# Updates to the Two Rivers Trail (Phase II) Project

# Draft Subsequent Focused Environmental Impact Report

Submitted to:

City of SACRAMENTO
Community Development

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Sacramento, California 95814

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# Acronyms and Abbreviations

| | |
|---|---|
| AB | Assembly Bill |
| ADL | Aerially Deposited Lead |
| ASTM | ASTM International |
| ARPP | American River Parkway Plan |
| Cal-IPC | California Invasive Plant Council |
| CDFW | California Department of Fish and Wildlife |
| CVSR | Central Valley Spring Run |
| CESA | California Endangered Species Act |
| CEQA | California Environmental Quality Act |
| CFG | California Fish and Game |
| CFR | Code of Federal Regulations |
| City | City of Sacramento |
| CNDDB | California Natural Diversity Database |
| CNPS | California Native Plant Society |
| CREC | Controlled Recognized Environmental Condition |
| CVFPB | Central Valley Flood Protection Board |
| CWA | Clean Water Act |
| DEIR | Draft Environmental Impact Report |
| DG | Decomposed granite |
| DPS | Distinct Population Segment |
| DTSC | Department of Toxic Substances Control |
| EDR | Environmental Data Resources |
| EO | Executive Order |
| EPA | Environmental Protection Agency |
| FESA | Federal Endangered Species Act |
| FEIR | Final Environmental Impact Report |
| MBTA | Migratory Bird Treaty Act |
| NMFS | National Marine Fisheries Service |
| NRCS | Natural Resource Conservation Service |
| PCBs | Polychlorinated biphenyls |
| PCE | Tetrachloroethene |
| PE | Professional Engineer |
| PFAS | Pre- and Polyfluoroalkyl Substances |
| Project | Two Rivers Trail Phase III and IV Project |
| REC | Recognized Environmental Condition |
| ROW | Right of Way |
| RSP | Rock Slope Protection |
| RWQCB | Regional Water Quality Control Board |

| | |
|---|---|
| SMUD | Sacramento Municipal Utility District |
| SRWR | Sacramento River Winter-Run |
| SR | State Route |
| SSC | Species of Special Concern |
| U.S. | United States |
| U.S.C. | United States Code |
| UPRR | Union Pacific Railroad |
| USACE | United States Army Corps of Engineers |
| USFWS | United States Fish and Wildlife Service |
| VELB | Valley Elderberry Longhorn Beetle |
| WoUS | Waters of the United States |

# Executive Summary

This Subsequent Focused EIR evaluates and discloses new impacts resulting from the City's updated design for the Two Rivers Trail (Phase II) Project, which incorporates additional trail alignments and design features not previously analyzed in the certified Two Rivers Trail Phase II Final EIR (FEIR). This Draft Subsequent Focused EIR meets the requirements of the California Environmental Quality Act (CEQA) and the state CEQA Guidelines for content and analysis. It discloses the environmental impacts that would occur if this project is approved by the City Council and includes mitigation measures that will reduce or avoid those impacts.

## ES.1 Project Overview

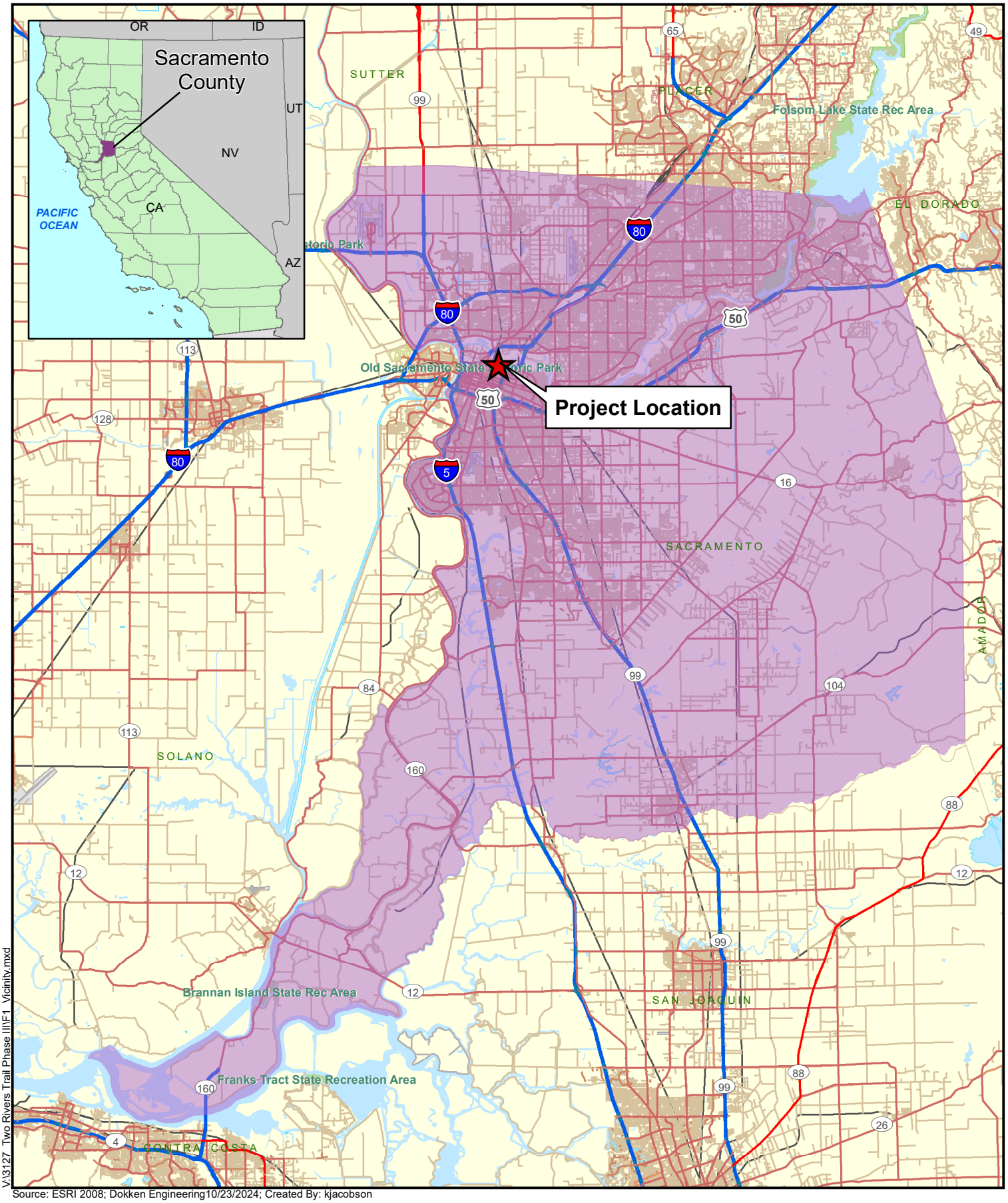
In December 2022, the City approved the Final EIR for the Two Rivers Trail Phase II Project which will construct approximately 3.4 miles of Class I bicycle and pedestrian trail primarily along the south bank of the American River from Sutter's Landing Regional Park to the Sacramento Northern Bikeway Trail at North 18th Street, and east from the eastern terminus of Sutter's Landing Regional Park to the H Street Bridge in Sacramento, California (SCH #2018102058) (see Figures 1 through 3). Since then, the Project has been updated to include additional trail alignments and design features that were not previously analyzed. The Project design footprint for the westerly trail segment has been modified to include an interim trail from the Sacramento Northern Bikeway to North 12th Street, connecting to the Two Rivers Phase I Trail. Further, the project has been expanded to include an overcrossing of the UPRR right of way, another connection to the Sacramento Northern Bikeway, and an undercrossing of the State Route (SR) 160 bridges (see Figures 4 through 6). Due to the substantial project description change that now includes an elevated pedestrian bridge structure over UPRR and an underpass, both adjacent to a wild and scenic river, a Focused Subsequent EIR is recommended. This Subsequent EIR will tier from the certified 2022 FEIR and will evaluate whether the proposed new alignment and design features for the trail would result in new or substantially more severe significant impacts, than the impacts disclosed in the 2022 FEIR.

## ES.2 Project Objectives

Project Purpose

The purpose of the Project is to:

- Provide a vital recreation link between the Jedediah Smith Trail on the north side of the American River Parkway, the Sacramento River Parkway, the Sacramento Northern Bikeway Trail, the future Ueda Parkway trails, and the 20th Street bike connection to the Central City;
- Provide alternative transportation access for commuters and residents in the eastern part of the City, California State University, Sacramento (CSUS), Central City, North Sacramento, East Sacramento, and Richards Boulevard area;
- Provide trail users with a connection to the river and the American River Parkway; and
- Provide an American's with Disabilities Act (ADA)-compliant, active transportation connection to adjacent communities throughout the Sacramento area for pedestrians and bicyclists of all ages and abilities to access retail, jobs, and recreational amenities.




V:\3127 Two Rivers Trail Phase III\F1 Vicinity.mxd

Source: ESRI 2008; Dokken Engineering10/23/2024; Created By: kjacobson

0 5 10 15 Miles

**FIGURE 1**
**Project Vicinity**

Two Rivers Trail Phase III and IV Project
City of Sacramento, Sacramento County, California

