacts would be less than significant and there would be no additional significant effect.

FINDINGS

The proposed project would have no additional project-specific environmental effects relating to Energy.

Issues:	Potentially Significant Effect	Effect can be mitigated to less than significant	No significant environmental effect
6. <u>GEOLOGY AND SOILS</u> A) Would the project allow a project to be built that will either introduce geologic or seismic hazards by allowing the construction of the project on such a site without protection against those hazards?			X

ENVIRONMENTAL SETTING

A Geotechnical Engineering Study was prepared for the project by CMT Engineering Laboratories in August 2020 (see Appendix C). Based on the report soils present on the site consist of fill material consisting of clay, silt, and sand to depths of 6 to 12 inches below the existing ground surface (bgs). The native soils underlying the fill consist of Riverbank Formation (Qr).

The California Geologic Survey (CGS) has designated certain areas within California as potential liquefaction hazard zones. The project site is not located within a liquefaction hazard zone mapped by the CGS, and other seismically induced hazards, such as lateral spreading, should also be considered low.

During the report, groundwater was encountered at a depth of about 55 feet bgs. Saturated soils below the groundwater depths consisted of hard to very hard silt and very dense sand lenses. The report determined that because of these conditions, soils are not likely to liquefy during seismic events.

STANDARDS OF SIGNIFICANCE

The significance criteria used to evaluate the project impacts to geology and soils are based on Appendix G of the CEQA Guidelines, thresholds of significance adopted by the City in applicable general plans and previous environmental documents, and professional judgment. A significant impact related to geology and soils would occur if the project would:

- allows a project to be built that will either introduce geologic or seismic hazards by allowing the construction of the project on such a site without protection against those hazards.

SUMMARY OF ANALYSIS UNDER THE 2035 GENERAL PLAN MASTER EIR AND APPLICABLE GENERAL PLAN POLICIES

Chapter 4.5 of the Master EIR evaluated the potential effects related to seismic hazards, underlying soil characteristics, slope stability, erosion, existing mineral resources and paleontological resources in the city. Implementation of identified policies in the 2035 General Plan reduced all effects to a less-than-significant level. Policy EC 1.1.1 requires regular review of the City's seismic and geologic safety standards, and Policy EC 1.1.2 requires geotechnical investigations for project sites to identify and respond to geologic hazards, when present.

ANSWERS TO CHECKLIST QUESTIONS

- A) The Geotechnical Engineering Study prepared by CMT Engineering Laboratories concludes that project foundations and floor slabs for the gas station and convenience store may be constructed on suitable undisturbed natural soils on site or engineered fill which extend the natural site soils. The Study also provides foundation recommendations on the basis of their project site analysis. Project construction and design would be required to comply with the recommendations set forth in the Geotechnical Engineering Study to ensure proposed development is properly supported. Adherence to geotechnical recommendations would be a requirement of the project's civil improvement plan submittal to be verified during the building permit plan check process by the Department of Utilities. Adherence to these recommendations would reduce the impact to a less-than-significant level and there would be no additional significant environmental effect.

FINDINGS

The proposed project would have no additional project-specific environmental effects relating to Geology and Soils.

Issues:	Potentially Significant Effect	Effect can be mitigated to less than significant	No significant environmental effect
<p>7. <u>GREENHOUSE GAS EMISSIONS</u></p> <p><i>Would the proposal:</i></p> <p>A) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?</p>		X	
<p>B) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?</p>		X	

ENVIRONMENTAL SETTING

The City is located within the SVAB, which is a valley bounded by the North Coast Mountain Ranges to the west and the Northern Sierra Nevada Mountains to the east. The terrain in the valley is flat and approximately 25 feet above sea level.

Hot, dry summers and mild, rainy winters characterize the Mediterranean climate of the Sacramento Valley. Throughout the year, daily temperatures may range by 20 degrees Fahrenheit with summer highs often exceeding 100 degrees and winter lows occasionally below freezing. Average annual rainfall is about 20 inches and snowfall is very rare. Summertime temperatures are normally moderated by the presence of the “Delta breeze” that arrives through the Carquinez Strait in the evening hours.

The mountains surrounding the SVAB create a barrier to airflow, which can trap air pollutants in the valley. The highest frequency of air stagnation occurs in the autumn and early winter when large high-pressure cells lie over the valley. The lack of surface wind during these periods and the reduced vertical flow caused by less surface heating reduces the influx of outside air and allows air pollutants to become concentrated in a stable volume of air. The surface concentrations of pollutants are highest when these conditions are combined with temperature inversions that trap cooler air and pollutants near the ground.

The warmer months in the SVAB (May through October) are characterized by stagnant morning air or light winds, and the Delta breeze that arrives in the evening out of the southwest. Usually, the evening breeze transports a portion of airborne pollutants to the north and out of the Sacramento Valley. During about half of the day from July to September, however, a phenomenon called the “Schultz Eddy” prevents this from occurring. Instead of allowing the prevailing wind patterns to move north carrying the pollutants out of the valley, the Schultz Eddy causes the wind pattern to circle back south. This phenomenon exacerbates the pollution levels in the area and increases the likelihood of violating federal or state standards. The Schultz Eddy normally dissipates around noon when the Delta breeze begins.

Greenhouse Gases

Certain gases in the earth’s atmosphere, classified as greenhouse gases (GHGs), play a critical role in determining the earth’s surface temperature. GHGs are responsible for “trapping” solar radiation in the earth’s atmosphere, a phenomenon known as the greenhouse effect. Prominent GHGs contributing to the greenhouse effect are carbon dioxide (CO₂), methane, nitrous oxide, hydrofluorocarbons, perfluorocarbons, and sulfur hexafluoride. Human-caused emissions of these GHGs in excess of natural ambient concentrations are believed responsible for intensifying the greenhouse effect and leading to a trend of

unnatural warming of the earth's climate, known as global climate change or global warming. Emissions of GHGs contributing to global climate change are attributable, in large part, to human activities associated with on-road and off-road transportation, industrial/manufacturing, electricity generation by utilities and consumption by end users, residential and commercial on-site fuel usage, and agriculture and forestry. Emissions of CO₂ are, largely, byproducts of fossil fuel combustion.

The quantity of GHGs in the atmosphere responsible for climate change is not precisely known, but it is enormous. No single project alone would measurably contribute to an incremental change in the global average temperature or to global or local climates or microclimates. From the standpoint of CEQA, GHG impacts relative to global climate change are inherently cumulative.

Several regulations currently exist related to GHG emissions, predominantly Assembly Bill (AB) 32, Executive Order S-3-05, Senate Bill (SB) 32, and AB 1279. AB 32 requires that Statewide GHG emissions be reduced to 1990 levels by 2020. Executive Order S-3-05 established the GHG emission reduction target for the State to reduce to the 2000 level by 2010, the 1990 level by 2020 (AB 32), 40% below the 1990 level by 2030, and to 80% below the 1990 level by 2050 (SB 32). AB 1279 establishes a policy of the state to achieve net zero GHG emissions no later than 2045 and for statewide anthropogenic GHG emissions to be reduced to at least 85% below 1990 levels by 2045. To meet the statewide GHG emission targets, the City adopted the City of Sacramento Climate Action Plan (CAP) on February 14, 2012 to comply with AB 32. The CAP identified how the City and the broader community could reduce Sacramento's GHG emissions and included reduction targets, strategies, and specific actions. In 2015, the City of Sacramento adopted the 2035 General Plan Update. The update incorporated measures and actions from the CAP into Appendix B of the General Plan, General Plan CAP Policies and Programs, which includes citywide policies and programs that are supportive of reducing GHG emissions.

STANDARDS OF SIGNIFICANCE

The significance criteria used to evaluate the project impacts to greenhouse gas emissions are based on Appendix G of the CEQA Guidelines, thresholds of significance adopted by the City in applicable general plans and previous environmental documents, and professional judgment. A significant impact related to greenhouse gas emissions would occur if the project would:

- have a significant effect relating the GHG emissions if the project's emissions are less than or equal to 1,100 metric tons (MT) of carbon dioxide equivalent (CO₂e) per year or it fails to satisfy the requirements of the City's Climate Action Plan

SUMMARY OF ANALYSIS UNDER THE 2035 GENERAL PLAN MASTER EIR AND APPLICABLE GENERAL PLAN POLICIES

The Master EIR found that GHG emissions that would be generated by development consistent with the 2035 General Plan would contribute to climate change on a cumulative basis. Policies of the General Plan identified in the Master EIR that would reduce construction related GHG emissions include: ER 6.1.2, ER 6.1.11 requiring coordination with SMAQMD to ensure feasible mitigation measures are incorporated to reduce GHG emissions, and ER 6.1.15. The 2035 General Plan incorporates the GHG reduction strategy of the 2012 CAP, which demonstrates compliance mechanism for achieving the City's adopted GHG reduction target of 15% below 2005 emissions by 2020. Policy ER 6.1.8 commits the City to assess and monitor performance of GHG emission reduction efforts beyond 2020, and progress toward meeting long-term GHG emission reduction goals, ER 6.1.9 also commits the City to evaluate the feasibility and effectiveness of new GHG emissions reduction measures in view of the City's longer-term GHG emissions reduction goal.

The City is currently updating its 2035 General Plan (2040 General Plan) and has also prepared a draft Climate Action & Adaptation Plan (Sacramento 2040 Project). The comment period for review of the draft 2040 Sacramento Project MEIR closed in October 2023. The draft 2040 General Plan and CAAP have not been adopted by the City but are slated to go before the City decision makers in early 2024. If the 2040

General Plan and CAAP are adopted both documents include goals, policies and Implementation Actions that would further the City's GHG reduction goals.

ANSWERS TO CHECKLIST QUESTIONS

A) **Construction**

Construction of the proposed project would also result in short-term GHG emissions, which are primarily associated with use of off-road construction equipment, on-road hauling and vendor (material delivery) trucks, and worker vehicles. CalEEMod was used to calculate the annual GHG emissions for project construction. Table 7-1, Project Estimated Annual Construction GHG Emissions, presents estimated construction emissions.