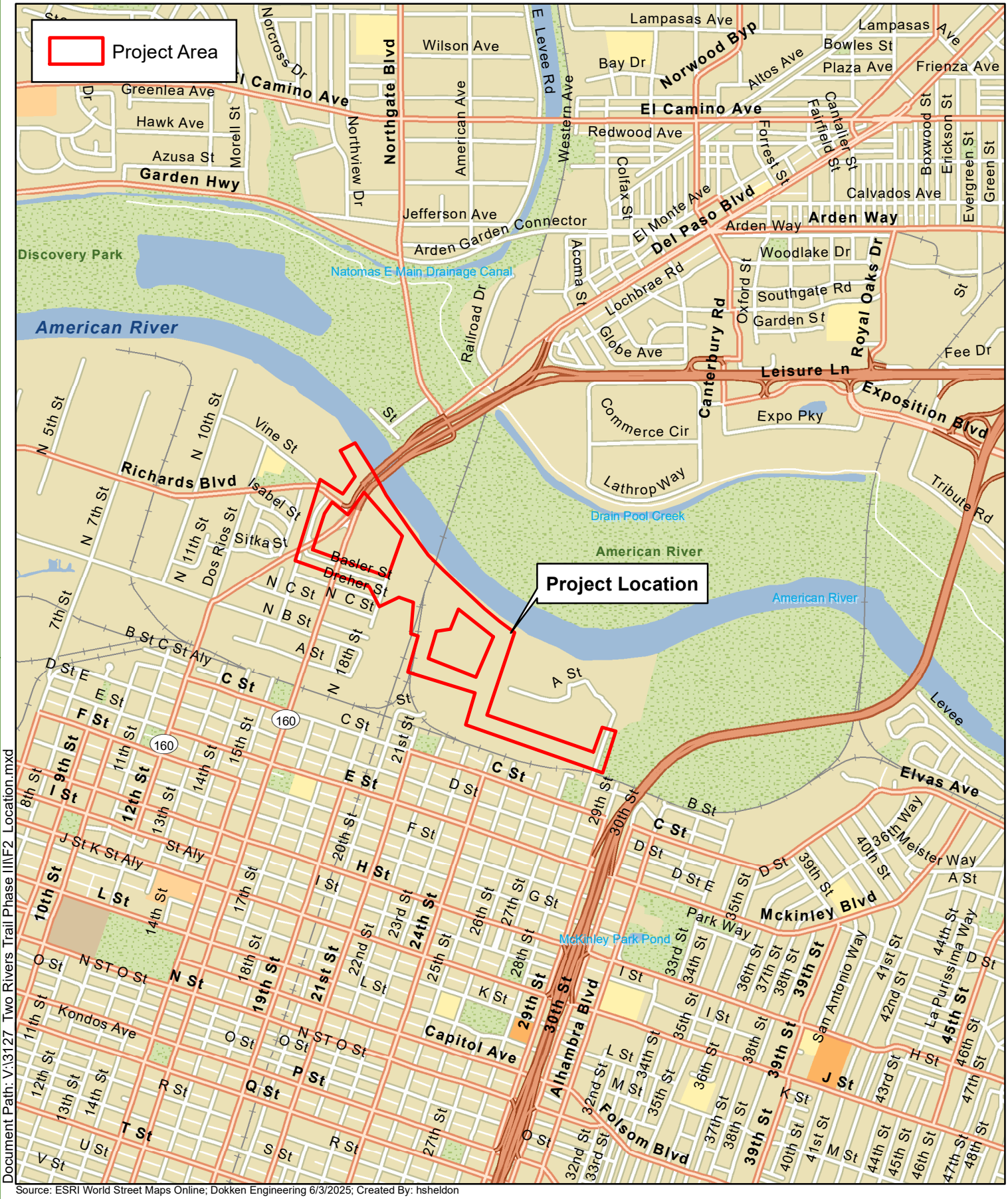
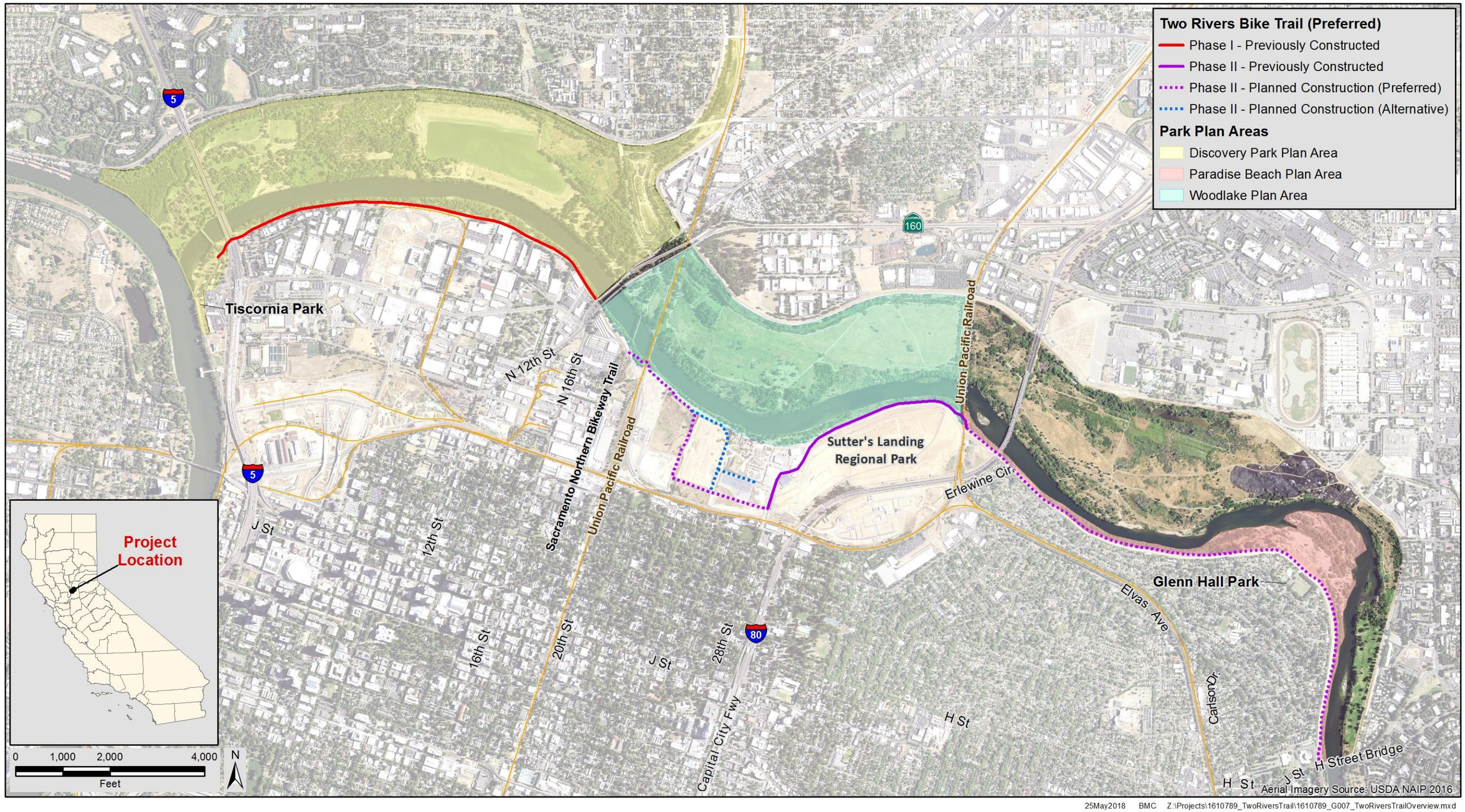



**FIGURE 2**
**Project Location**

Two Rivers Trail Phase III and IV Project
City of Sacramento, Sacramento County, California

**Figure ES-1. Project Location**




Source: GEI Consultants, 2019

Figure 3. 2022 FEIR Segments

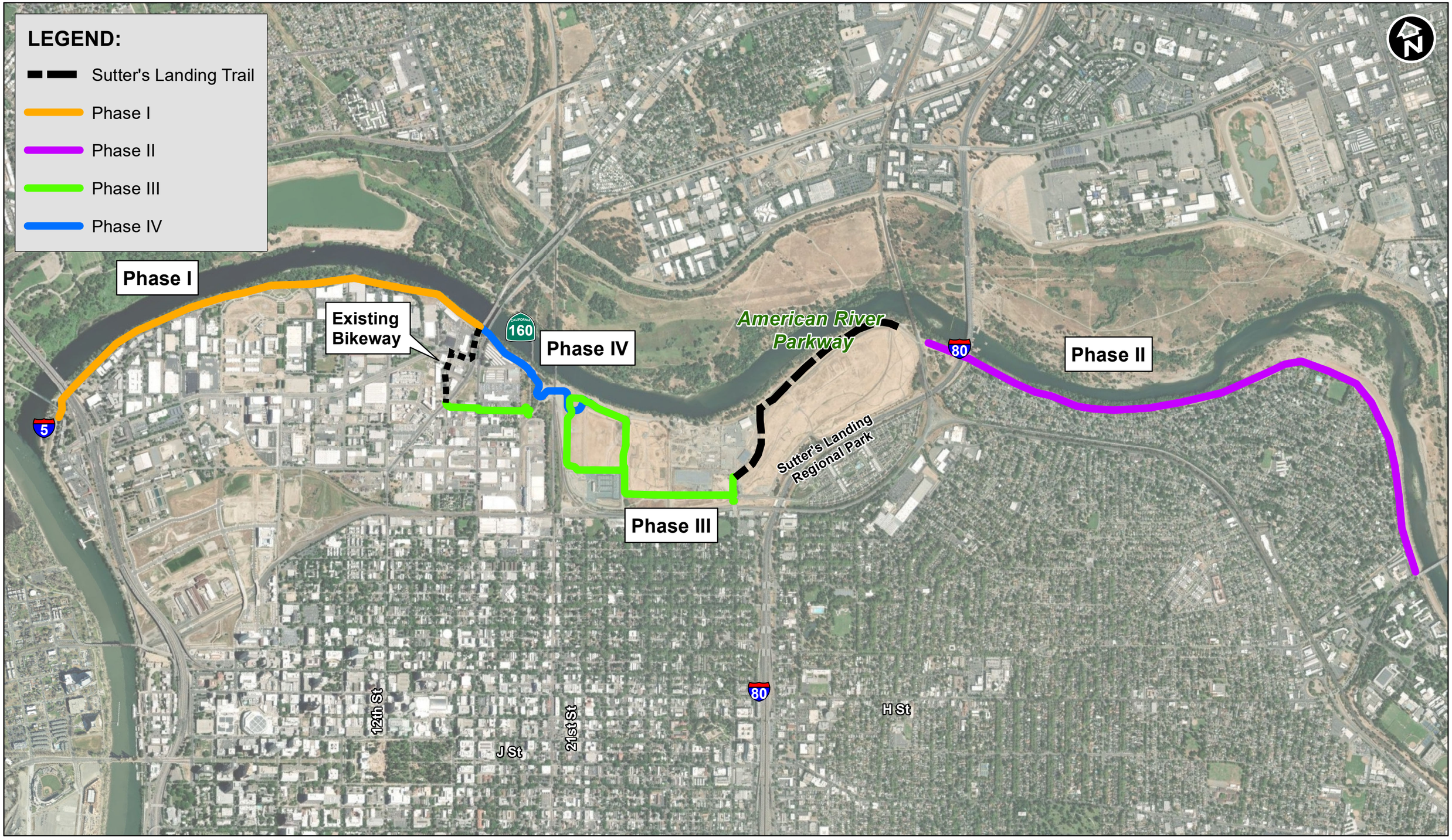



**Figure 4**
**Two Rivers Trail Overview**

City of Sacramento, Sacramento County, California


**Figure 5**
**Two Rivers Trail Phase III Project**

City of Sacramento, Sacramento County, California


0 150 300 450 600 750 Feet

**Figure 6**
**Two Rivers Trail Phase IV Project**

City of Sacramento, Sacramento County, California

Project Need

The Project is needed to provide a gap closure in the existing and planned trail system, improving access to retail, employment, and recreational amenities for users of all ages and abilities.

# ES.3 Project Impacts and Mitigation Measures

## ES.3.1 Summary of Project Impacts

The Project impacts are summarized in Table 1 (presented at the end of this summary). For potentially significant impacts, mitigation measures are identified, where feasible, to reduce the impact on environmental resources to a less-than-significant level. Refer to Chapter 3, Impact Analysis, for a detailed discussion of Project impacts and detailed descriptions of the mitigation measures.

## ES.3.2 Significant and Unavoidable Impacts

State CEQA Guidelines Section 15126.2(b) requires an EIR to discuss unavoidable significant environmental effects of a project, including those that can be mitigated but not reduced to a level of insignificance. The impact analysis presented in Chapter 3, Impact Analysis, has identified that the Project would result in the following impacts that are new or substantially more severe than what was identified in the 2022 FEIR for the Two Rivers Trail Phase II Project.

- Impact AES-1: Adverse Effect on Scenic Vista or Scenic Quality
- Impact HAZ-2: Potential to create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment

# ES.4 Project Alternatives

The 2022 EIR examined the following four alternatives to the proposed Project:

- No Project
- Alternative 1: October 2018 Initial Study Alternative
- Alternative 2: Top of Levee Construction – Segments 4 through 6
- Alternative 3: Extended Top of Levee Segment Alternative
- Alternative 4: Align Trail outside of the American River Parkway

Each of these alternatives was dismissed upon approval of the 2022 EIR. The Subsequent Focused EIR does not include analyses of any new alternatives to the project but rather includes revised design features to the existing, approved alternative.

# ES.5 How to Comment on this Draft EIR

The Draft Subsequent Focused EIR will be available for public review for a period of 45 days. Copies will be provided to public agencies for review and comment, posted in electronic format on the City's Community Development Department website (http://www.cityofsacramento.org/Community-Development/Planning/Environmental/Impact-Reports), and available in printed format at the City's Community Development Department and public at the addresses below:

City of Sacramento Community Development Department
300 Richards Blvd., Third Floor
Sacramento, CA 95811

City of Sacramento Public Library
915 I Street
Sacramento, CA 95814

Please indicate "Two Rivers Trail Project EIR" in the subject line. For comments by agencies and organizations, please include the name of a contact person for your agency or organization. All comments received, including names and addresses, will become part of the official administrative record and may be available to the public.

**Table 1. Summary of Impacts and Mitigation Measures for the Phase III and IV Project**

| Impact | Level of Significance for Phase III and IV Project | Applicable Mitigation Measures from Phase II 2022 FEIR | New Phase III and IV Mitigation Measures |
|---|---|---|---|
| **Aesthetics** | | | |
| Impact AES-1: Adverse Effect on Scenic Vista or Scenic Quality | Less than Significant with Mitigation | – | AES-1: As required under Policy 7.22 of the American River Parkway Plan (ARPP), the undercrossing of SR-160 design will utilize appropriate colors, textures, and scale to blend into the setting and minimize potential contrast with the natural and recreational character of the Parkway. Design for the proposed bridge structure over UPRR will comply with Policy 7.25 of the ARPP: Development immediately adjacent to the Parkway shall respect the intent of the Parkway goals by reducing visual impacts through context sensitive site planning and building design.<br><br>AES-2: The City shall comply with City Code section 12.56.040 by establishing a replacement plan for any City trees that must be removed. The City shall plant additional trees where feasible. The exact number of trees and locations shall be determined during final design. The tree removal and replacement plan is subject to approval by the City Council. Any trees that will be removed within County right of way or designated bounds of the American River Parkway shall comply with County Code chapter 19.12. County tree removal and replacement is subject to approval and coordination with the Director of Regional Parks |
| Impact AES-2: New Sources of Light and Glare | Less than Significant with Mitigation | – | AES-2: The City shall comply with City Code section 12.56.040 by establishing a replacement plan for any City trees that must be removed. The City shall plant additional trees where feasible. The exact number of trees and locations shall be determined during final design. The tree removal and replacement plan is subject to approval by the City Council. Any trees that will be removed |

| Impact | Level of Significance for Phase III and IV Project | Applicable Mitigation Measures from Phase II 2022 FEIR | New Phase III and IV Mitigation Measures |
|---|---|---|---|
| | | | within County right of way or designated bounds of the American River Parkway shall comply with County Code chapter 19.12. County tree removal and replacement is subject to approval and coordination with the Director of Regional Parks<br><br>AES-3: Lighting design will comply with local standards in order to minimize light and glare impacts on surrounding sensitive users. Lighting fixtures will be selected to minimize light pollution into the adjacent residences and skies, while taking into account safety needs |
| **Agricultural and Forestry** | No impact | – | – |
| **Air Quality** | | | |
| Impact AQ-1: Conflict with or obstruct implementation of the applicable air quality plan | No new or substantially more severe impacts | – | – |
| Impact AQ-2: Violate any air quality standard or contribute substantially to an existing or projected air quality violation (Significant and Unavoidable) | No new or substantially more severe impacts | – | – |
| Impact AQ-3: Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is a nonattainment area for an applicable federal or state ambient air quality standard (including releasing emissions that exceed quantitative thresholds for ozone precursors) | No new or substantially more severe impacts | – | – |
| Impact AQ-4: Expose sensitive receptors to substantial pollutant concentrations | No new or substantially more severe impacts | Mitigation Measure AIR-1 Implement Construction-related Emission Control Practices: | – |

| Impact | Level of Significance for Phase III and IV Project | Applicable Mitigation Measures from Phase II 2022 FEIR | New Phase III and IV Mitigation Measures |
|---|---|---|---|
| | | The City shall ensure that the construction contractor implements all basic construction emission control practices and requirements of SMAQMD Rule 403 during trail construction activities, including the following:<br>• Water all exposed surfaces a minimum of two times daily and as-needed to control fugitive dust. Exposed surfaces include, but are not limited to soil piles, graded areas, unpaved parking areas, staging areas, and access roads.<br>• 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 should be covered.<br>• 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.<br>• Limit vehicle speeds on unpaved roads to 15 miles per hour.<br>• 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.<br>• Maintain all equipment in proper working condition according to manufacturer's specifications. The | |

| Impact | Level of Significance for Phase III and IV Project | Applicable Mitigation Measures from Phase II 2022 FEIR | New Phase III and IV Mitigation Measures |
|---|---|---|---|
| | | equipment must be checked by a certified mechanic and determined to be running in proper condition before it is operated. | |
| Impact AQ-5: Create objectionable odors affecting a substantial number of people | No new or substantially more severe impacts | – | – |
| **Biological Resources** | | – | – |
| Impact BIO-1: Potential to have a substantial adverse effect, either directly or through habitat modifications, on any species in local or regional plans, policies, or regulations, or regulated by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service | Less than Significant with Mitigation | Mitigation Measure BIO-1: Conduct Environmental Awareness Training Regarding Special-status Species and Sensitive Habitats prior to Construction<br>Mitigation Measure BIO-2: Install Temporary Fencing around Environmentally Sensitive Habitat<br>Mitigation Measure BIO-3: Prepare and Implement a Storm Water Pollution Prevention Plan, Spill Prevention and Control Plan, and Associated Best Management Practices<br>Mitigation Measure BIO-4: Return Temporarily Disturbed Areas to Pre-Project Conditions<br>Mitigation Measure BIO-5: Avoid the Spread of Invasive Plant Species<br>Mitigation Measure BIO-6: Compensate for Permanent Impacts to Riparian Habitat and Protected Trees<br>Mitigation Measure BIO-7: Monitor During Ground Disturbance and Vegetation Removal | BRT-1: Every individual working on the Project must attend a biological awareness training session delivered by a biologist. This training program will include information regarding the sensitive habitats and an overview of special-status wildlife species that may be encountered within the work area.<br>BRT -2: Prior to the start of construction activities, the Project limits adjacent to the American River and riparian corridor will be marked with flagging, staking, or high visibility fencing to ensure construction will not further encroach into adjacent sensitive resources.<br>BRT -3: Best Management Practices will be incorporated into Project design and Project management to minimize impacts on the environment including erosion and the release of pollutants (e.g., oils, fuels):<br>• Equipment used in and around jurisdictional waters must be in good working order and free of dripping or leaking contaminants;<br>• All erosion control measures, and storm water control measures will be properly incorporated and maintained;<br>• All construction materials will be hauled off-site after completion of construction. |

| Impact | Level of Significance for Phase III and IV Project | Applicable Mitigation Measures from Phase II 2022 FEIR | New Phase III and IV Mitigation Measures |
|---|---|---|---|
| | | Mitigation Measure BIO-8: Avoid Construction Activities within 165 feet of Elderberry Shrubs During Valley Elderberry Longhorn Beetle Flight Season<br><br>Mitigation Measure BIO-9: Implement Dust Control Measure<br><br>Mitigation Measure BIO-10: Prohibit Use of Herbicides and Mowing near Elderberry Shrubs<br><br>Mitigation Measure BIO-11: Compensate for the Permanent Removal and Temporary Disturbance of Valley Elderberry Longhorn Beetle Habitat<br><br>Mitigation Measure BIO-12: Transplant Elderberry Shrubs<br><br>Mitigation Measure BIO-13: Provide Escape Ramps or Cover Open Trenches<br><br>Mitigation Measure BIO-14: Conduct Preconstruction Surveys<br><br>Mitigation Measure BIO-15: Avoid Loss of Swainson's Hawk Nests<br>Mitigation Measure BIO-16: Obtain Preliminary Jurisdictional Determination and Compensate for Impacts to Waters of the U.S. and State | • A chemical spill kit must be kept onsite and available for use in the event of a spill.<br><br>BRT 4: Secondary containment consisting of plastic sheeting or other impermeable material will be used during refueling to prevent petroleum products or other potentially harmful chemicals from contaminating the soil or directly or indirectly entering the American River and associated riparian corridor. Secondary containment must have a raised edge (e.g. sheeting wrapped around wattles).<br><br>BRT-5: Prior to construction, during the breeding season or non-breeding season, surveys for burrowing owl must be conducted by a biologist in accordance with the 2012 CDFW Staff Report on Burrowing Owl Mitigation (or more recent guidance). Surveys must follow CDFW guidance based on timing of survey efforts (breeding season vs. non-breeding season). If burrowing owl is not detected, no further measures will be required.<br><br>BRT-6: If burrowing owls are detected within 500 feet of the Project area, a 250-foot construction buffer zone will be established and maintained around any occupied burrowing owl burrow. A biologist will monitor the site periodically to ensure that buffers are enforced, and owls are not disturbed. The Project biologist will also train/inform construction personnel on avoidance procedures, buffer zones, and protocols in the event that a burrowing owl flies into an active construction zone. Occupied burrows must not be disturbed until a Project biologist verifies through non-invasive means that either: 1) the birds have not begun egg laying, or 2) juveniles from the occupied burrows are foraging independently and |

| Impact | Level of Significance for Phase III and IV Project | Applicable Mitigation Measures from Phase II 2022 FEIR | New Phase III and IV Mitigation Measures |
|---|---|---|---|
| | | | are capable of independent survival. The Project biologist and City will coordinate with CDFW regarding the potential need for burrowing owl mitigation prior to the collapse of presumed unoccupied burrows.<br>BRT -7: Work within or near the American River will be scheduled during periods of low water levels or within designated in-water work windows as determined through consultation with the National Marine Fisheries Service. Alternatively, if water is present within the work area, a dewatering system, or containment system will be implemented prior to commencing work to prevent silt, dust, equipment and other deleterious materials from entering the water.<br><br>BRT -8: The Project biologist will complete a clearance survey for northwestern pond turtle immediately prior to initiating work near the American River for the SR-160 undercrossing, as well as initiating clearing/grubbing in the riparian corridor. If a northwestern pond turtle is encountered during construction activities, construction activities will be suspended in a 100-foot radius of the animal until the animal leaves the Project site on its own volition. If necessary, the Project biologist will notify the Wildlife Agencies to determine the appropriate procedures related to relocation. Any worker who inadvertently injures or kills a northwestern pond turtle or who finds one dead, injured, or entrapped must immediately report the incident to the Project biologist.<br><br>BRT -9: If vegetation removal or ground disturbance is planned to occur during the nesting season (February 1st – August 31st), the Project biologist will conduct a pre-construction nesting bird survey within 5 days prior to vegetation removal or ground disturbance. Within 2 weeks of |

| Impact | Level of Significance for Phase III and IV Project | Applicable Mitigation Measures from Phase II 2022 FEIR | New Phase III and IV Mitigation Measures |
|---|---|---|---|
| | | | the nesting bird survey, all vegetation cleared by the Project biologist will be removed from the Project site.<br><br>BRT -10: During the spring/summer season prior to construction the Project biologist must conduct Swainson's hawk protocol level surveys within the Project area plus a ½ mile buffer in accordance with CDFW's guide for Swainson's Hawk Technical Advisory Committee. Pre-construction surveys will determine if active nests are present within the Project area or within 0.25 mile of Project activities. If an active nest is discovered within the survey area the Project biologist will determine the appropriate avoidance strategies (e.g., monitoring, no-work buffers, work windows, temporary sound/noise barriers, etc.) to avoid take of the nest and will coordinate with CDFW as needed.<br><br>BRT -11: In order to avoid and minimize adverse effects to VELB, removal of elderberry shrubs will occur between November and February.<br><br>BRT -13: Prior to arrival at the Project site and prior to leaving the Project site, construction equipment that may excessive vegetation, debris, or mud that may contain invasive plants and/or seeds will be cleaned to reduce the spreading of noxious weeds.<br><br>BRT -14: All food-related trash must be disposed of in closed containers and removed to an offsite location. Construction personnel must not feed or otherwise attract wildlife to the Project area. |

| Impact | Level of Significance for Phase III and IV Project | Applicable Mitigation Measures from Phase II 2022 FEIR | New Phase III and IV Mitigation Measures |
|---|---|---|---|
| | | | BRT -15: The contractor will not apply rodenticide, insecticide, or herbicide within the Project area during construction.<br><br>BRT -16: If any wildlife is encountered during the course of construction, said wildlife will be allowed to leave the construction area unharmed.<br><br>BRT -17: The use of plastic or synthetic monofilament netting is prohibited. All erosion control materials will be comprised of natural fibers. |
| Impact BIO-2: Potential to have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service | No new or substantially more severe impacts | Mitigation Measure BIO-1: Conduct Environmental Awareness Training Regarding Special-status Species and Sensitive Habitats prior to Construction<br><br>Mitigation Measure BIO-2: Install Temporary Fencing around Environmentally Sensitive Habitat<br><br>Mitigation Measure BIO-3: Prepare and Implement a Storm Water Pollution Prevention Plan, Spill Prevention and Control Plan, and Associated Best Management Practices<br><br>Mitigation Measure BIO-4: Return Temporarily Disturbed Areas to Pre-Project Conditions | |
| Impact BIO-3: Potential to have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means | Less than significant with Mitigation | Mitigation Measure BIO-1: Conduct Environmental Awareness Training Regarding Special-status Species and Sensitive Habitats prior to Construction<br><br>Mitigation Measure BIO-2: Install Temporary Fencing around Environmentally Sensitive Habitat | |