Table 7-1. Project Estimated Annual Construction GHG Emissions

Year	CO ₂	CH ₄	N ₂ O	R	CO ₂ e
	Metric Tons per Year				
2024	154.07	0.01	0.01	0.10	156.21
2025	29.71	<0.01	<0.01	0.02	30.21
<i>Pollutant Threshold</i>					<i>1,100</i>
Threshold Exceeded?					No

Notes: MT = metric tons; CO₂ = carbon dioxide; CH₄ = methane; N₂O = nitrous oxide; R = refrigerants; CO₂e = carbon dioxide equivalent; <0.01 = value less than reported 0.01.

Source: Appendix A.

As shown in Table 7-1, estimated annual construction related GHG emissions would be approximately 156 MT CO₂e in 2024 and 30 MT CO₂e in 2025. Therefore, construction activities would not exceed the applied threshold of 1,100 MT CO₂e per year and the impact would be less than significant.

Operation

Long-term operational emissions would occur over the life of the project. The proposed project would be considered to have a significant effect relating to operational GHG emissions if it fails to comply with the City's GHG policies. As shown in Table 7-2, the proposed project would contribute an estimated 1,504 MT of GHGs annually. However, the proposed project has committed to reducing GHG emissions. The proposed project would comply with the City's 2035 General Plan Land Use and Urban Form Designations and Development Standards and would be consistent with the allowable density standards specified in the General Plan. In addition, the project is consistent with General Plan goals supporting infill development (LU 1.1, 1.1.4, 1.1.5 and 1.1.10) and sustainable development patterns (LU 2.6.1), that all support the City's CAP. The proposed project would include two fast Charging EV Stations (Level 3) and 3 EV Spaces which would be designated for future charging infrastructure.

In addition, from the Air Quality and Land Use Handbook: A Community Health Perspective (Cal EPA, CARB 2005), the siting of gasoline stations should be separated from sensitive land uses by 50 feet or more (for gas stations with an annual throughput of 3.6 million gallons or less). The proposed gas pumps would be greater than 50 feet from any sensitive land uses. Additionally, the handbook notes on page 31 that, "A well-maintained vapor recovery system can decrease emissions of benzene by more than 90% compared to an uncontrolled facility." Further, CARB adopted the Airborne Toxic Control Measure (ATCM) for emissions of benzene from gas stations. The ATCM reflects the use of best available control technology which requires the installation of CARB-certified Phase I and II vapor recovery control equipment at all retail service stations. The ATCM is designed to reduce benzene and total hydrocarbon emissions by 95% (CARB 1988). The proposed project is required to install CARB-certified Phase I and II vapor recovery control equipment which would further reduce harmful emissions.

Table 7-2. Project Estimated Annual Operational GHG Emissions

Source	CO ₂	CH ₄	N ₂ O	R	CO _{2e}
	Metric Tons per Year				
Area	0.07	<0.01	<0.01	-	0.07
Energy	28.89	<0.01	<0.01	-	28.97
Mobile	1,318.50	0.10	0.08	2.22	1,346.00
Solid Waste	0.98	0.10	0.00	-	3.43
Water Supply and Wastewater	0.22	<0.01	<0.01	-	0.30
Refrigerants	-	-	-	125.63	125.63
				Total	1,504.40

Notes: MT = metric tons; CO₂ = carbon dioxide; CH₄ = methane; N₂O = nitrous oxide; R = refrigerants; CO_{2e} = carbon dioxide equivalent; <0.01 = value less than reported 0.01.

Source: Appendix A.

As shown in Table 7-2, the proposed project’s estimated annual operational GHG emissions would be approximately 1,504 MT CO_{2e}. Therefore, the proposed project would exceed the applied threshold of 1,100 MT CO_{2e} per year and the impact would be potentially significant.

B) Consistency with CARB’s Scoping Plan

The Scoping Plan (approved by CARB in 2008 and updated in 2014, 2017, and 2022) provides a framework for actions to reduce California’s GHG emissions and requires CARB and other state agencies to adopt regulations and other initiatives to reduce GHGs. The Scoping Plan is not directly applicable to specific projects or cities/counties (i.e., the Scoping Plan does not require the City to adopt policies, programs, or regulations to reduce GHG emissions), nor is it intended to be used for project-level evaluations. Under the Scoping Plan, however, there are several state regulatory measures aimed at the identification and reduction of GHG emissions, and new regulations adopted by the state agencies outlined in the Scoping Plan result in GHG emissions reductions at the local level. CARB and other state agencies have adopted many of the measures identified in the Scoping Plan. Most of these measures focus on area source emissions (e.g., energy usage, high-GWP GHGs in consumer products) and changes to the vehicle fleet (i.e., hybrid, electric, and more fuel-efficient vehicles) and associated fuels (e.g., Low Carbon Fuel Standard), among others. As a result, local jurisdictions benefit from reductions in transportation emissions rates, increases in water efficiency in the building and landscape codes, and other statewide actions that would affect a local jurisdiction’s emissions inventory from the top down.

The project would be required to adhere to the programs and regulations identified by the Scoping Plan and implemented by state, regional, and local agencies to achieve the statewide GHG reduction goals of AB 32 and SB 32, and in the future per AB 1279. For example, the project would be required to meet the CALGreen and Building Energy Efficiency Standards in effect at the time when applying for building permits. Furthermore, compliance with the City’s CAAP and General Plan includes goals, policies, and programs that would help reduce GHG emissions and therefore help achieve GHG reduction goals. Therefore, implementation of the proposed project would not obstruct implementation of the CARB Scoping Plan.

Consistency with Senate Bill 32, Assembly Bill 1279, and Executive Order S-3-05

Executive Order (EO) S-3-05 identified the following goals: GHG emissions should be reduced to 2000 levels by 2010, to 1990 levels by 2020, and to 80% below 1990 levels by 2050. SB 32 establishes a statewide GHG emissions reduction target whereby CARB, in adopting rules and regulations to achieve the maximum technologically feasible and cost-effective GHG emissions

reductions, shall ensure that statewide GHG emissions are reduced to at least 40% below 1990 levels by December 31, 2030. AB 1279 establishes a policy of the state to achieve net zero GHG emissions no later than 2045 and for statewide anthropogenic GHG emissions to be reduced to at least 85% below 1990 levels by 2045.

Each Scoping Plan builds upon the successful framework established by the initial Scoping Plan and subsequent updates, while also identifying new, technologically feasible, and cost-effective strategies to ensure that California meets increasingly stringent GHG reduction targets in a way that promotes and rewards innovation, continues to foster economic growth, and delivers improvements to the environment and public health, including in disadvantaged communities. The Scoping Plan updates have continued to express optimism in meeting future year targets of 2050 and 2030, as evaluated in the 2014 and 2017 Scoping Plans (respectively), and most recently, the 2045 goal addressed in the 2022 Scoping Plan under EO B-55-18, which AB 1279 codified and expanded on.

While there are no established protocols or thresholds of significance for that future year analysis, CARB forecasted in the 2014 Scoping Plan that compliance with the current Scoping Plan would put the state on a trajectory of meeting the long-term 2050 GHG goals, although the specific path to compliance was unknown at the time (CARB 2014). The 2017 Scoping Plan outlined a strategy to achieve the 2030 GHG reduction target. The proposed scenario in the 2022 Scoping Plan lays out a path not just to carbon neutrality by 2045, but also to the 2030 GHG emissions reduction target (CARB 2022). The modeling indicates that, if the plan described in the proposed scenario is fully implemented, and done so on schedule, the state is on track to reduce its emissions to 260 MMT CO_{2e} by 2030 (CARB 2022).

The proposed project would not interfere with implementation of any of the above-described GHG reduction goals for 2030, 2045, or 2050 because the proposed project would not conflict with the City's GHG policies as previously discussed. As such, the proposed project would not conflict with any applicable plan, policy, or regulation adopted for the purposes of reducing the emissions of GHGs. The proposed project's impact would be less than significant.

MITIGATION MEASURES

Compliance with the following measures already required by SMAQMD would ensure impacts would be less than significant.

Mitigation Measure GHG-1 (Operational Emissions)

The following best management practices (BMPs) shall be implemented during project operations:

- BMP 1 – No natural gas: the project shall be designed and constructed without natural gas infrastructure.
- BMP 2 – EV Ready: The project shall meet the current CALGreen Tier 2 standards.
 - EV Capable requires the installation of “raceway” (the enclosed conduit that forms the physical pathway for electrical wiring to protect it from damage) and adequate panel capacity to accommodate future installation of a dedicated branch circuit and charging station(s).
 - EV Ready requires all EV Capable improvements plus installation of dedicated branch circuit(s) (electrical pre-wiring), circuit breakers, and other electrical components, including a receptacle (240-volt outlet) or blank cover needed to support future installation of one or more charging stations.
- BMP 3 – Retail projects: The project shall achieve a no net increase in total vehicle miles traveled (VMT) to show consistency with SB 743.

FINDINGS

All additional significant environmental effects of the proposed project relating to GHGs can be mitigated to a less-than-significant level.

Issues:	Potentially Significant Effect	Effect can be mitigated to less than significant	No significant environmental effect
8. <u>HAZARDS</u> Would the project: A) Expose people (e.g., residents, pedestrians, construction workers) to existing contaminated soil during construction activities?			X
B) Expose people (e.g., residents, pedestrians, construction workers) to asbestos-containing materials or other hazardous materials?			X
C) Expose people (e.g., residents, pedestrians, construction workers) to existing contaminated groundwater during dewatering activities?			X

ENVIRONMENTAL SETTING

A Phase 1 Environmental Site Assessment (ESA) was prepared for the project by Cardno, Inc, in July 2020 (see Appendix D). Based on the report the site has remained as undeveloped vacant land since 1994 based on aerial photographs, interviews, topographic maps, and on-site observations. A review of federal, state, and tribal environmental regulatory databases and site reconnaissance visit did not reveal evidence of recognized environmental conditions (RECs) in connection with the subject property. The ESA therefore did not recommend any further action or investigation.

Federal and state regulations adopted by the SMAQMD apply to the identification and treatment of hazardous materials during demolition and construction activities. Failure to comply with these regulations respecting asbestos may result in a Notice of Violation being issued by the District and civil penalties under state and/or federal law, in addition to possible action by U.S. EPA under federal law.