| Impact | Level of Significance for Phase III and IV Project | Applicable Mitigation Measures from Phase II 2022 FEIR | New Phase III and IV Mitigation Measures |
|---|---|---|---|
| | | Mitigation Measure BIO-3: Prepare and Implement a Storm Water Pollution Prevention Plan, Spill Prevention and Control Plan, and Associated Best Management Practices<br><br>Mitigation Measure BIO-4: Return Temporarily Disturbed Areas to Pre-Project Conditions<br><br>Mitigation Measure BIO-16: Obtain Preliminary Jurisdictional Determination and Compensate for Impacts to Waters of the U.S. and State | |
| Impact BIO-4: Potential to impact protected trees | Less than significant with Mitigation | Mitigation Measure BIO-1: Conduct Environmental Awareness Training Regarding Special-status Species and Sensitive Habitats prior to Construction<br><br>Mitigation Measure BIO-2: Install Temporary Fencing around Environmentally Sensitive Habitat<br><br>Mitigation Measure BIO-3: Prepare and Implement a Storm Water Pollution Prevention Plan, Spill Prevention and Control Plan, and Associated Best Management Practices<br><br>Mitigation Measure BIO-4: Return Temporarily Disturbed Areas to Pre-Project Conditions<br><br>Mitigation Measure BIO-5: Avoid the Spread of Invasive Plant Species<br><br>Mitigation Measure BIO-6: Compensate for Permanent Impacts to Riparian Habitat and Protected Trees | |

| Impact | Level of Significance for Phase III and IV Project | Applicable Mitigation Measures from Phase II 2022 FEIR | New Phase III and IV Mitigation Measures |
|---|---|---|---|
| | | Mitigation Measure BIO-7: Monitor During Ground Disturbance and Vegetation Removal | |
| **Cultural and Tribal Resources** | | | |
| Impact CTR-1: Damage to or Destruction of Built Environment Historic Properties | No new or substantially more severe impacts. | – | – |
| Impact CTR-2: Potential Damage to or Destruction of Previously Undiscovered Archaeological Sites or Tribal Cultural Resources | No new or substantially more severe impacts | Mitigation Measure CTR-1: Conduct Cultural Resources and Tribal Cultural Resources Sensitivity and Awareness Training Program Prior to Ground-Disturbing Activities<br><br>Mitigation Measure CTR-2: Implement Avoidance, Minimization, and Preservation Measures Should Cultural or Tribal Cultural Resources Be Discovered During Construction | Mitigation Measure CTR-4: A Tribal Monitoring Area shall be developed in coordination with the United Auburn Indian Community (UAIC). If desired, the UAIC may provide a Tribal monitor (at their cost) to be present during all Project activities that will disturb the ground surface within the designated monitoring area. The level of monitoring may be adjusted at the discretion of the UAIC, based on observed soil conditions. If monitoring is desired, the UAIC or the Project archaeologist shall also provide Tribal Cultural Awareness Training to all Project personnel working within the monitoring area. |
| Impact CTR-3: Potential Damage to or Destruction of Human Remains During Construction | No new or substantially more severe impacts | Mitigation Measure CTR-3: Implement Post Discovery Procedures in the Event of the Inadvertent Discovery of Human Remains | - |

| Impact | Level of Significance for Phase III and IV Project | Applicable Mitigation Measures from Phase II 2022 FEIR | New Phase III and IV Mitigation Measures |
|---|---|---|---|
| **Geology and Soils** | | | |
| Impact GEO-1: Cause Adverse Effects Related to Earthquake Fault Rupture, Seismic Ground Shaking, Seismic-Related Ground Failure (including landslide, subsidence, or liquefaction, or Be Located On Expansive Soils) | No new or substantially more severe impacts | Mitigation Measure GEO-1: Perform Final Geotechnical Investigation and Implement Report Recommendations | – |
| **Greenhouse Gases** | | | |
| Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment | No new or substantially more severe impacts | – | – |
| Impact GHG-2: Conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases | No new or substantially more severe impacts | – | – |
| **Hazards and Hazardous Materials** | | | |
| Impact HAZ-1: Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials | Less than Significant with Mitigation | Mitigation Measure BIO-3: Prepare and Implement a Storm Water Pollution Prevention Plan, Spill Prevention and Control Plan, and Associated Best Management Practices | HAZ-3: Perform a preliminary investigation and screening for potential levels of petroleum hydrocarbon contamination, grease, and oils in the surface and near-surface soils along the project area(s) within 50 feet of the existing railroad alignment, and perform testing for Title 22 metals and creosote along with contaminated groundwater up to 80 feet. The investigation should include a remediation plan for handling and / or removal and disposal of contaminated soils and groundwater, if encountered. |

| Impact | Level of Significance for Phase III and IV Project | Applicable Mitigation Measures from Phase II 2022 FEIR | New Phase III and IV Mitigation Measures |
|---|---|---|---|
| Impact HAZ-2: Potential to create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment | Less than Significant with Mitigation | Mitigation Measure HAZ-1: Prepare a Worker Health and Safety Plan and Implement Appropriate Measures to Minimize Potential Exposure of the Public to Hazardous Materials<br>Mitigation Measure HAZ-2: Obtain Site Closure and Follow Post-Closure Requirements for Past Disposal Sites | HAZ-3: Perform a preliminary investigation and screening for potential levels of petroleum hydrocarbon contamination, grease, and oils in the surface and near-surface soils along the project area(s) within 50 feet of the existing railroad alignment, and perform testing for Title 22 metals and creosote along with contaminated groundwater up to 80 feet. The investigation should include a remediation plan for handling and / or removal and disposal of contaminated soils and groundwater, if encountered.<br><br>HAZ-4: Prior to construction of the pedestrian overcrossing in Phase IV, a site-specific Groundwater Monitoring and Management Plan (GMMP) shall be prepared and implemented to monitor and manage groundwater encountered during construction. The plan shall include measures for containment, treatment, disposal, and reporting in compliance with Regional Water Quality Control Board and Title 22 requirements.<br><br>HAZ-5: Prior to construction of the pedestrian overcrossing in Phase IV and prior to subsurface construction, the contractor shall prepare and implement a Health and Safety Plan (HASP) in accordance with 8 CCR §5192. The HASP shall include procedures for handling contaminated groundwater, PPE requirements, and emergency response protocols.<br><br>HAZ-6: Prior to construction of the pedestrian overcrossing in Phase IV, the City shall coordinate with the RWQCB and any other relevant agencies to obtain necessary permits |

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| | | | and approvals for construction within a landfill and potential groundwater impact zone. Documentation of coordination and compliance shall be provided to the City. |
| **New:** Impact HAZ-3: Accidental Release of Hazardous Materials Associated with Contaminated Groundwater Encountered During Construction | Less than Significant with Mitigation | – | |
| **Hydrology and Water Quality** | | | |
| Impact HWQ-1: Violate Water Quality Standards or Waste Discharge Standards, Degrade Surface Water Quality, Conflict With Implementation of a Water Quality Control Plan, or Release Pollutants During Flooding | No new or substantially more severe impacts | Mitigation Measure BIO-3: Prepare and Implement a Storm Water Pollution Prevention Plan, Spill Prevention and Control Plan, and Associated Best Management Practices. | BRT-1: Every individual working on the Project must attend a biological awareness training session delivered by a biologist. This training program will include information regarding the sensitive habitats and an overview of special-status wildlife species that may be encountered within the work area.<br><br>BRT -2: Prior to the start of construction activities, the Project limits adjacent to the American River and riparian corridor will be marked with flagging, staking, or high visibility fencing to ensure construction will not further encroach into adjacent sensitive resources.<br><br>BRT -3: Best Management Practices will be incorporated into Project design and Project management to minimize impacts on the environment including erosion and the release of pollutants (e.g., oils, fuels):<br>• Equipment used in and around jurisdictional waters must be in good working order and free of dripping or leaking contaminants;<br>• All erosion control measures, and storm water control measures will be properly incorporated and maintained;<br>• All construction materials will be hauled off-site after completion of construction. |

| | | | | |
|---|---|---|---|---|
| | | | • A chemical spill kit must be kept onsite and available for use in the event of a spill.<br>BRT 4: Secondary containment consisting of plastic sheeting or other impermeable material will be used during refueling to prevent petroleum products or other potentially harmful chemicals from contaminating the soil or directly or indirectly entering the American River and associated riparian corridor. Secondary containment must have a raised edge (e.g. sheeting wrapped around wattles). | |
| Impact HWQ-2: Result in Erosion or Flood Impacts | No new or substantially more severe impacts | – | | – |
| **Land Use and Planning** | | | | |
| Impact LUP-1: Conflict with Land Use Plans: American River Parkway Plan | No impact | – | | – |
| **Mineral Resources** | No impact | – | | – |
| **Noise** | | | | |
| Impact NOS-1: Cause A Temporary or Permanent Increase in Ambient Noise Levels In Excess Of Applicable Standards | No new or substantially more severe impacts | – | | – |
| Impact NOS-2: Generate Excessive Groundborne Vibration or Groundborne Noise Levels | No new or substantially more severe impacts | – | | – |
| **Population and Housing** | No impact | – | | – |

| Impact | Level of Significance for Phase III and IV Project | Applicable Mitigation Measures from Phase II 2022 FEIR | New Phase III and IV Mitigation Measures |
|---|---|---|---|
| **Public Services** | | | |
| Impact PSR-1: Public Services: Fire Protection and Emergency Medical Service | No new or substantially more severe impacts | – | – |
| Impact PSR-2: Public Services: Police Protection | No new or substantially more severe impacts | – | – |
| **Recreation** | | | |
| Impact PSR-3: Recreation: Cause Deterioration of Existing Facilities | No new or substantially more severe impacts | – | – |
| **Transportation and Traffic** | | – | – |
| Impact TRC-1: Conflict with Plans or Standards: Congestion and Transit Operations | No new or substantially more severe impacts | – | – |
| Impact TRC-2: Conflict with Plans or Standards: Pedestrian and Bicycle Circulation | No new or substantially more severe impacts | – | – |
| **Utilities and Service Systems** | No impact | – | – |
| **Wildfire** | No impact | – | – |

Chapter 1

# Introduction and Scope of Environmental Impact Report

## 1.1 California Environmental Quality Act Guidelines on Subsequent EIR's

This document has been prepared as a Subsequent EIR in accordance with the California Environmental Quality Act (CEQA) Section 15162. According to CEQA Guidelines Section 15162(a), a subsequent EIR is required when any of the following conditions occur:

1. Substantial changes are proposed to the project that will require major revisions to the previous EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;
2. Substantial changes occur with respect to the circumstances under which the project is undertaken that would result in new significant effects or a substantial increase in the severity of previously identified impacts; or
3. New information of substantial importance becomes available that was not known and could not have been known at the time the previous EIR was certified, and which shows:
    a. The project will have one or more significant effects not previously discussed;
    b. Significant effects previously examined will be substantially more severe than shown in the prior EIR;
    c. Mitigation measures or alternatives previously found infeasible are now feasible and would substantially reduce significant effects; or
    d. Different mitigation measures or alternatives are now available that would substantially reduce one or more significant effects.

In compliance with these guidelines, this Subsequent Focused EIR evaluates and discloses new impacts resulting from the City's updated design, which incorporates additional trail alignments and design features not previously analyzed in the 2022 certified Two Rivers Trail Phase II FEIR.

The CEQA Guidelines authorize an agency to focus an EIR on discussions of the new or substantially more severe impacts (CEQA Guidelines Section 15162). When doing so, the agency is to prepare an Initial Study that documents the reasons why various possible significant effects of a project were determined not to be significant or substantially more severe than disclosed in the original program EIR (CEQA Guidelines Section 15128).

The technical studies prepared for the Project design updates have found that the new Project features will result in potential substantially more severe impacts to aesthetics, biological resources, cultural resources and tribal cultural resources, and hazards/hazardous materials that were not previously disclosed in the 2022 FEIR. The technical studies are included in the appendices of this Draft Subsequent Focused EIR.