STANDARDS OF SIGNIFICANCE

The significance criteria used to evaluate the project impacts to hazards are based on Appendix G of the CEQA Guidelines, thresholds of significance adopted by the City in applicable general plans and previous environmental documents, and professional judgment. A significant impact related to hazards would occur if the project would:

- expose people (e.g., residents, pedestrians, construction workers) to existing contaminated soil during construction activities;
- expose people (e.g., residents, pedestrians, construction workers) to asbestos-containing materials or other hazardous materials; or
- expose people (e.g., residents, pedestrians, construction workers) to existing contaminated groundwater during dewatering activities.

SUMMARY OF ANALYSIS UNDER THE 2035 GENERAL PLAN MASTER EIR AND APPLICABLE GENERAL PLAN POLICIES

The Master EIR evaluated effects of development on hazardous materials, emergency response and aircraft crash hazards; see Chapter 4.6. Implementation of the General Plan may result in the exposure of people to hazards and hazardous materials during construction activities, and exposure of people to hazards and hazardous materials during the life of the General Plan. Impacts identified related to construction activities and operations were found to be less than significant. Policies included in the 2035 General Plan, including PHS 3.1.1 (investigation of sites for contamination) and PHS 3.1.2 (preparation of hazardous materials actions plans when appropriate) were effective in reducing the identified impacts to less-than-significant levels.

ANSWERS TO CHECKLIST QUESTIONS

A) As discussed above, the Phase 1 ESA prepared for the project site did not identify any recognized, controlled, or historical RECs. The ESA also did not test for or identify other environmental conditions (such as asbestos-containing material, radon, lead, mold, and vapor encroachment) on site because of the undeveloped nature and history of the project site. Because no RECs were identified in the project ESA, the project would not expose people to contaminated soil during construction activities. There would be a less than significant impact and no additional significant environmental effect.

B,C) The project site is vacant so no buildings that could potentially include asbestos-containing materials or other environmental conditions listed above would be present and/or need to be removed. Construction of the project would not expose residents, pedestrians, construction workers) to asbestos-containing materials or other hazardous materials.

Per the Geotechnical Survey groundwater was encountered 55 feet bgs. Excavation activities to install the underground storage tank to store fuel are anticipated to be at a maximum depth of 12 feet. Therefore, excavation activities are not anticipated to require dewatering activities. Therefore, the project does not have the potential to expose construction workers to potential existing contaminated groundwater. These impacts would be less than significant and there would be no additional significant environmental effect.

FINDINGS

The proposed project would have no additional project-specific environmental effects relating to Hazards.

Issues:	Potentially Significant Effect	Effect can be mitigated to less than significant	No significant environmental effect
9. <u>HYDROLOGY AND WATER QUALITY</u> Would the project: A) Substantially degrade water quality and violate any water quality objectives set by the State Water Resources Control Board, due to increases in sediments and other contaminants generated by construction and/or development of the project?			X

B) Substantially increase the exposure of people and/or property to the risk of injury and damage in the event of a 100-year flood?			X
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ENVIRONMENTAL SETTING

The Federal Emergency Management Agency (FEMA) publishes Flood Insurance Rate Maps (FIRM) that delineates flood hazard zones for communities. According to the current FEMA flood maps, the project site is located in an area designated Zone X which means the site is generally protected from a 100-year flood event (FEMA 2018). Zone X flood risk is typically considered low hazard, usually between the limits of a 100- year and 500-year flood event. FEMA does not have building regulations for development in areas designated Zone X and would not require mandatory flood insurance for structures within this zone.

Sources of hydrology in the project area include precipitation and runoff from the surrounding areas. There is existing storm drainage infrastructure in the project area located in adjacent roadways. There are no creeks, wetlands, or other hydrologic features located with the project’s footprint. An existing drainage swale within a Caltrans right-of-way is located along the southern and eastern boundaries of the site that would not be developed. Stormwater is currently absorbed on site.

STANDARDS OF SIGNIFICANCE

The significance criteria used to evaluate the project impacts to hydrology and water quality are based on Appendix G of the CEQA Guidelines, thresholds of significance adopted by the City in applicable general plans and previous environmental documents, and professional judgment. A significant impact related to hydrology would occur if the project would:

- substantially degrade water quality and violate any water quality objectives set by the State Water Resources Control Board, due to increases in sediments and other contaminants generated by construction and/or development of the project; or
- substantially increase the exposure of people and/or property to the risk of injury and damage in the event of a 100-year flood.

SUMMARY OF ANALYSIS UNDER THE 2035 GENERAL PLAN MASTER EIR AND APPLICABLE GENERAL PLAN POLICIES

Chapter 4.7 of the Master EIR evaluates the potential effects of the 2035 General Plan as they relate to surface water, groundwater, flooding, stormwater and water quality. Potential effects include water quality degradation due to construction activities (Impacts 4.7-1, 4.7-2), and exposure of people to flood risks (Impacts 4.7-3). Policies included in the 2035 General Plan, including a directive for regional cooperation (Policies ER 1.1.2, EC 2.1.1), comprehensive flood management (Policy EC 2.1.23), and construction of adequate drainage facilities with new development (Policy ER 1.1.1 to ER 1.1.10) were identified that the Master EIR concluded would reduce all impacts to a less-than-significant level.

ANSWERS TO CHECKLIST QUESTIONS

- A) The proposed project includes a convenience store, gas station, surface parking, and landscaping on a 2.02-acre area. Development of the site would convert natural vegetated groundcover to paved impervious surfaces; the project would lead to 1.19 acres of new impervious surface. This could alter existing drainage patterns, site infiltration rates, and the rate of surface runoff. Sacramento City Code Section 13.08.145 addresses mitigation of drainage impacts and requires that when new development contributes runoff into the City’s storm drain system, all storm water and surface runoff drainage resulting from development must demonstrate it does not affect the function

of the storm drain system, and that there is no increase in flooding or in water surface elevation that adversely affects individuals, streets, structures, infrastructure, or property.

Storm water would be collected and treated onsite via a 4,108 square foot bioretention area along the southeast portion of the site. Storm water would be collected from new impervious surface and conveyed via new 12-inch diameter storm drain lines through this bioretention area and then conveyed into existing storm drain system within the Caltrans owned drainage swale running along the southerly and easterly sides of the project site. Storm water infrastructure serving the project site has been sized to accommodate projected development. The City operates under a Phase I National Pollutant Discharge Elimination System (NPDES) permit, which requires developers to include water quality and watershed protection measures for all development projects (City of Sacramento 2014). The City implements a comprehensive Storm Water Quality Improvement Plan (SQIP) to ensure compliance with its NPDES permit. The SQIP contains provisions for construction of storm water control and post-construction storm water control for new development. These include storm water quality treatment and/or best management practices (BMPs) that are required to be implemented in the project design phase. The project is also subject to the City's onsite treatment, Low Impact Development (LID), and Hydromodification Management Plan (HMP) requirements; and would also be required to implement source control measures and certified full capture trash devices pursuant to the Sacramento Region Stormwater Quality Design Manual (City of Sacramento 2018a).

Site grading and excavation and construction activities would create the potential to degrade water quality from increased sedimentation and increased storm water runoff. Construction projects that involve disturbance of over one acre of land are required by law to seek coverage under the NPDES General Permit for Storm Water Discharges Associated with Construction and Land Disturbance Activities (Construction General Permit, SWRCB Order No. 2010-0014-DWQ / NPDES No. CAS0085324, Order R5-2016-0040 as amended). To comply with this permit, construction projects disturbing over one acre must prepare a Storm Water Pollution Prevention Plan (SWPPP), which specifies BMPs to reduce the contribution of sediments, spilled and leaked liquids from construction equipment, and other construction-related pollutants to storm water runoff. The project would be required to submit all permit registration documents (including the SWPPP) to the State Water Resources Control Board, obtain a waste discharge identification number as certification of coverage, and implement the SWPPP during construction activities. The SWPPP identifies which structural and nonstructural BMPs would be implemented, such as sandbag barriers, dust controls, perimeter controls, drain inlet protection, proper construction site housekeeping practices, and construction worker training.

After construction, the project would be required to use source control, runoff reduction, and treatment control measures set forth in the Storm Water Quality Design Manual for the Sacramento Region, if required. These include storm water treatment measures, such as swales, filter strips, media filters and infiltration, and spill prevention and cleanup measures. Furthermore, the City's Land Grading and Erosion Control Ordinance and Storm Water Management and Discharge Control Code include requirements for reducing storm water pollutants. Furthermore, according to City Council Resolution #92-439, all groundwater discharges to the Combined or Separated Sewer and/or drainage systems are required to be regulated and monitored by City's Department of Utilities. The proposed project would comply with the City's SQIP and Storm Water Quality Design Manual, and all other applicable regulations; therefore, it would result in a less-than-significant impact with regard to increase in sediments due to storm water runoff and water quality.

- B) The proposed project would not be located within a 100-year flood hazard area, as designated by FEMA (FEMA 2018). The project site is within an area designated Zone X, which allows for building construction. The proposed project would not place housing or structures within 100-year flood hazard areas and would not expose people or structures to risks associated with flooding. Therefore, impacts due to flooding would be less than significant.

FINDINGS

The proposed project would have no additional project-specific environmental effects relating to Hydrology and Water Quality.

Issues:	Potentially Significant Effect	Effect can be mitigated to less than significant	No significant environmental effect
10. <u>NOISE</u> Would the project: A) Result in exterior noise levels in the project area that are above the upper value of the normally acceptable category for various land uses due to the project's noise level increases?			X
B) Result in residential interior noise levels of 45 dBA L _{dn} or greater caused by noise level increases due to the project?			X
C) Result in construction noise levels that exceed the standards in the City of Sacramento general plan or Noise Ordinance?			X
D) Permit existing and/or planned residential and commercial areas to be exposed to vibration-peak-particle velocities greater than 0.5 inches per second due to project construction?			X
E) Permit adjacent residential and commercial areas to be exposed to vibration peak particle velocities greater than 0.5 inches per second due to highway traffic and rail operations?			X
F) Permit historic buildings and archaeological sites to be exposed to vibration-peak-particle velocities greater than 0.2 inches per second due to project construction and highway traffic?			X

ENVIRONMENTAL SETTING

The project site is near a major state highway interchange connecting SR-99 with Sheldon Road and West Stockton Boulevard. Consequently, the outdoor ambient noise environment is characterized by dominant roadway traffic sound, and at estimated levels of at least 70 energy average of A-weighted decibels occurring over a 24-hour period (dBA L_{dn}) as indicated by the current general plans of both the City of Sacramento (City of Sacramento 2015) and the City of Elk Grove (City of Elk Grove 2022). The project site is not within an Airport Influence Area for the Sacramento Metropolitan Airport or Executive Airport.

The 2035 General Plan specifies that single-family residential areas have an acceptable noise level of 60 dBA

and multi-family residential areas have an acceptable noise level of 65 dBA (City of Sacramento 2015). The City's noise ordinance specifies that exterior noise limits within residential areas shall not exceed 55 dBA within the hours between 7 a.m. and 10 p.m. and 50 dBA between 10:00 p.m. and 7:00 a.m. (City Code Section 8.68.060(A)).

It is generally accepted that the average healthy ear can barely perceive a noise level change of 3 dB (Caltrans 2013). A change of 5 dBA is readily perceptible, and a change of 10 dBA is perceived as twice or half as loud. A doubling of sound energy results in a 3 dBA increase in sound, which means that a doubling of sound energy (e.g., doubling the average daily numbers of traffic on a road) would result in a barely perceptible change in sound level.

A Noise and Vibration Technical Memorandum was prepared for the project by Dudek in November 2023 (Appendix E). This memorandum provides a noise and vibration study to evaluate the existing outdoor ambient sound environment and predict potential environmental noise and vibration impacts from the proposed project to the surrounding communities within the City of Sacramento and the City of Elk Grove.

STANDARDS OF SIGNIFICANCE

The significance criteria used to evaluate the project impacts to noise are based on Appendix G of the CEQA Guidelines, thresholds of significance adopted by the City in applicable general plans and previous environmental documents, and professional judgment. A significant impact related to noise would occur if the project would:

- result in exterior noise levels in the project area that are above the upper value of the normally acceptable category for various land uses due to the project's noise level increase;
- result in residential interior noise levels of 45 dBA L_{dn} or greater caused by noise level increases due to the project;
- result in construction noise levels that exceed the standards in the City of Sacramento Noise Ordinance;
- permit existing and/or planned residential and commercial areas to be exposed to vibration-peak-particle velocities greater than 0.5 inches per second due to project construction;
- permit adjacent residential and commercial areas to be exposed to vibration peak particle velocities greater than 0.5 inches per second due to highway traffic and rail operations; or
- permit historic buildings and archaeological sites to be exposed to vibration-peak-particle velocities greater than 0.2 inches per second due to project construction and highway traffic.

SUMMARY OF ANALYSIS UNDER THE 2035 GENERAL PLAN MASTER EIR AND APPLICABLE GENERAL PLAN POLICIES

The Master EIR evaluated the potential for development under the 2035 General Plan to increase noise levels in the community. New noise sources include vehicular traffic, aircraft, railways, light rail and stationary sources. The General Plan policies establish exterior (Policy EC 3.1.1) and interior (Policy EC 3.1.3) noise standards. A variety of policies provide standards for the types of development envisioned in the General Plan. See Policy EC 3.1.8, which requires new mixed-use, commercial and industrial development to mitigate the effects of noise from operations on adjoining sensitive land use, and Policy 3.1.9, which calls for the City to limit hours of operations for parks and active recreation areas to minimize disturbance to nearby residences. Notwithstanding application of the General Plan policies, noise impacts for exterior noise levels (Impact 4.8-1) and interior noise levels (Impact 4.8-2), and vibration impacts (Impact 4.8-4) were found to be significant and unavoidable.

ANSWERS TO CHECKLIST QUESTIONS

A-D) **Construction**

Project construction would create noise from the use of construction equipment and vehicles. Temporary construction activities would use conventional construction techniques and equipment that would not generate substantial levels of vibration or groundborne noise. Construction activities would include site clearing and tree removal, grading, and construction of the convenience store and gas station along with sidewalks, installation of utilities, landscaping, and road improvements. Short-term, construction-related noise effects attributed to implementation of the project were assessed in Appendix E with respect to nearby noise-sensitive receptors and their relative exposure (accounting for intervening, barriers, distance, etc.), based on application of a Federal Highway Administration (FHWA) Roadway Construction Noise Model (RCNM) emulator and its reference noise level data and acoustical usage-factors (AUF). The AUF value refers to what portion of time that a piece of heavy equipment is actually working under full load conditions and thus emitting noise at a maximum noise level (L_{max}). All predicted construction noise levels, per phase and at the indicated sample nearest noise-sensitive receptor, are expected to be less than the FTA-based guidance criterion of 80 dBA 8-hour Leq and are comparable to or less than the outdoor daytime ambient noise levels due to the acoustical dominance of pre-existing proximate roadway traffic. Noise from construction would be temporary and would comply with the City's Noise Ordinance that permits construction to occur between the hours of 7:00 a.m. and 6:00 p.m., Monday through Saturday, and between 9:00 a.m. and 6:00 p.m. on Sundays. On these bases, environmental noise attributed to construction activity would be considered a less-than-significant impact.

Operation

As described in Appendix E, noise emission from onsite project sound sources that include the convenience store rooftop HVAC unit(s), parking lot movements, and fuel dispenser pumps would be less than 40 dBA hourly Leq at the nearest offsite residential receptors. The predicted level at a representative receptor location at the San Joaquin Cemetery to the east of West Stockton Boulevard would experience project operation noise less than 45 dBA hourly Leq. Based on these predicted levels being less than the nighttime City of Elk Grove threshold of 45 dBA, project operational noise would be a less-than-significant impact.

- E,F) There are no historic buildings or known archeological resources near or on the project site that could be adversely impacted due to vibration-related project construction or operation. According to the Noise and Vibration technical memorandum, this predicted worst-case groundborne vibration level does not surpass either the Caltrans guidance-based limit of 0.2 inches per second peak particle velocity (ips PPV) for annoyance or the 0.3 ips PPV for building damage risk to older residential structures. On these bases, the impact significance attributed to project construction activity on vibration is considered less than significant.

Once operational, the proposed project would not be expected to feature major producers of groundborne vibration. Anticipated mechanical systems like HVAC units are designed and manufactured to feature rotating (fans, motors) and reciprocating (compressors) components that are well-balanced with isolated vibration within or external to the equipment casings. On this basis, potential vibration impacts due to proposed project operation would be less than significant.

FINDINGS

The proposed project would have no additional project-specific environmental effects relating to Noise.

Issues:	Potentially Significant Effect	Effect can be mitigated to less than significant	No significant environmental effect
<p>11. <u>PUBLIC SERVICES</u></p> <p>Would the project result in the need for new or altered services related to fire protection, police protection, school facilities, or other governmental services beyond what was anticipated in the 2035 General Plan?</p>			X

ENVIRONMENTAL SETTING

The closest fire station to the project site is Cosumnes Community Services District Fire Station #76 located at 8545 Sheldon Road in the City of Elk Grove, approximately 0.83 miles to the east of the project site. The next closest fire station is the Sacramento Metro Fire District Station #51 at 8210 Meadowhaven Drive in the city, approximately 1.47 miles north of the project site.

The project site is located within District 5 of the City's police department and would be served by the Joseph E. Rooney Police Facility located at 5303 Franklin Boulevard.

The closest school to the project site is Irene B. West Elementary School located at 8625 Serio Way, approximately 0.42 miles northwest of the project site.

STANDARDS OF SIGNIFICANCE

The significance criteria used to evaluate the project impacts to public services are based on Appendix G of the CEQA Guidelines, thresholds of significance adopted by the City in applicable general plans and previous environmental documents, and professional judgment. A significant impact related to public services would occur if the project would:

- need for new or altered services related to fire protection, police protection, school facilities, or other governmental services beyond what was anticipated in the 2035 General Plan.

SUMMARY OF ANALYSIS UNDER THE 2035 GENERAL PLAN MASTER EIR AND APPLICABLE GENERAL PLAN POLICIES

The Master EIR evaluated the potential effects of the 2035 General Plan on various public services. These include police, fire protection, schools, libraries and emergency services (Chapter 4.10).

The General Plan provides that adequate staffing levels for police and fire are important for the long-term health, safety and well-being of the community (Goal PHS 1.1, PHS 2.1). The Master EIR concluded that effects of development that could occur under the General Plan would be less than significant.

General Plan policies that call for the City to consider impacts of new development on schools (see, for example, Policy ERC 1.1.2 setting forth locational criteria, and Policy ERC 1.1.4 that encourages joint-use development of facilities) reduce impacts on schools to a less-than-significant level (Impacts 4.10-3, -4). Impacts on library facilities were considered less than significant (Impact 4.10-5).

ANSWERS TO CHECKLIST QUESTIONS

- A) The proposed project includes a gas station, convenience store, and surface parking in an urbanized area of the city. The project does not include any new housing that could generate an increase in students or demand for other governmental services. The project would increase demand for police and fire services; however, this increase is not anticipated to exceed what was forecasted under the City’s General Plan buildout. The project would not require the need for new or altered public services related to fire protection, police protection, school facilities, or other governmental services beyond what was anticipated in the 2035 General Plan. Therefore, the impact is less than significant, and the project would not create an additional significant environmental effect.

FINDINGS

The proposed project would have no additional project-specific environmental effects relating to Public Services.