### 1.1.1 Previous Project EIR

In December 2022, the City approved the FEIR for the Two Rivers Trail Phase II Project which will construct approximately 3.4 miles of Class I bicycle and pedestrian trail along the south bank of the American River extending from Tiscornia Park at Jibboom Street to the H Street Bridge in Sacramento, California (SCH #2018102058). Since then, the Project has been updated to include additional trail alignments and design features that were not previously analyzed. This Subsequent EIR will tier from the certified 2022 FEIR and will evaluate whether the proposed new alignment and design features for the trail would result in new or substantially more severe significant impacts, than the impacts disclosed in the 2022 FEIR.

### 1.1.2 Impacts Identified by the Previous Project EIR

The previous Project EIR identified significant impacts from the Two Rivers Trail Phase II Project on the following resources. See Table 1 in the FEIR's Executive Summary for a concise summary of all of the impacts of the Two Rivers Trail Phase II Project, including those found to be less than significant.

Significant and Unavoidable Impacts:

- None

Less Than Significant Impacts with Mitigation:

- Air Quality
- Biological Resources
- Cultural and Tribal Resources
- Geology and Soils
- Hazards and Hazardous Materials
- Hydrology, Water Quality and Drainage

### 1.1.3 Document Format

This Draft Subsequent Focused EIR focuses on aesthetics, biological resources, cultural resources and tribal cultural resources, and hazards/hazardous waste impacts. It is made up of the following component chapters:

- *Executive Summary*—an overview of the project description and the key findings of the 2022 FEIR.
- Chapter 1, *Introduction*—an overview of how CEQA applies to this project and this document.
- Chapter 2, *Project Description*—a description of the changes to the Project that comprise the updates.
- Chapter 3, *Impact Analysis*—review of the findings of the 2022 FEIR; analyses of the potential environmental impacts of the Project updates, viewed in the context of the 2022 FEIR; and identification of feasible mitigation measures to reduce those impacts. The analyses are arranged

in topical, alphabetical order with a subchapter devoted to each potential significant impact. Each subchapter is organized according to the following framework.

  - Existing Conditions
  - Regulatory Setting
  - Environmental Setting
  - Environmental Impacts—including identification of the impacts identified in the 2022 FEIR
  - Thresholds of Significance
  - Impacts and Mitigation Measures

- Chapter 4, *Other CEQA Requirements*—consideration of growth inducement and cumulative impacts resulting from the Project design updates.
- Chapter 5, *List of Preparers*—list of technical experts and project team that contributed to this environmental document.
- Appendix A, *Notice of Preparation of a Subsequent EIR (2025)* – Notice of Preparation and all public comments received.
- Appendix B. *2022 Two Rivers Trail (Phase II) Project FEIR*
- Appendix C. *Biological Resources Inventory Report (2025)* – biological technical study prepared to analyze the new proposed segments of the trail not studied by the 2022 FEIR.
- Appendix D. *Hazardous Waste Initial Site Assessment and Testing Results (2025)* –technical study prepared to analyze the new proposed segments of the trail not studied by the 2022 FEIR.

## New Alternatives Are Not Considered

The 2022 FEIR examined the following alternatives to the Two Rivers Trail (Phase II) Project:

- No Project
- Alternative 1: October 2018 Initial Study Alternative
- Alternative 2: Top of Levee Construction – Segments 4 through 6
- Alternative 3: Extended Top of Levee Segment Alternative
- Alternative 4: Align Trail outside of the American River Parkway

Each of these alternatives was dismissed upon approval of the 2022 FEIR. The Draft Subsequent Focused EIR does not include analyses of any new alternatives to the project.

New alternatives are required in a subsequent EIR when "[n]ew information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete" shows that one or more alternatives previously found not to be feasible would in fact be feasible, and would substantially reduce one or more significant effects of the project, or alternatives that are considerably different from those analyzed in the 2022 FEIR would substantially reduce one or more significant effects on the environment (CEQA Guidelines Section 15162). There is no new information meeting the definition

of Section 15162. The conditions within the City are largely the same as when the 2022 FEIR was certified.

## 1.2 Intended Use of this Draft Subsequent Focused EIR

This Draft Subsequent Focused EIR will be considered by the City when approving the Project design updates. In conjunction with the 2022 FEIR, it will cover future activities necessary to implement the Project. The mitigation measures identified in this Draft Subsequent Focused EIR and the pertinent measures from the 2022 FEIR will be applied to the future activities to reduce or avoid their potential environmental impacts.

The agencies expected to use the Final Subsequent Focused EIR in the future include those listed below.

- City of Sacramento Department of Public Works
- City of Sacramento Planning Commission
- City of Sacramento City Council

## 1.3 Reviewing an EIR

The Draft Subsequent Focused EIR will be available for public review for a period of 45 days from July 30, 2025 to September 15, 2025. Copies will be provided to public agencies for review and comment, posted in electronic format on the City's website, and available in printed format at the City of Sacramento Public Library.

### 1.3.1 Making Effective Comments

The CEQA process encourages public involvement. Comments on the Draft Subsequent Focused EIR must be submitted in writing (including as an email). Written comments can be submitted during the draft EIR review period, as discussed below.

The Draft Subsequent Focused EIR differs from the approved 2022 Two Rivers Trail (Phase II) FEIR in that it analyzes the potential impacts of new segments of trail that were not previously analyzed.

- The Draft Subsequent Focused EIR is an informational document.
- It does not re-open CEQA analysis for the previously approved Two Rivers Trail (Phase II) segments that were already approved or any impacts that will result from that Project.

In commenting on the Draft Subsequent Focused EIR for the new segments, commenters should address whether it adequately identifies and analyzes significant environmental impacts and how they may be avoided or reduced. Comments are most helpful when they specifically address impact conclusions, alternatives, or mitigation measures, or the methods of analysis used by the lead agency to evaluate these issues. Commenters should explain the basis for their comments and include supporting evidence such as data, expert opinion, or other facts. This includes providing the City with copies of any references used as the basis for the comments. If the

reference is available on a website, commenters should provide the City with the specific web address where the reference can be accessed.

Commenters are free to express their opinions about the 2022 Two Rivers Trail FEIR, but these are not necessarily helpful to the City in preparing an adequate Subsequent EIR for the new segments. Effective CEQA-related comments focus on the Subsequent EIR and its adequacy as an informational document. Commenters should be aware that the adequacy of an EIR is determined in terms of what is reasonably feasible. CEQA does not require a lead agency to conduct every test or perform all research, study, and experimentation recommended by commenters. Disagreement among experts does not make an EIR inadequate, but the EIR should summarize the main points of disagreement among the experts, if any.

### 1.3.2 Submitting Comments

The review period for this Draft Subsequent Focused EIR will be 45 days, beginning on July 30, 2025 and ending on September 15, 2025.

Written comments on the Draft Subsequent Focused EIR may be submitted by email or mailed to:

Charlie Tschudin, Senior Planner
City of Sacramento Community Development Department,
300 Richards Blvd., Third Floor, Sacramento, CA 95811.
Tele (916) 808-8272
E-mail: ctschudin@cityofsacramento.org

Comments may also be submitted after the end of the formal review period; however, it is possible that they may not be responded to in writing and included in the Final Subsequent Focused EIR. No comments on the Draft Subsequent Focused EIR will be responded to outside of the CEQA process, and commenters will not be sent individual responses to their comments. The responses will be contained in the Final Subsequent Focused EIR. Comments that are received too late for inclusion in the Final Subsequent Focused EIR will nonetheless be made available to the City Council during their deliberations on the Focused Subsequent EIR.

## 1.4 Final EIR

After the close of the Draft Subsequent Focused EIR's review period, the City will prepare the Final Subsequent Focused EIR. The Final Subsequent Focused EIR will include: the comments received during the formal review period of the Draft Subsequent Focused EIR; good faith, well-reasoned responses to the comments received that relate to environmental issues; and any revisions made to the Draft Subsequent Focused EIR in response to the comments. The Final EIR will also contain copies of the comments received during the formal review period.

The Final Subsequent Focused EIR and accompanying Draft Subsequent Focused EIR will be available to the City Council for consideration during their decision- making process to approve or deny the Project. Although a written response isn't required, the City Council is required to consider any late comments prior to acting on the proposed Project.

### 1.4.1 Environmental Setting and Baseline

The environmental setting is normally existing conditions at the time the CEQA analysis begins (CEQA Guidelines Section 15125). In most cases, this forms the baseline that the impact analysis will use as its starting point. However, when the subsequent Project is within the scope of the original FEIR, the effective baseline is the previously approved and analyzed project for which the FEIR was certified (*Sierra Club v. City of Orange* [2008] 163 Cal.App.4th 523). "When a lead agency is considering whether to prepare an SEIR, it is specifically authorized to limit its consideration of the later project to effects not considered in connection with the earlier project. [Citation.]" (*Temecula Band of Luiseño Mission Indians v. Rancho Cal. Water Dist.* [1996] 43 Cal.App.4th 425, 437).

Here, the previous project is the 2022 FEIR. The following analyses of resource topics (e.g., aesthetics, air quality) will describe the environmental setting for each resource in the context of the 2022 FEIR baseline.

# Chapter 2
# Project Description

Project Background

In December 2022, the City approved the Final EIR (FEIR) for the Two Rivers Trail Phase II Project which will construct approximately 3.4 miles of Class I bicycle and pedestrian trail along the south bank of the American River extending from Tiscornia Park at Jibboom Street to the H Street Bridge in Sacramento, California (SCH #2018102058). Since then, the Project has been updated to include additional trail alignments and design features that were not previously analyzed which are included as Phase III and Phase IV (see Figures 1 through 6). As the lead agency, the City will prepare a Subsequent Environmental Impact Report that will tier from the certified 2022 FEIR and will evaluate whether the proposed new alignment and design features for the trail would result in new or substantially more severe significant impacts, than the impacts disclosed in the 2022 FEIR.

Project Description

As part of the Phase III and Phase IV Project, the City proposes to construct approximately 1.8 miles of bicycle and pedestrian trail through Sutters Landing Park that extends from 28th Street to the west, ending on the levee approximately 0.10 mile west of SR-160 (see Figure 7). The Two Rivers Trail Phase III and IV Project (Project) would generally consist of a 12-foot-wide paved trail with a 2-foot-wide compacted aggregate base (AB) shoulder on each side. To accommodate project phasing, there will also be segments where the trail is composed only of aggregate base (unpaved). On-street bicycle lanes are also proposed in some locations as a part of the Project.