Issues:	Potentially Significant Effect	Effect can be mitigated to less than significant	No significant environmental effect
12. <u>RECREATION</u> Would the project: A) Cause or accelerate substantial physical deterioration of existing area parks or recreational facilities?			X
B) Create a need for construction or expansion of recreational facilities beyond what was anticipated in the 2035 General Plan?			X

ENVIRONMENTAL SETTING

The project site is on a vacant undeveloped parcel with no existing park features or recreational facilities. The project proposes a new gas station, convenience store, and surface parking. The City’s Department of Youth, Parks and Community Enrichment (YPCE) maintains parks and recreational facilities within the City. The Department of YPCE classifies parks according to three distinct types: (1) neighborhood parks; (2) community parks; and, (3) regional parks. Neighborhood parks are typically less than ten acres in size and are intended to be used primarily by residents within a half-mile radius. Community Parks are generally 10 to 60 acres and serve an area of approximately two to three miles, encompassing several neighborhoods and meeting the requirements of a large portion of the City. Regional parks are larger in size and are developed with a wide range of improvements not usually found in local neighborhood and community parks. As noted in the City’s 2035 General Plan Background Report, the City currently contains over 230 developed and undeveloped park sites, 88 miles of road bikeways and trails, 21 lakes/ponds or beaches, 27 aquatic facilities, and extensive recreation facilities in the City parks.

There are five parks within one mile of the project site: Jacinto Creek Park, Jacinto Creek Parkway, and North Laguna Creek Wildlife Area in the City of Sacramento, and Pinkerton Park and Lombardi Park in the City of Elk Grove.

STANDARDS OF SIGNIFICANCE

The significance criteria used to evaluate the project impacts to recreation are based on Appendix G of the CEQA Guidelines, thresholds of significance adopted by the City in applicable general plans and previous environmental documents, and professional judgment. A significant impact related to recreation would occur

if the project would:

- cause or accelerate substantial physical deterioration of existing area parks or recreational facilities; or
- create a need for construction or expansion of recreational facilities beyond what was anticipated in the 2035 General Plan.

SUMMARY OF ANALYSIS UNDER THE 2035 GENERAL PLAN MASTER EIR AND APPLICABLE GENERAL PLAN POLICIES

Chapter 4.9 of the Master EIR considered the effects of the 2035 General Plan on the City’s existing parkland, urban forest, recreational facilities and recreational services. The General Plan identified a goal of providing an integrated park and recreation system in the city (Goal ERC 2.1). Non-residential development employees are expected to use park facilities at a lesser rate than residents. Within areas of the city not including the Central City, workers are not expected to use Neighborhood parks (which are typically designed to serve local residents only) but are expected to use Community and Citywide parks and facilities about 20% as much as local residents (PIF Nexus Study 2017). Impacts were considered less than significant after application of these policies.

ANSWERS TO CHECKLIST QUESTIONS

A,B) The project proposes commercial uses; no new residential uses are proposed so the project would not create a new population requiring recreation facilities. Because the proposed project is non-residential, the project would not create a need for construction or expansion of recreational facilities. In accordance with Section 18.56.220 of the Municipal Code, a park impact fee is imposed on non-residential developments. Payment of the fee would provide funding for future parks and park improvements and would ensure that a less-than-significant impact related to recreation would occur.

FINDINGS

The proposed project would have no additional project-specific environmental effects relating to Recreation.

Issues:	Potentially Significant Effect	Effect can be mitigated to less than significant	No significant environmental effect
<p>13. <u>TRANSPORTATION AND CIRCULATION</u> Would the project:</p> <p>A) Conflict with a program plan, ordinance or policy addressing the circulation system, including transit, roadways, bicycle, and pedestrian facilities?</p> <p>B) Would the project conflict or be inconsistent with CEQA Guidelines Section 15064.3, subdivision (b)?</p> <p>C) Substantially increase hazards due to a geometric design feature (e.g. sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?</p>			<p style="text-align: center;">X</p> <p style="text-align: center;">X</p> <p style="text-align: center;">X</p>

Issues:	Potentially Significant Effect	Effect can be mitigated to less than significant	No significant environmental effect
D) Result in inadequate emergency access?			X

ENVIRONMENTAL SETTING

The project site is located on a vacant parcel at the northwest corner of the Sheldon Road and West Stockton Boulevard. In March 2022, Fehr and Peers, transportation consultants prepared Transportation Memorandum (study) which reviewed the project’s potential to conflict with the City’s policies that address trip generation, site access, and driveway corner site distance for the proposed project (see Appendix F). As described in the study, along the project site frontage (west of West Stockton Boulevard), Sheldon Road is a six-lane arterial road with a posted speed limit of 40 miles per hour (mph). Sheldon Road extends to SR 99 and City of Elk Grove to the east and the City to the west. Also, along the project site frontage, West Stockton Boulevard is a two-lane roadway that with a posted speed limit of 45 mph; surveys conducted in 2021 indicated that the 85th percentile speed is 50 mph for southbound traffic within the vicinity of the project site. West Stockton Boulevard extends to the City of Elk Grove to the south and to the City of Sacramento to the north.

The nearest bus stop is approximately 700 feet west of the project site along Sheldon Road and Lewis Stein Road serviced by the City of Elk Grove Transit (e-tran). Sacramento Regional Transit (SacRT) also operates transit service within the project site vicinity that are accessible via e-tran. SacRT Blue Line light rail service is available at Cosumnes River College approximately 1.2 miles northwest of the project site, providing light rail connections to downtown Sacramento and the City of Folsom.

There is a separated sidewalk along the project frontage on Sheldon Road and West Stockton Boulevard. The Sheldon Road/West Stockton Boulevard intersection provides marked crosswalks on the north, west, and south legs of the intersection. Class II bike lanes are provided in both (east and west) directions on Sheldon Road.

STANDARDS OF SIGNIFICANCE

The significance criteria used to evaluate the project impacts to transportation and circulation are based on Appendix G of the CEQA Guidelines, thresholds of significance adopted by the City in applicable general plans and previous environmental documents, and professional judgment. A significant impact related to transportation would occur if the project would:

- conflict with a program, plan, ordinance or policy addressing transit, bicycle, and pedestrian facilities; or
- conflict or be inconsistent with CEQA Guidelines Section 15064.3, subdivision (b).

SUMMARY OF ANALYSIS UNDER THE 2035 GENERAL PLAN MASTER EIR AND APPLICABLE GENERAL PLAN POLICIES

Transportation and circulation were discussed in the Master EIR in Chapter 4.12. Various modes of travel were included in the analysis, including vehicular, transit, bicycle, pedestrian and aviation components. Provisions of the 2035 General Plan that provide substantial guidance include Mobility Goal 1.1, calling for a transportation system that is effectively planned, managed, operated and maintained, promotion of multimodal choices (Policy M 1.2.1), support for state highway expansion and management consistent with the Sacramento Area Council of Governments Metropolitan Transportation Plan/Sustainable Communities Strategy (SACOG MTP/SCS) (Policy M 1.5.6), and development that encourages walking and biking (Policy LU 4.2.1).

While the General Plan includes numerous policies that direct the development of the City's transportation system, the Master EIR concluded that the General Plan development would result in significant and unavoidable effects. See Impacts 4.12-3 (roadway segments in adjacent communities, and Impact 4.12-4 (freeway segments).

In 2013, Senate Bill (SB) 743 was signed into law. SB 743 intends to promote the state's goals of encouraging infill development, alternative transportation, and reduced greenhouse gas (GHG) emissions. To promote these goals SB 743 directed the Governor's Office of Planning and Research (OPR) to consider new methods of evaluating transportation impacts under CEQA as an alternative to existing measures of congestion and delay (typically expressed as level-of-service). As a result of SB 743, the CEQA Guidelines were revised to identify vehicle miles traveled (VMT) as the most appropriate metric to evaluate a project's transportation impacts, effective July 1, 2020. To address a project's potential to increase VMT, the City is in the process of drafting a VMT threshold to evaluate project impacts. The City is also in the process of updating its Circulation Element to include goals and policies that address reducing in city-wide VMT.

OPR published its Technical Advisory on Evaluating Transportation Impacts in CEQA, December 2018. The Technical Advisory provides guidance on projects that can be screened out from VMT analysis (OPR 2018). This includes local-serving retail projects that are less than 50,000 square feet. The proposed project would be considered local-serving retail, so it is not required to evaluate VMT.

ANSWERS TO CHECKLIST QUESTIONS

- A) The proposed project is a commercial development that is located in an area that is not particularly conducive to bicycle or pedestrian modes of transit due to high traffic volumes roadways and traffic speeds, proximity to SR 99, and large swathes of urban development. However, the project does include a bike rack and long-term bike storage in front of the convenience store and there are existing sidewalks along the project street frontages; Class II bike lanes are also along Sheldon Road in both east and west directions. Road widening for Sheldon Road and West Stockton Boulevard would be required by the City. Widening for a deceleration lane to the proposed driveway including new curb, gutter and sidewalk are required for Sheldon Road. The project includes the construction of a concrete median at the center of West Stockton Boulevard to restrict the project's driveway to right-in/right-out movement only. Driveway construction would also involve the installation of two new culverts within a drainage swale along Sheldon Road and West Stockton Boulevard. Per the recommendations by Fehr and Peers (Appendix F), the project also proposes to construct a direct pedestrian connection between the on-site convenience store and the sidewalk on the northerly side of Sheldon Road. The project also proposes, at the Sheldon Road driveway, to install high visibility conflict markings along the length of the bike lane between the westbound through travel lanes and the right- turn deceleration lane. These project components would improve pedestrian and bicycle access. Therefore, the project does not propose any uses or construction that would potentially conflict with an existing City program plan, ordinance or policy that addresses circulation system, including access to transit, bicycle, and pedestrian facilities. The project impact would be less than significant and would not create an additional significant environmental effect.
- B) The proposed project would be classified as local-serving retail because it does not involve a store that exceeds 50,000 square feet. The 2018 OPR Technical Advisory identifies local-serving retail uses as not having to evaluate VMT. Therefore, the proposed project is not subject to VMT analysis and is consistent with Section 15064.3(b) of the CEQA Guidelines' there would be no impact.
- C,D) The proposed project has been designed to ensure adequate ingress and egress is available to safely permit access to the site. As discussed in Appendix F, Fehr and Peers made the following recommendations to improve project site access, which were subsequently incorporated into the current project plans:
- Construct a westbound right-turn deceleration lane at the approach to the project's Sheldon Road driveway.