Beginning along the west side of 28th Street just south of the 28th & B Skate Park, the project will replace the stamped asphalt concrete walkway adjacent to the dog park with the paved trail, regrade a small area of the dog park, realign the A Street driveway to align with McKinley Village Way and potentially relocate the Sutters Landing Park monument. The trail would turn west following the existing A Street alignment and create a separate, parallel paved road to the north to accommodate maintenance and truck traffic serving the landfill and local businesses. The existing fencing and gates along A Street and within the landfill area will be reconfigured to provide thru access on the trail while also maintaining security for the existing adjacent parcels. Sufficient grading will be conducted to ensure that the entire trail is ADA compliant. Just east of the SMUD substation, the trail will turn north and follow the eastern perimeter of the landfill until reaching the landward toe of the American River levee. Turning west again, the paved trail will continue for approximately 1,000 feet where it will conform to the existing gravel maintenance road. In the near-term, users of the Phase III trail will be able to continue west along the gravel maintenance road, following the west, east, and south edge of the landfill in succession until closing the loop at the paved trail near the northeast corner of the SMUD substation. West of the UPRR tracks, the trail will connect to the Sacramento Northern Bikeway, ramping down to the North 18th Street/Basler Street intersection. The trail will continue west along Basler Street as a Class III bikeway and along Sproule Avenue as a Class II bikeway. West of Sproule Avenue, bicycles and pedestrians will be able to use a combination of existing facilities to connect to the Two Rivers Phase I Trail. In the future, the Phase IV project will connect to the end of the Phase III paved trail north of the landfill and south of the American River levee, ramping up to a bridge that spans the UPRR tracks. West of the tracks, the trail will follow the top of the American River levee, connecting to the Sacramento Northern Bikeway and ramping down the water side of the levee to pass under the North 16th Street and North 12th Street (collectively State Route 160 [SR-160])

Project Area (92.89 acres)

Existing Trail

**Project Features**

Pavement

Cut and Fill Limits

Bridge

Gravel Path

Rock Slope Protection (RSP)

Striping

Page2

Page3

Page4

Page5

Page6

Page7

Page8

Page9

Page10

Page11

Vine St

Dos Rios St

Louise St

Mint St

Elza St

Sunbeam Ave

Sitka St

Sproule Ave

Basler St

Ahern St

Dreher St

N C St

N B St

Thornton Ave

N 10th St

N 11th St

N 14th St

N 18th St

A St

C St

D St

E St

F St

G St

11th St

12th St

13th St

14th St

15th St

17th St

18th St

19th St

20th St

21st St

22nd St

23rd St

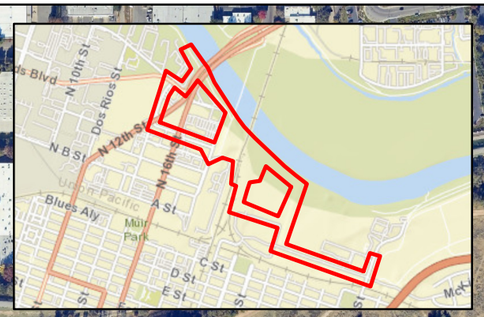
24th St

25th St

28th St

Lathrop Way

160




Source: ESRI Maps Online; Dokken Engineering 7/18/2025; Created By: kjacobson

V:\3127_Two Rivers Trail Phase III\F6_Project Features.mxd

1 inch = 600 feet

0 600 1,200 1,800 2,400 3,000 Feet

**Figure 7**
**Project Features**
**Page 1 of 11**

Two Rivers Trail Phase III and IV Project
City of Sacramento, Sacramento County, California


V:\3127_Two Rivers Trail Phase III\F6_Project Features.mxd

Source: ESRI Maps Online; Dokken Engineering 7/18/2025; Created By: kjacobson

1 inch = 100 feet

0 100 200 300 400 500 Feet

**Figure 7**
**Project Features**
**Page 2 of 11**

Two Rivers Trail Phase III and IV Project
City of Sacramento, Sacramento County, California

Project Area (92.89 acres)

Existing Trail

**Project Features**

Pavement

Cut and Fill Limits

Bridge

Gravel Path

Rock Slope Protection (RSP)

Striping

Matchline - See Page2

Louise St

Isabel St

Delta St

Eliza St

Mint St

Sitka St

Sunbeam Ave

Sproule Ave

Matchline - See Page4

Matchline - See Page5

160

V:\3127_Two Rivers Trail Phase III\F6_Project Features.mxd

Source: ESRI Maps Online; Dokken Engineering 7/18/2025; Created By: kjacobson

1 inch = 100 feet

0 100 200 300 400 500 Feet

**Figure 7**
**Project Features**
**Page 3 of 11**

Two Rivers Trail Phase III and IV Project
City of Sacramento, Sacramento County, California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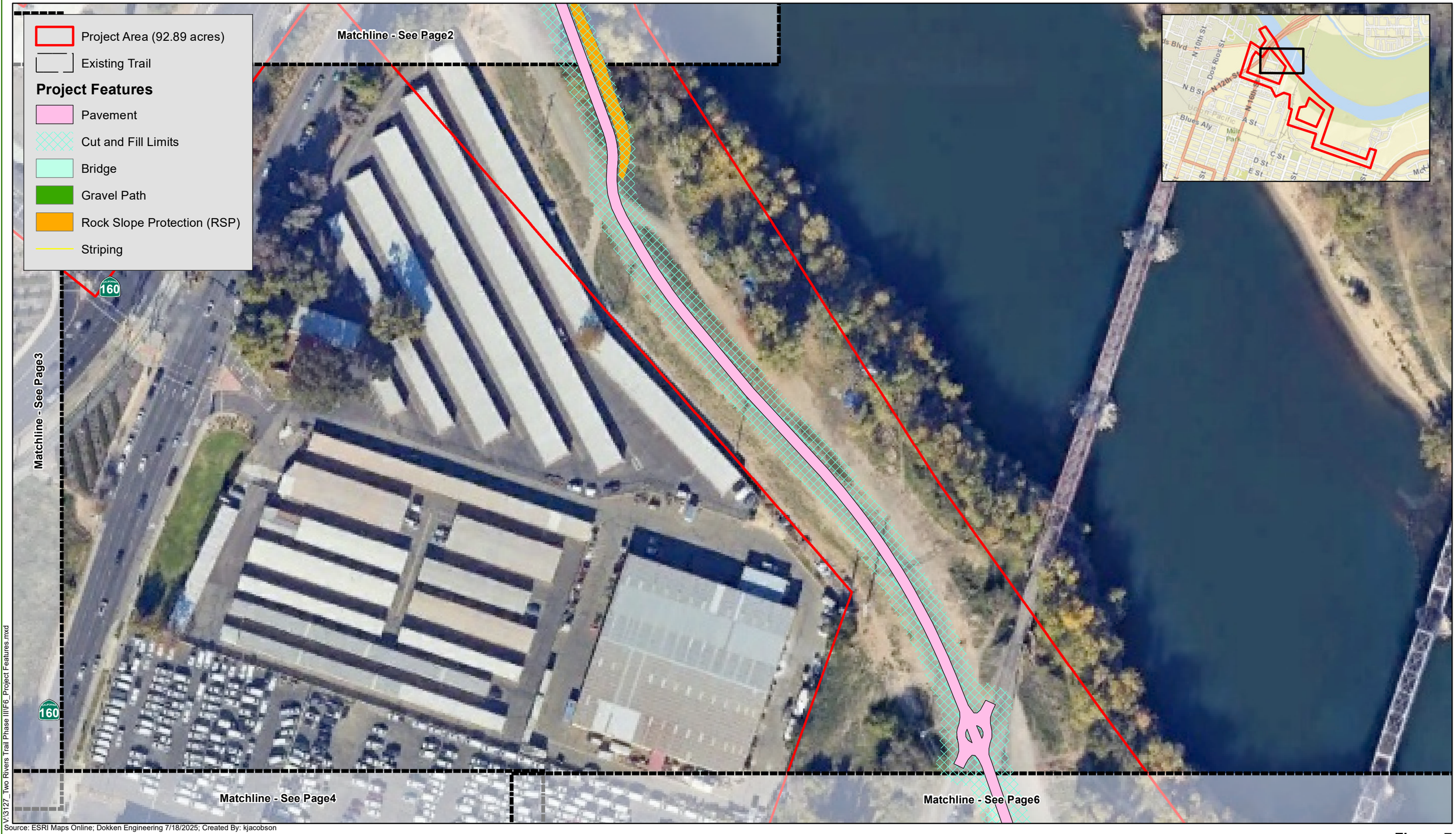
Source: ESRI Maps Online; Dokken Engineering 7/18/2025; Created By: kjacobson

1 inch = 100 feet

0 100 200 300 400 500 Feet

**Figure 7**
**Project Features**
**Page 4 of 11**

Two Rivers Trail Phase III and IV Project
City of Sacramento, Sacramento County, California

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Source: ESRI Maps Online; Dokken Engineering 7/18/2025; Created By: kjacobson

1 inch = 100 feet

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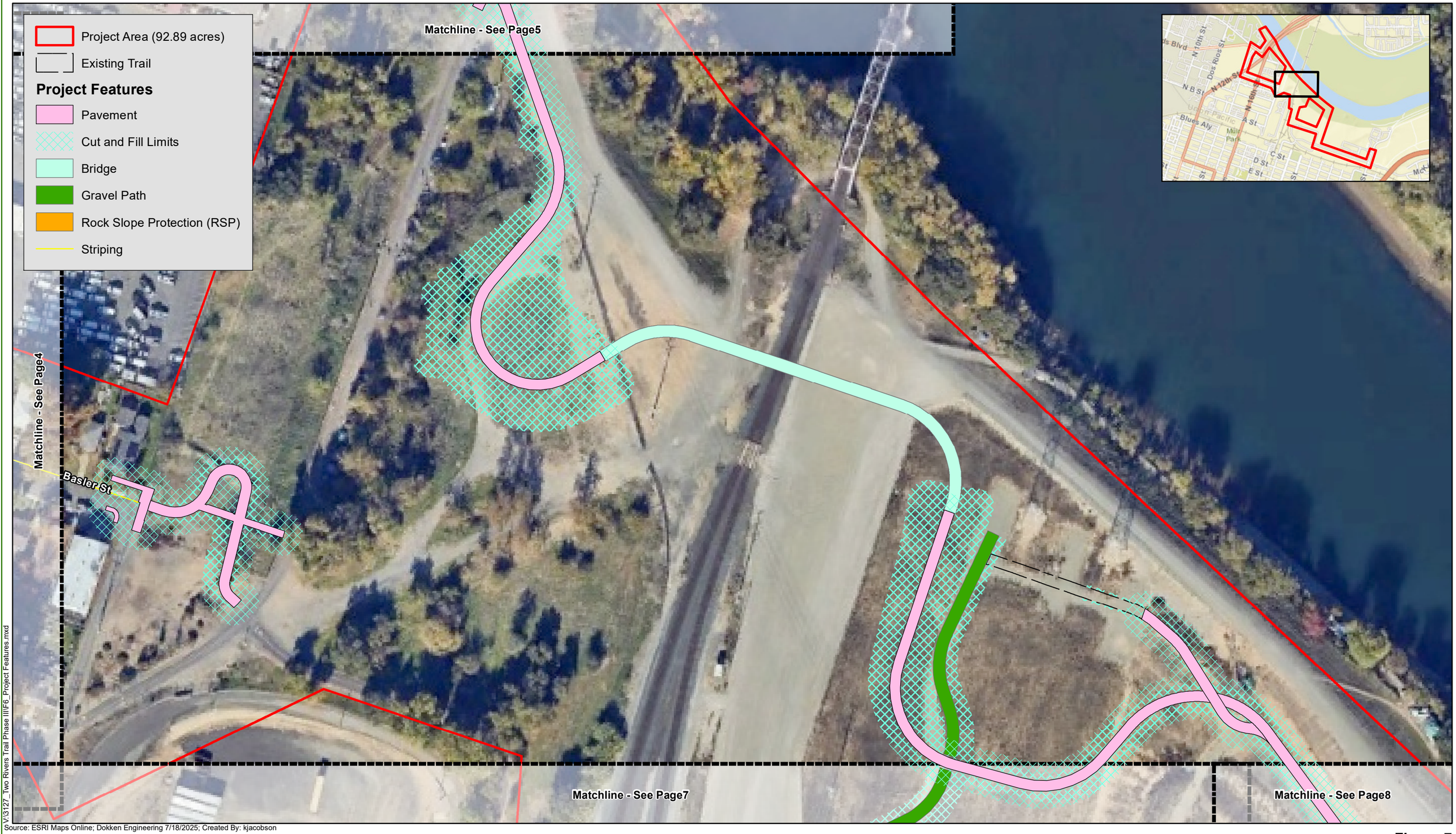
**Figure 7**
**Project Features**
**Page 5 of 11**

Two Rivers Trail Phase III and IV Project
City of Sacramento, Sacramento County, California

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Source: ESRI Maps Online; Dokken Engineering 7/18/2025; Created By: kjacobson