- Construct a center median on West Stockton Boulevard that would restrict the project’s driveway to right-in/right-out movement only.
- Keep the Sheldon Road and West Stockton Boulevard landscaping strips and the West Stockton Boulevard center median clear of vegetation or other objects with a height in excess of six inches.
- Design the West Stockton Boulevard project driveway to provide right- in/right-out only access. This should be accomplished by extending the existing raised median on the north leg of the Sheldon Road/Southbound SR 99 Ramps/West Stockton Boulevard intersection north beyond the northerly edge of the proposed West Stockton Boulevard project driveway and by installing “Right Turn Only” signage for vehicles exiting the driveway.

Through the implementation of these recommendations, the project would not include any unusual design features that could create a potentially hazardous situation, nor does the project include or incompatible uses. In addition, the project site in the event of an emergency there are two driveways to safely exit the site. The project impact would be less than significant and would not create an additional significant environmental effect.

FINDINGS

The proposed project would have no additional project-specific environmental effects relating to Transportation and Circulation.

Issues:	Potentially Significant Effect	Effect can be mitigated to less than significant	No significant environmental effect
<p>14. <u>TRIBAL CULTURAL RESOURCES</u></p> <p>Would the project:</p> <p>A) Cause a substantial adverse change in the significance of a tribal cultural resource, as defined in Public Resources Code 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe and that is:</p> <p>i. Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources code section 5020.1(k) or</p>		X	
<p>ii. A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resources Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.</p>		X	

ENVIRONMENTAL SETTING

The City of Sacramento and the surrounding area are known to have been occupied by Native American groups for thousands of years prior to settlement by non-Native peoples. Archaeological materials, including human burials, have been found throughout the city. Human burials outside of formal cemeteries often occur in prehistoric contexts. Areas of high sensitivity for tribal cultural resources are located within close proximity to the Sacramento and American Rivers and other watercourses. High sensitivity areas can be found in other areas related to the ancient flows of the rivers, with differing meanders than found today, and recent discoveries during infill construction in downtown Sacramento have shown that the downtown area is highly sensitive for both historic- and prehistoric-period archaeological resources, including Native American burials.

Data Sources/Methodology

Under Public Resources Code (PRC) Section 21080.3.1 and 21082.3, the City must consult with tribes traditionally and culturally affiliated with the project area that have requested formal notification and responded with a request for consultation. The parties must consult in good faith. Consultation is deemed concluded when the parties agree to measures to mitigate or avoid a significant effect on a tribal cultural resource when one is present or when a party concludes that mutual agreement cannot be reached. Mitigation measures agreed on during the consultation process must be recommended for inclusion in the environmental document.

Native American Consultation

Consistent with Policy HCR 2.1.3 of the City's General Plan, the City sent letters to those California Native American Tribal representatives that have requested consultation notification of the proposed project pursuant to AB 52 and that are on file with the NAHC as being traditionally or culturally affiliated with the geographic area. A project with an effect that may cause a substantial adverse change in the significance of a tribal cultural resource is a project that may have a significant effect on the environment (Pub. Resources Code, Section 21084.2). Under AB 52 a tribal cultural resource must have tangible, geographically defined properties that can be impacted by project implementation.

On September 30, 2021, formal invitations to participate in Assembly Bill (AB52) consultation on the proposed project were sent by the City to the tribal representation that have previously requested to receive notification pursuant to Public Resources Code Section 21080.3.1 (AB52). These tribes include:

- United Auburn Indian Community
- Wilton Rancheria
- Shingle Springs Band of Mi-Wuk Indians
- Buena Vista Rancheria of Me-Wuk Indians

The United Auburn Indian Community provided a response pursuant to AB52 consultation on October 6, 2021, and closed consultation, ultimately declining to consult on the project with the inclusion of the unanticipated discoveries mitigation measure. No response was received from Wilton Rancheria, the Shingle Springs Band of Mi-Wuk Indians, or the Buena Vista Rancheria of Me-Wuk Indians within 30 calendar days of the request for formal invitation under AB52.

State Requirements

CEQA requires that public agencies that finance or approve public or private projects must assess the effects of the project on tribal cultural resources. Tribal cultural resources are defined in PRC 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe that is (1) listed or determined eligible for listing on the California Register of Historical Resources (CRHR) or a local register, or (2) that are determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of PRC Section 5024.1. In applying the criteria set forth in subdivision (c) of

PRC Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American Tribe.

California PRC Section 5024.1 establishes the CRHR, which is the authoritative guide for identifying the State's historical resources to indicate what properties are to be protected, if feasible, from substantial adverse change. For a resource to be eligible for the CRHR, it must be more than 50 years old, retain its historic integrity, and satisfy one or more of the following criteria:

1. Is associated with events that have made a significant contribution to the broad patterns of California's history and cultural heritage.
2. Is associated with the lives of persons important in our past.
3. Embodies the distinctive characteristics of a type, period, region, or method of construction, or represents the work of an important creative individual, or possesses high artistic values.
4. Has yielded, or may be likely to yield, information important in prehistory or history.

STANDARDS OF SIGNIFICANCE

For the purposes of this IS, a tribal cultural resource is considered to be a significant resource if the resource is: (1) listed or eligible for listing in the California Register of Historical Resources or in a local register of historical resources; or (2) the resource has been determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of PRC Section 5024.1.

The significance criteria used to evaluate the project impacts to tribal cultural resources are based on Appendix G of the CEQA Guidelines, thresholds of significance adopted by the City in applicable general plans and previous environmental documents, and professional judgment. A significant impact related to tribal cultural resources would occur if the project would:

- cause a substantial change in the significance of a tribal cultural resource as defined in Public Resources Code 21074.

SUMMARY OF ANALYSIS UNDER THE 2035 GENERAL PLAN MASTER EIR AND APPLICABLE GENERAL PLAN POLICIES

The Master EIR evaluated the potential effects of development under the 2035 General Plan on prehistoric and historic resources (see Master EIR Chapter 4.4 and Background Report) but did not specifically address tribal cultural resources because that resource type had not yet been defined in CEQA at the time the Master EIR was adopted. The Master EIR identified significant and unavoidable effects on historic resources and archaeological resources, some of which could be tribal cultural resources as defined Public Resources Code 21074. Ground-disturbing activities resulting from implementation of development under the 2035 General Plan could affect the integrity of an archaeological site (which may be a tribal cultural resource), thereby causing a substantial change in the significance of the resource. General Plan policies identified as reducing such effects on cultural resources that may also be tribal cultural resources include identification of resources on project sites (Policy HCR 2.1.1); implementation of applicable laws and regulations (Policy HCR 2.1.2); consultation with appropriate organizations and individuals including the Native American Heritage Commission and implementation of their consultation guidelines (Policy HCR 2.1.3); enforcement programs to promote the maintenance, rehabilitation, preservation, and interpretation of the City's historic resources (Policy HCR 2.1.4); listing of qualified historic resources under appropriate national, State, and local registers (Policy HCR 2.1.5); consideration of historic and cultural resources in planning studies (Policy HCR 2.1.6); enforcement of compliance with local, State, and federal historic and cultural preservation requirements (Policy HCR 2.1.8); and early consultation with owners and land developers to minimize effects (Policy HCR 2.1.10).

Of particular relevance to this project are policies that ensure compliance with protocol that protect or mitigate impacts to archaeological resources (Policy HCR 2.1.16) and that encourage preservation and minimization of impacts on cultural resources (Policy HCR 2.1.17).

ANSWERS TO CHECKLIST QUESTIONS

- A) Through the consultation process, no Tribe indicated the potential for TCRs to be present; however, it is viewed that the proposed project site could be considered culturally sensitive. Therefore, it is possible that undiscovered tribal cultural resources could be encountered or damaged during ground-disturbing construction activities. Because the project site could contain unknown tribal cultural resources (TCRs), should a TCR be identified that may be impacted, appropriate steps for management would be taken as determined by the City. Mitigation measures TCR-1(a) and TCR-1(b) provide specific steps to be taken in the event that unanticipated TCRs, including those of Native American origin, are encountered during project construction. With this mitigation implemented, the potential for impacts to tribal cultural resources would be less than significant.

MITIGATION MEASURES

Mitigation Measure TCR-1a: In the Event that Cultural Resources or Tribal Cultural Resources Are Discovered During Construction, Implement Avoidance and Minimization Measures to Avoid Significant Impacts and Procedures to Evaluate Resources

If cultural resources or tribal cultural resources (such as structural features, unusual amounts of bone or shell, artifacts, or human remains) are encountered at the project site during construction, work shall be suspended within 100 feet of the find (based on the apparent distribution of cultural materials), and the construction contractor shall immediately notify the project's City representative. Avoidance and preservation in place is the preferred manner of mitigating impacts to cultural resources and tribal cultural resources. This will be accomplished, if feasible, by several alternative means, including:

- Planning construction to avoid tribal cultural resources, archaeological sites and/or other cultural resources; incorporating cultural resources within parks, green-space or other open space; covering archaeological resources; deeding a cultural resource to a permanent conservation easement; or other preservation and protection methods agreeable to consulting parties and regulatory authorities with jurisdiction over the activity.
- Recommendations for avoidance of cultural resources and tribal cultural resources will be reviewed by the City representative, interested culturally affiliated Native American tribes and other appropriate agencies, in light of factors such as costs, logistics, feasibility, design, technology and social, cultural and environmental considerations, and the extent to which avoidance is consistent with project objectives. Avoidance and design alternatives may include realignment within the project site to avoid cultural resources or tribal cultural resources, modification of the design to eliminate or reduce impacts to cultural resources or tribal cultural resources or modification or realignment to avoid highly significant features within a cultural resource or tribal cultural resource.
- Native American representatives from interested culturally affiliated Native American tribes will be invited to review and comment on these analyses and shall have the opportunity to meet with the City representative and its representatives who have technical expertise to identify and recommend feasible avoidance and design alternatives, so that appropriate and feasible avoidance and design alternatives can be identified.
- If the discovered cultural resource or tribal cultural resource can be avoided, the construction contractor(s), will install protective fencing outside the site boundary, including a 100-foot buffer area, before construction restarts. The boundary of a cultural resource or a tribal cultural resource

will be determined in consultation with interested culturally affiliated Native American tribes and tribes will be invited to monitor the installation of fencing. Use of temporary and permanent forms of protective fencing will be determined in consultation with Native American representatives from interested culturally affiliated Native American tribes.