1 inch = 100 feet

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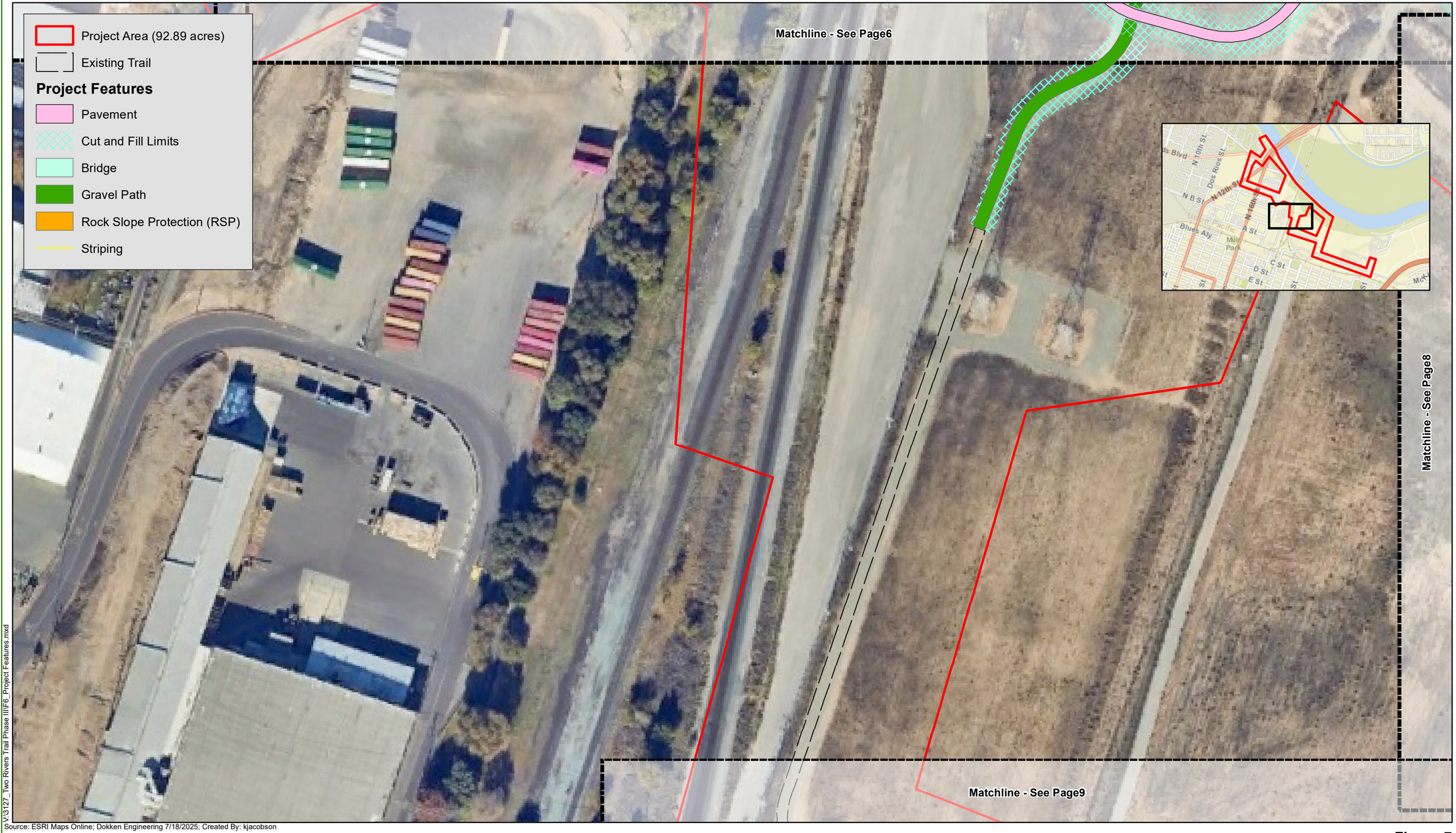
**Figure 7**
**Project Features**
**Page 6 of 11**

Two Rivers Trail Phase III and IV Project
City of Sacramento, Sacramento County, California

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Source: ESRI Maps Online; Dokken Engineering 7/18/2025; Created By: kjacobson

1 inch = 100 feet

0 100 200 300 400 500 Feet

**Figure 7**
**Project Features**
**Page 7 of 11**

Two Rivers Trail Phase III and IV Project
City of Sacramento, Sacramento County, California


V:\3127_Two Rivers Trail Phase III\F6_Project Features.mxd

Source: ESRI Maps Online; Dokken Engineering 7/18/2025; Created By: kjacobson

1 inch = 100 feet

0 100 200 300 400 500 Feet

**Figure 7**
**Project Features**
**Page 8 of 11**

Two Rivers Trail Phase III and IV Project
City of Sacramento, Sacramento County, California


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Source: ESRI Maps Online; Dokken Engineering 7/18/2025; Created By: kjacobson

1 inch = 100 feet

0 100 200 300 400 500 Feet

**Figure 7**
**Project Features**
**Page 9 of 11**

Two Rivers Trail Phase III and IV Project
City of Sacramento, Sacramento County, California


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Source: ESRI Maps Online; Dokken Engineering 7/18/2025; Created By: kjacobson

1 inch = 100 feet

0 100 200 300 400 500 Feet

**Figure 7**
**Project Features**
**Page 10 of 11**

Two Rivers Trail Phase III and IV Project
City of Sacramento, Sacramento County, California


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Source: ESRI Maps Online; Dokken Engineering 7/18/2025; Created By: kjacobson

1 inch = 100 feet

0 100 200 300 400 500 Feet

**Figure 7**
**Project Features**
**Page 11 of 11**

Two Rivers Trail Phase III and IV Project
City of Sacramento, Sacramento County, California

bridges. The underpass will consist of a 12-foot paved path with no shoulders and will be supported on the water side by a retaining wall. The trail will ramp back up to the top of the levee and connect to the existing Two Rivers Phase I Trail west of SR-160. For the Phase IV trail, security lighting will be provided on the UPRR overcrossing and the SR-160 underpass for safety purposes. Erosion control will be provided to protect graded elements within the American River channel and on the landfill.

This Project is essential for closing gaps in the existing and planned trail system, improving access for users of all ages and abilities to retail, employment, and recreational amenities. No permanent right-of-way acquisitions are required; however, permanent and temporary easements will be needed, and some utility relocations will be required.

This project is locally funded and therefore requires compliance with the CEQA. The lead agency for CEQA compliance is the City.

# 2.1 General Purpose of the Project

The purpose of the Project is to:

- Provide a vital recreation link between the Jedediah Smith Trail on the north side of the American River Parkway, the Sacramento River Parkway, the Sacramento Northern Bikeway Trail, the future Ueda Parkway trails, and the 20th Street bike connection to the Central City;
- Provide alternative transportation access for commuters and residents in the eastern part of the City, California State University, Sacramento (CSUS), Central City, North Sacramento, East Sacramento, and Richards Boulevard area;
- Provide trail users with a connection to the river and the American River Parkway; and
- Provide an American's with Disabilities Act (ADA)-compliant, active transportation connection to adjacent communities throughout the Sacramento area for pedestrians and bicyclists of all ages and abilities to access retail, jobs, and recreational amenities.

# 2.2 Shared Features of the Phase II, III, and IV Projects

As shown in Figures 3 and 4, the 2022 FEIR analyzed and approved a majority of the project area for the proposed Phase III and IV trail segments that are now being considered in this subsequent EIR with the exception of the bridge overcrossing the UPRR, on-street bicycle lanes, and the undercrossing of SR-160. Similar to the Phase II project, Phase III and IV would generally consist of a paved path with 2-foot wide shoulders; however, there will also be segments where the trail is composed only of aggregate base (unpaved). On-street bicycle lanes are also proposed in some locations as a part of the Project.

# 2.3 Public Outreach and Participation for the Draft Subsequent Focused EIR

Notice of Preparation

The CEQA does not require formal hearings at any stage of the environmental review process (CEQA Guidelines Section 15202[a]). However, it does encourage "wide public involvement, formal and

informal, to receive and evaluate public reactions to environmental issues" (CEQA Guidelines Section 15201).

In accordance with the CEQA Guidelines, the City distributed a Notice of Preparation (NOP) of a Draft Subsequent Focused EIR for the proposed Project on March 31, 2025 and gave the public an opportunity to provide comment on the scope of the analysis that should be included in the Draft Subsequent EIR. The NOP comment period closed on May 1, 2025. A public scoping meeting was held virtually on April 23, 2025 from 5:30-6:30PM where the City presented the new additions of the trail to the public and invited questions. The comments received by the City on the NOP and during the public scoping meeting were considered in the preparation of the Draft EIR. The scope of the Draft EIR included the potential environmental impacts identified in the NOP, as well as any issues raised by agencies and the public in response to the NOP. The NOP and comments received during the NOP comment period are contained in Appendix A of this Draft Subsequent EIR.

## 2.4 Required Permits and Approvals

The proposed Project would require approval from the following agencies:

- **City of Sacramento City Council**. Adoption of the Final Subsequent Focused EIR.
- **American River Parkway Advisory Committee.** Coordination throughout design and construction.
- **Sacramento County Recreation and Parks Commission.** Coordination throughout design and construction.
- **U.S. Army Corps of Engineers Section 408 Division.** Phase IV of the Project would be constructed on a federally owned USACE levee; therefore, a Section 408 permission would be obtained.
- **Central Valley Regional Water Quality Control Board**. Phase IV of the Project would be constructed within jurisdictional waters of the U.S. and State; therefore, a Section 401 Water Quality permit would be obtained.
- **Central Valley Flood Protection Board**. Phase IV of the Project would be constructed within a designated floodway; therefore, an encroachment permit from CVFPB would be obtained.
- **California Department of Fish and Wildlife**. Phase IV of the Project would be constructed within riparian habitat and jurisdictional waters of the state; therefore, a Section 1600 Streambed Alteration Agreement would be obtained from CDFW.
- **U.S. Fish and Wildlife Service**. Phase III and IV of the Project would result in indirect and direct impacts to habitat suitable for the Valley Elderberry Longhorn Beetle (VELB), a federally protected species; therefore, consultation under Section 7 of the Endangered Species Act with U.S. Fish and Wildlife would be required.
- **Regional Water Quality Control Board**. Phase III and IV of the Project would obtain a National Pollutant Discharge Elimination System 402 Construction General Permit.

# Chapter 3
# Impact Analysis

The primary purpose of this Draft Subsequent Focused EIR is to analyze the potential new or substantially more severe significant impacts of the proposed new alignment and design features for the trail, in the context of the 2022 FEIR. The CEQA Guidelines define a significant environmental impact as "a substantial, or potentially substantial, adverse change in any of the physical conditions within the area affected by the project" (Guidelines Section 15382). The CEQA Guidelines encourage EIRs to "focus on the significant effects on the environment" (Guidelines Section 15143). Impacts that have been considered and dismissed in an Initial Study as clearly less than significant and unlikely to occur do not need to be included in the EIR "unless the Lead Agency subsequently receives information inconsistent with the finding in the Initial Study" (Guidelines Section 15143).

The analyses in this Draft Subsequent Focused EIR address the Project design updates short- and long-term adverse impacts on the physical (natural and built) environment, under the assumption the new infrastructure described in the updates, that was not previously included in the 2022 FEIR, will be built out. The conditions described in the 2022 FEIR are the baseline against which the significance of the project's potential impacts is evaluated.

The Draft Subsequent Focused EIR tiers upon the approved 2022 Two Rivers Trail Phase II FEIR. Therefore, the impact analyses in this document reference 2022 FEIR findings where pertinent.

## 3.1 Environmental Issues Addressed in this Draft Subsequent Focused EIR

The analysis included in the following sections focuses on the specific environmental resource topics that require further evaluation to determine if they have a potential significant impact that wasn't previously disclosed in the 2022 FEIR. Comments received during the scoping process were taken into consideration in development of this Draft Subsequent Focused EIR based on a comparison with the CEQA Checklist Guidelines and 2022 FEIR. Environmental issues identified in the NOP that received no additional public comment and are determined to have no significant or a less than significant impact in the 2022 FEIR are disclosed in Section 3.2 of this document. The environmental issues that are analyzed in this Draft Subsequent Focused EIR are listed below. Each section of Chapter 3.1 describes the environmental setting for the subject resource, describes the methods used for the analysis, identifies the significance thresholds or criteria used to determine whether the project would have a new or substantially more severe significant effect than identified in the 2022 FEIR, describes the significant environmental impacts of the project, and identifies mitigation measures for each significant effect, when feasible mitigation exists. Impacts are numbered consecutively for each resource area, and mitigation measure numbering corresponds to impact numbering.