- The construction contractor(s) will maintain the protective fencing throughout construction to avoid the site during all remaining phases of construction. The area will be demarcated as an “Environmentally Sensitive Area”.

If a cultural resource or a tribal cultural resource cannot be avoided, the following performance standard shall be met prior to continuance of construction and associated activities that may result in damage to or destruction of cultural resources or tribal cultural resources:

- Each resource will be evaluated for California Register of Historical Resources- (CRHR) eligibility through application of established eligibility criteria (California Code of Regulations 15064.636), in consultation with consulting Native American Tribes, as applicable.

If a cultural resource or a tribal cultural resource is determined to be eligible for listing in the CRHR, the City will avoid damaging effects to the resource in accordance with California PRC Section 21084.3, if feasible. The City shall coordinate the investigation of the find with a qualified archaeologist (meeting the Secretary of the Interior’s Professional Qualifications Standards for Archeology) approved by the City and with interested culturally affiliated Native American tribes that respond to the City’s invitation. As part of the site investigation and resource assessment, the City and the archaeologist shall consult with interested culturally affiliated Native American tribes to assess the significance of the find, make recommendations for further evaluation and treatment as necessary and provide proper management recommendations should potential impacts to the resources be determined by the City to be significant. A written report detailing the site assessment, coordination activities, and management recommendations shall be provided to the City representative by the qualified archaeologist. These recommendations will be documented in the project record. For any recommendations made by interested culturally affiliated Native American tribes that are not implemented, a justification for why the recommendation was not followed will be provided in the project record.

Native American representatives from interested culturally affiliated Native American Tribes and the City representative will also consult to develop measures for long-term management of any discovered tribal cultural resources. Consultation will be limited to actions consistent with the jurisdiction of the City and taking into account ownership of the subject property. To the extent that the City has jurisdiction, routine operation and maintenance within tribal cultural resources retaining tribal cultural integrity shall be consistent with the avoidance and minimization standards identified in this mitigation measure.

If the City determines that the project may cause a significant impact to a tribal cultural resource, and measures are not otherwise identified in the consultation process, the following are examples of mitigation capable of avoiding or substantially lessening potential significant impacts to a tribal cultural resource or alternatives that would avoid significant impacts to the resource. These measures may be considered to avoid or minimize significant adverse impacts and constitute the standard by which an impact conclusion of less-than significant may be reached:

- Avoid and preserve resources in place, including, but not limited to, planning construction to avoid the resources and protect the cultural and natural context, or planning greenspace, parks, or other open space, to incorporate the resources with culturally appropriate protection and management criteria.
- Treat the resource with culturally appropriate dignity taking into account the Tribal cultural values and meaning of the resource, including, but not limited to, the following:

- Protect the cultural character and integrity of the resource.
- Protect the traditional use of the resource.
- Protect the confidentiality of the resource.
- Establish permanent conservation easements or other interests in real property, with culturally appropriate management criteria for the purposes of preserving or using the resources or places.
- Protect the resource.

Mitigation Measure TCR-1b: Implement Procedures in the Event of the Inadvertent Discovery of Human Remains

If an inadvertent discovery of human remains is made at any time during project-related construction activities or project planning, the City the following performance standards shall be met prior to implementing or continuing actions such as construction, which may result in damage to or destruction of human remains. In accordance with the California Health and Safety Code (HSC), if human remains are encountered during ground-disturbing activities, the City shall immediately halt potentially damaging excavation in the area of the remains and notify the Sacramento County Coroner and a professional archaeologist to determine the nature of the remains. The Coroner is required to examine all discoveries of human remains within 48 hours of receiving notice of a discovery on private or State lands (HSC Section 7050.5[b]).

If the human remains are of historic age and are determined to be not of Native American origin, the City will follow the provisions of the HSC Section 7000 (et seq.) regarding the disinterment and removal of non-Native American human remains.

If the Coroner determines that the remains are those of a Native American, he or she must contact the Native American Heritage Commission (NAHC) by phone within 24 hours of making that determination (HSC Section 7050[c]). After the Coroner’s findings have been made, the archaeologist and the NAHC-designated Most Likely Descendant (MLD), in consultation with the landowner, shall determine the ultimate treatment and disposition of the remains. The responsibilities of the City for acting upon notification of a discovery of Native American human remains are identified in California PRC Section 5097.9 et seq.

FINDINGS

All additional significant environmental effects of the proposed project relating to Tribal Cultural Resources can be mitigated to a less-than-significant level.

	Potentially Significant Effect	Effect can be mitigated to less than significant	No significant environmental effect
Issues: 15. <u>UTILITIES AND SERVICE SYSTEMS</u> Would the project:			X

A)	Result in the determination that adequate capacity is not available to serve the project's demand in addition to existing commitments?			
B)	Require or result in either the construction of new utilities or the expansion of existing utilities, the construction of which could cause significant environmental impacts?			X

ENVIRONMENTAL SETTING

The project site is currently undeveloped, with the exception high-power electrical poles and overhead powerlines along the southern and eastern perimeter of the site. The project frontage along Sheldon Road and West Sexton Boulevard, which is Caltrans-owned land, is also developed with a drainage swale and separated pedestrian sidewalk. The City provides water service to the project area by the Sacramento Regional County Sanitation District (SRCSD). Existing water mains are located approximately 1,340 feet north of the site in West Stockton Boulevard and 1,150 feet west of the site in Sheldon Road. Storm water from the project site would be collected in a proposed bioretention area and then conveyed into existing drainage infrastructure within the existing drainage swale owned by Caltrans. The City would collect and dispose of solid waste generated by the proposed project.

Water

The City would provide water to serve the proposed project; the project applicant would also be required to submit a project-specific water supply study to the City as a condition of approval. Water supply is obtained from the American and Sacramento Rivers, along with groundwater wells. The City's 2015 Urban Water Management Plan (UWMP) determined that the City has adequate water supplies to meet the demands of development under the 2035 General Plan. The City possesses 275,917 acre-feet per year (AFY) in water supplies during multiple-dry years, and this amount will increase until 2035 for a total of 294,419 AFY during multiple-dry years (City of Sacramento 2016).

The proposed project would include the construction of on-site water lines to connect to existing water lines in both West Stockton Boulevard and Sheldon Road. The project would also construct an off-site water main extension with two points of connection along West Stockton Boulevard and Sheldon Road.

Sewer

The Sacramento Area Sewer District (SASD) would be responsible for providing local sewer service to the proposed project site via its local sanitary sewer collection system. Sacramento Regional County Sanitation District (Regional San) would be responsible for the conveyance of wastewater from the SASD collection system to the Sacramento Regional Wastewater Treatment Plant (SRWTP).

The proposed project would construct on-site sewer infrastructure that would connect to existing sewer lines in West Stockton Boulevard, approximately 400 feet north of the project site.

Storm Water

Storm water drainage for the proposed project site and its vicinity would be collected by storm drain systems owned and managed by the City of Sacramento, and subsequently pumped into nearby rivers, creeks, and drainages; the project applicant would also be required to submit a project-specific drainage study to the City as a condition of approval. This study would be required to meet criteria specified in the City's Onsite Design Manual and the Design and Procedures Manual

As described above, the proposed project would construct onsite storm drain infrastructure that would connect to existing storm drain infrastructure in the Caltrans owned drainage swale running along the southerly and

easterly perimeter of the project site.

Solid Waste

Solid waste within the city is collected by the Sacramento Department of General Services, and private haulers collect commercial solid waste. Solid waste is then transported to the Sacramento Recycling and Transfer Station (8491 Fruitridge Road and 4550 Roseville Road) and transferred to the Kiefer Landfill. Per the Master EIR Background Report, the Kiefer Landfill has a permitted capacity of up to 10,815 tons per day and accepts approximately 6,300 tons of solid waste per day on average (City of Sacramento 2014). The landfill accepts municipal and industrial waste, including household hazardous waste, and is expected to have sufficient capacity until 2065 according to the City's Master EIR.

STANDARDS OF SIGNIFICANCE

The significance criteria used to evaluate the project impacts to utilities and service systems are based on Appendix G of the CEQA Guidelines, thresholds of significance adopted by the City in applicable general plans and previous environmental documents, and professional judgment. A significant impact related to utilities would occur if the project would:

- result in the determination that adequate capacity is not available to serve the project's demand in addition to existing commitments; or
- require or result in either the construction of new utilities or the expansion of existing utilities, the construction of which could cause significant environmental impacts.

SUMMARY OF ANALYSIS UNDER THE 2035 GENERAL PLAN MASTER EIR AND APPLICABLE GENERAL PLAN POLICIES

The Master EIR evaluated the effects of development under the 2035 General Plan on water supply, sewer and storm drainage, solid waste, electricity, natural gas and telecommunications. See Chapter 4.11.

The Master EIR evaluated the impacts of increased demand for water that would occur with development under the 2035 General Plan. Policies in the General Plan would reduce the impact generally to a less-than-significant level (Impact 4.11-1), but the Master EIR concluded that the potential increase in demand for potable water in excess of the City's existing diversion and treatment capacity, and which could require construction of new water supply facilities, would result in a significant and unavoidable effect (Impact 4.11-2). The potential need for expansion of wastewater treatment facilities was identified as having a less-than-significant effect (Impact 4.11-4). Impacts on solid waste facilities were concluded to be less than significant (Impact 4.11-5) in the Master EIR. Implementation of energy efficient standards as set forth in Titles 20 and 24 of the California Code of Regulations for residential and non-residential buildings, would reduce effects for energy to a less-than-significant level.

ANSWERS TO CHECKLIST QUESTIONS

- A) The proposed project would develop a gas station, convenience store, surface parking and landscaping on 2.02 acres. The project site is currently undeveloped and does not require water, wastewater, or solid waste services. Therefore, the proposed project would generate an increased demand for water, wastewater, and solid waste services on the project site.

Based on the City's gross water demand factor for commercial/office uses the proposed project would generate a demand for 3.39 acre-feet per year (AFY) of water for the convenience store, restrooms and landscape irrigation – see Table 14-1.

Table 14-1. Proposed Project Water Demand

Land Use	Amount	Rate	Demand (AFY)
Commercial/Office	2.02 acres	1.5 AFY/Acre	3.03
Total			3.03

Source: City of Sacramento 2018b.

The 2035 General Plan Master EIR considered the water demands of developing the site with commercial uses. The City's water supply would sufficiently serve the project's water demand. Because the City would have adequate water supply to serve the project, a less-than-significant impact regarding water supply would occur.

The proposed project includes eight public restroom fixtures, including six toilets and two sink, that would generate wastewater along with water used for general operation activities. The approximate amount of wastewater to be generated by the project using the Sacramento Regional County Sanitation District (SRCSD) generation rates is shown in Table 14-2. Sewer flows would ultimately be conveyed to the SRWWTP for treatment prior to being discharged into the Sacramento River. The SRWWTP has adequate capacity to provide wastewater services to serve the proposed project without adverse impacts to current service levels and the treatment plant would not need to be expanded to accommodate the project. The project applicant would be required to pay development impact fees, including the Sacramento County Regional Sanitation Fee, Public Works Fee, Water Development Fee, and Utilities Fee, which would reduce any impacts on the City's water and wastewater treatment and conveyance systems. Therefore, the project would not contribute to an additional environmental effect and the impact would be less than significant.

Table 14-2. Proposed Project Wastewater Generation

Proposed Use	Units	Sewer Generation Rate	ESD	Total
Convenience Market	5,637 sf	0.6 ESD per 1,000 sf	3.4 ESD	1,054 gpd
Public Restrooms/ Comfort Station	8 fixtures	0.3 ESD per fixture	2.4 ESD	744 gpd
Project Total			5.8 ESD	1,798 gpd or .66 mg/year

Notes: Total (gpd) = 310 gpd * ESD
Total (mg/year) = ((total gpd)/1,000,000) * 365
Source: SRCSD 2010.

- B) The proposed project would connect to existing water, sewer, and storm-drain lines in the project vicinity. The project would convey storm water into the City's existing storm drain system, which has been designed to accommodate flows associated with development in the surrounding area. No new utilities or expansion of existing utilities would be required; therefore, the project would not contribute to an additional effect and impacts would be less than significant.

FINDINGS

The proposed project would have no additional project-specific environmental effects relating to Utilities and Service Systems.

MANDATORY FINDINGS OF SIGNIFICANCE

Issues:	Potentially Significant Effect	Effect can be mitigated to less than significant	No significant environmental effect
16. <u>MANDATORY FINDINGS OF SIGNIFICANCE</u>			
A) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?		X	
B) Does the project have impacts that are individually limited, but cumulatively considerable? (“Cumulatively considerable” means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.)			X
C) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?			X

ANSWERS TO CHECKLIST QUESTIONS

- A) As discussed above, the proposed project would not degrade the quality of the habitat of a fish or wildlife species, reduce the available habitat resulting in a drop in population of a species, eliminate a plant or animal community, or in any way restrict the range of a protected species. The project site does contain two trees that would be removed to accommodate project development. Mitigation is required to ensure pre-construction nesting bird surveys are completed and emergent freshwater wetlands are delineated and permitted for. The project site also does not contain known significant historical resources that would be impacted by project implementation. However, because there is always the potential to unearth unknown prehistoric or historic-era resources, tribal cultural resources and human remains mitigation is required. Therefore, impacts would be less-than-significant with mitigation.
- B) The cumulative context for the proposed project is the continued buildout of the City’s 2035 General Plan. As discussed in Items 1 through 14, with implementation of applicable General Plan policies, required regulation and ordinances, and the mitigation measures previously identified herein, the proposed project would not substantially contribute to cumulative impacts and/or cause the cumulative impacts of the 2035 General Plan EIR to exceed the levels described in the Master EIR. The proposed project is consistent with the City’s 2035 General Plan and would not result in new or increased cumulative impacts.

- C) All potential environmental impacts identified in support of the proposed project would either be minimal or reduced to a less than significant level with mitigation. The project site does not contain any hazards or known to have any sensitive biological and cultural resources. The proposed project does not have any environmental impacts that could have substantial adverse direct or indirect effects on human beings. No potentially significant impacts, which could cause substantial adverse direct or indirect effects on human beings were identified. No mitigation would be required.

SECTION IV - ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED

The environmental factors checked below would potentially be affected by this project but all impacts can be mitigated to a less-than-significant level.

<input type="checkbox"/> Aesthetics	<input type="checkbox"/> Hydrology and Water Quality
<input checked="" type="checkbox"/> Air Quality and Greenhouse Gas	<input type="checkbox"/> Noise
<input checked="" type="checkbox"/> Biological Resources	<input type="checkbox"/> Public Services
<input checked="" type="checkbox"/> Cultural Resources	<input type="checkbox"/> Recreation
<input type="checkbox"/> Energy	<input type="checkbox"/> Transportation/Circulation
<input type="checkbox"/> Geology and Soils	<input checked="" type="checkbox"/> Tribal Cultural Resources
<input checked="" type="checkbox"/> Greenhouse Gas Emissions	<input type="checkbox"/> Utilities and Service Systems
<input type="checkbox"/> Hazards	<input type="checkbox"/> None Identified

SECTION V - DETERMINATION

On the basis of the environmental checklist:

I find that (a) the proposed project is an anticipated subsequent project identified and described in the 2035 General Plan Master EIR; (b) the proposed project is consistent with the 2035 General Plan land use designation and the permissible densities and intensities of use for the project site; (c) that the discussions of cumulative impacts, growth inducing impacts, and irreversible significant effects in the Master EIR are adequate for the proposed project; and (d) the proposed project will have additional significant environmental effects not previously examined in the Master EIR. A Mitigated Negative Declaration will be prepared. Mitigation measures from the Master EIR will be applied to the project as appropriate, and additional feasible mitigation measures and alternatives will be incorporated to revise the proposed project before the negative declaration is circulated for public review, to avoid or mitigate the identified effects to a level of insignificance. (CEQA Guidelines Section 15178(b)).

Ron Bess
Signature

December 7, 2023
Date

Ron Bess
Printed Name

REFERENCES CITED

- California Department of Conservation. 2018. California Important Farmland Farmer <https://maps.conservation.ca.gov/DLRP/CIFF/>. Accessed September 2021.
- Caltrans (California Department of Transportation). 2013. Technical Noise Supplement to the Traffic Noise Analysis Protocol. Prepared by R. Hendriks, B. Rymer, D. Buehler, and J. Andrews. Sacramento: Caltrans. September. <https://dot.ca.gov/-/media/dot-media/programs/environmental-analysis/documents/env/tens-sep2013-a11y.pdf>.
- CARB (California Air Resources Board). 1988. ATCM for Benzene from Retail Service Stations. <https://ww2.arb.ca.gov/resources/documents/benzene-retail-service-stations>.
- CARB. 2005. Air Quality and Land Use Handbook: A Community Health Perspective. April 2005. Accessed March 13, 2017. <https://www.arb.ca.gov/ch/handbook.pdf>.
- CARB. 2013. California Almanac of Emissions and Air Quality - 2013 Edition. <https://ww2.arb.ca.gov/our-work/programs/resource-center/technical-assistance/air-quality-and-emissions-data/almanac>.
- CARB. 2014. First Update to the Climate Change Scoping Plan Building on the Framework Pursuant to AB 32 – The California Global Warming Solutions Act of 2006. May 2014. Accessed May 2019. http://www.arb.ca.gov/cc/scopingplan/2013_update/first_update_climate_change_scoping_plan.pdf.
- CARB 2022. 2022 Scoping Plan for Achieving Carbon Neutrality. November 2022. Accessed April 2023. https://ww2.arb.ca.gov/sites/default/files/2022-12/2022-sp_1.pdf
- Cal EPA. 2005. Air Quality and Land Use Handbook: A Community Health Perspective. Prepared by California Environmental Protection Agency and California Air Resources. April 2005.
- City of Elk Grove. 2022. General Plan. Chapter 8 Services, Health, and Safety. October 20th. Accessed September 30, 2023 at <https://www.elkgrovecity.org/sites/default/files/city-files/Departments/Planning/Projects/General%20Plan/GPU/Amend-October-2022/chapter-8-october-2022.pdf>
- City of Sacramento. 2014. Draft Master Environmental Impact Report for the City of Sacramento 2035 General Plan Update. Prepared by Ascent Environmental, Inc. Sacramento, CA: Ascent Environmental. August 2014.
- City of Sacramento. 2015. Sacramento 2035 General Plan. Prepared by the City of Sacramento. March 2015.

City of Sacramento. 2016. City of Sacramento 2015 Urban Water Management Plan. Prepared by West Yost Associates. June 2016.

City of Sacramento. 2018a. Sacramento Region Stormwater Quality Design Manual. July 2018.
https://www.cityofsacramento.org/-/media/Corporate/Files/DOU/Specs-Drawings/SWQ_Design_Manual_FINAL2018.pdf?la=en

City of Sacramento. 2018b. Water Design Manual. January 2018.

EPA (U.S. Environmental Protection Agency). 2022. "Criteria Air Pollutants." Last updated August 9, 2022. <https://www.epa.gov/criteria-air-pollutants>.

FEMA (Federal Emergency Management Agency). 2018. Flood Insurance Rate Map for Sacramento County, California <https://msc.fema.gov/portal/home>. Accessed September 2021.

SMAQMD (Sacramento Metropolitan Air Quality Management District). 2020a. Sacramento Metropolitan Air Quality Management District CEQA Guide. Updated April 2020.
<https://www.airquality.org/residents/ceqa-land-use-planning/ceqa-guidance-tools>

SMAQMD. 2020b. SMAQMD Thresholds of Significance Table. Updated April 2020.
<https://www.airquality.org/LandUseTransportation/Documents/CH2ThresholdsTable4-2020.pdf>

SRCSD. 2010. Sacramento Regional County Sanitation District Interceptor Sequencing Study Technical Memorandum 1 Land Use Planning and Growth Data. February 2010.