- Section 3.1.1, *Aesthetics*
- Section 3.1.2, *Biological Resources*
- Section 3.1.3, *Cultural Resources and Tribal Cultural Resources*
- Section 3.1.4 *Hazardous Waste*

# 3.1.1 Aesthetics

## Existing Conditions

### Regulatory Setting

#### Federal and State

The regulatory setting is largely the same as when the 2022 FEIR was certified. No State or Federal plans, policies, regulations, or laws related to aesthetics are relevant to the analysis of land use and planning impacts for the project.

#### Local

The following goals and policies from the Land Use and Urban Design (LU) Element and the Environmental Resources (ER) Element of the City's General Plan related to aesthetics, light, and glare are relevant to the proposed Project (City of Sacramento, 2024). Those goals and policies that directly pertain to the proposed Project are discussed in the impact analysis below.

Goal LU 2.3 City of Trees and Open Spaces. Maintain a multi-functional "green infrastructure" consisting of natural areas, open space, urban forest, and parkland, which serves as a defining physical feature of the City of Sacramento, provides visitors and residents with access to open space and recreation, and is designed for environmental sustainability.

Policy LU 2.3.1 Open Space System. The City shall strive to create a comprehensive and integrated system of parks, open space, and urban forests that frames and complements the City's urbanized areas.

Goal LU 2.4 City of Distinctive and Memorable Places. Promote community design that produces a distinctive, high-quality built environment whose forms and character reflect the City of Sacramento's unique historic, environmental, and architectural context, and create memorable places that enrich community life.

Policy LU 2.4.1 Unique Sense of Place. The City shall promote quality site, architectural and landscape designs that incorporate those qualities and characteristics that make the City of Sacramento desirable and memorable, including walkable blocks, distinctive parks and open spaces, tree-lined streets, and varied architectural styles.

Policy LU 2.4.2 Responsiveness to Context. The City shall promote building designs that respect and respond to the local context, including use of local materials, responsiveness to the City of Sacramento's climate, and in consideration of the cultural and historic context of the City's neighborhoods and centers.

Goal LU 2.7 City Form and Structure. Require excellence in the design of the City's form and structure through development standards and clear design direction.

Goal ER 7.1. Visual Resource Preservation. Maintain and protect significant visual resources and aesthetics that define the City of Sacramento.

Policy ER 7.1.1 Protect Scenic Views. The City shall seek to protect views from public places to the Sacramento and American rivers and adjacent greenways, landmarks, and urban views of the downtown skyline and the State Capitol along Capitol Mall.

City of Sacramento Tree Planting, Maintenance, and Conservation Ordinance No. 2016-0026

The City has adopted provisions relating to tree planting, maintenance and conservation. City Code states the following regarding the purpose of the regulations:

"The City Council finds that trees are a signature of the City and are an important element in promoting the well-being of the citizens of Sacramento. The City Council finds that, when proper arboricultural practices are applied, trees enhance the natural scenic beauty of the City; increase oxygen levels; promote ecological balance; provide natural ventilation and air filtration; provide temperature and erosion controls; increase property values; and improve the quality of life. The City Council also finds and determines that it is in the public interest to protect and manage tree resources within the City in order to preserve and maintain the benefits that they provide to the community. The purpose of this chapter is to provide for the conservation of existing tree resources; to optimize tree canopy coverage throughout the City while recognizing individual rights to develop and make reasonable use of private property consistent with the general plan; and to provide clear standards for protection, removal, and replacement of City trees and private protected trees (City Code Section 12.56.010)."

City of Sacramento Tree Ordinance: Sacramento City Code 12.56

The City has adopted regulatory policies for the preservation, protection, and maintenance of the existing trees within the City. Sacramento City Code (CC) 12.56 was amended and adopted by the City Council on August 4, 2016.

Work on and/or the removal of City trees or private protected trees requires prior approval in the form of a City of Sacramento Tree Permit (City Tree Permit). City trees are characterized as trees partially or completely located in a City park, on City owned property, or on a public right-of-way, including any street, road, sidewalk, park strip, mow strip or alley. For City trees located within City Park, the Director of the City Youth, Parks & Community Enrichment Department handles approvals for tree removal. For all other City trees located on City property or within the ROW, the City Director of Public Works handles approvals. CC section 12.56.040 includes specific requirements for notice and hearing for removal of City trees.

Private protected trees are defined as trees designated to have special historical value, special environmental value, or significant community benefit, and are located on private property. In addition, private protected trees include: 1) native trees at 12 inches DSH (i.e., coast live, interior, valley and blue oaks [Quercus spp.], California sycamore [Platanus racemose], and buckeye [Aesculus californica]); 2) all trees at 32 inches DSH with an existing single family or duplex dwelling; and 3) all trees at 24 inches DSH on undeveloped land or any other type of property such as commercial, industrial, and apartments (City of Sacramento 2017b).

City of Sacramento Tree Ordinance: Sacramento City Code 12.56.040 Removal of City Trees—Public Projects

Whenever feasible, the City shall modify the design of public projects to avoid the removal or damage to city trees.

If the City proposes to remove City trees that have a DSH of four inches or more as part of a public project that otherwise requires City council approval, the City project manager shall provide written justification to the director of the need to remove City trees for the public project. The director shall review the written justification and if the director agrees with the written justification the director shall make a recommendation to the City council to approve the request to remove the City trees. The request for approval from City council may take place at any stage of the public project but the City shall obtain council approval prior to removing the City trees. City trees proposed to be removed as part of a public project that either does not require City council approval or has a DSH less than four inches shall be removed as provided in Section 12.56.030(C).

The director shall provide written notice of the proposal to remove City trees as part of a public project by posting a notice of the time, date, and location of the City council meeting during which the City council is to decide whether or not to remove City trees in a conspicuous place on or in proximity to the trees at least fifteen (15) days prior to the City council meeting (Ord. 2016-0026 § 4).

Sacramento County Tree Ordinance: Sacramento County Code Chapter 19.12 – Tree Preservation and Protection – Public Projects

Work within the American River Parkway is also located within Sacramento County. The County's tree ordinance targets the preservation of native oaks, heritage trees (oaks with ≥ 60" circumference at 4.5 ft), landmark trees, and public trees throughout unincorporated County land, including parks, road rights-of-way, easements, and parcel frontages

If removal of protected trees is proposed in connection with a public project, the lead agency shall submit a written justification for the tree removal to the Sacramento County Tree Coordinator. The Tree Coordinator shall review the justification and determine whether the removal is warranted based on public need, design constraints, and arborist recommendations. If the removal is approved, a Tree Permit will be issued in accordance with Chapter 19.12.

Mitigation for removed trees shall be provided consistent with the County General Plan and tree ordinance requirements. This may include on-site replacement trees, canopy replacement standards, or payment into the County's Tree Preservation Fund. Public tree removals associated with public projects on County parkland are subject to additional coordination with the Director of Regional Parks.

American River Parkway Plan

The American River Parkway Plan (ARPP, Sacramento County 2008) is a policy and implementation guide developed to promote the preservation of the American River's natural environment while providing limited development for human enjoyment of the parkway. The American River Parkway (Parkway) is an open space greenbelt approximately 29 miles long extending west/southwest along the north and south sides of the Lower American River from Folsom Dam to its confluence with the Sacramento River. The ARPP establishes aesthetic values for the Parkway and identifies policies to reduce visual impacts within the Parkway (Sacramento County 2008, p. 31-32, p. 7-111—115). The following policies from the ARPP are relevant to analysis of aesthetic impacts of the project:

7.22 Structures that are in the parkway shall be of a design, color, texture and scale that minimizes adverse visual impacts within the parkway.

7.22.1 Structures shall be located so that neither they, nor activities associated with them, cause damage to native plants or wildlife, without appropriate mitigation.

7.22.2 Structures shall be constructed of naturalistic materials which blend with the natural environment.

7.22.3 Colors shall be earth tones or shall blend with the colors of surrounding vegetation.

7.22.4 Structures may emulate authentic historic design but shall be unobtrusive.

7.22.5 To the extent possible, structures shall be screened from view by native landscaping or other naturally occurring features.

The ARPP also identifies aspects of the Parkway experience that should be considered as part of the aesthetic values of the Parkway:

- the clean, transparent waters of the American River,
- the American River as a designated Wild and Scenic River,
- the life that the river supports, such as mammals, fish, birds, beneficial insects, vegetation, and other wildlife,
- habitat diversity, riparian zone, woodland, upland, vegetation,
- presence of wildlife and their movement, visibility, grace,
- sounds of nature, including birds, wildlife, the flowing river,
- seasonal changes,
- feeling of peace and tranquility experienced by the people who visit and use the Parkway,
- feeling and experience of harmony that prevails between what is natural in the Parkway and the animals that live in it,
- the land form, exposed geological compositions,
- islands,
- views of the river—at various flow levels,
- views from within the Parkway at different vantage points,
- views from the Parkway outward, and
- minimal urban or ambient noise and light.

7.25 Between the confluence of the Sacramento and American rivers and the Capital City Freeway (Business-80) the Parkway context is the Sacramento downtown urban core for the Sacramento metropolitan region. Protection of the Parkway's aesthetic values in this reach should be accomplished within the context of creating a vital urban area. Development immediately adjacent to the Parkway shall respect the intent of the Parkway goals by reducing visual impacts through context sensitive site planning and building design.

## Environmental Setting

Beginning along the west side of 28th Street just south of the 28th & B Skate Park, the project will replace the stamped asphalt concrete walkway adjacent to the dog park with the paved trail, regrade a small area of the dog park, realign the A Street driveway to align with McKinley Village Way and potentially relocate the Sutters Landing Park monument. The trail would turn west following the existing A Street alignment and create a separate, parallel paved road to the north to accommodate maintenance and truck traffic serving the landfill and local businesses. Just east of the SMUD substation, the trail will turn north and follow the eastern perimeter of the landfill until reaching the landward toe of the American River levee. Turning west again, the paved trail will continue for approximately 1,000 feet where it will conform to the existing gravel maintenance road. In the near-term, users of the Phase III trail will be able to continue west along the gravel maintenance road, following the west, east, and south edge of the landfill in succession until closing the loop at the paved trail near the northeast corner of the SMUD substation. West of the UPRR tracks, the trail will connect to the Sacramento Northern Bikeway, ramping down to the North 18th Street/Basler Street intersection. The trail will continue west along Basler Street as a Class III bikeway and along Sproule Avenue as a Class II bikeway. West of Sproule Avenue, bicycles and pedestrians will be able to use a combination of existing facilities to connect to the Two Rivers Phase I Trail.

In the future, the Phase IV project will connect to the end of the Phase III paved trail north of the landfill and south of the American River levee, ramping up to a bridge that spans the UPRR tracks. West of the tracks, the trail will follow the top of the American River levee, connecting to the Sacramento Northern Bikeway and ramping down the water side of the levee to pass under the North 16th Street and North 12th Street (collectively State Route 160 [SR-160]) bridges. The underpass will consist of a 12-foot paved path with no shoulders and will be supported on the water side by a retaining wall. The trail will ramp back up to the top of the levee and connect to the existing Two Rivers Phase I Trail west of SR-160. For the Phase IV trail, security lighting will be provided on the UPRR overcrossing and the SR-160 underpass for safety purposes. Erosion control will be provided to protect graded elements within the American River channel and on the landfill.

In Phase III and IV, the visual character is formed by riparian vegetation along the riverbank, with upland areas characterized by ruderal vegetation, small structures, and chain link fencing. Nearby industrial facilities, commercial and residential buildings, the SMUD substation, the UPRR, and solar panels in Sutter's Landing Regional Park are also visible. **Representative Photo 1** contains a photo illustrating a typical view from the start of the trail on 28th Street near the dog park facing south towards A Street. Views are generally characterized by paved streets in an urban environment. Representative Photos 2 through 3 illustrate the typical views from the paved trail that would circle the landfill. The trail would be visible to trail users from the gravel maintenance road along the levee and from the SMUD substation. Representative Photos 4 and 5 illustrate the typical views of where the proposed pedestrian bridge structure would be constructed over the UPRR. Views of the river, typically framed by a mix of trees and smaller vegetation, are characteristic of the Phase IV project that will be constructed under SR-160 as shown in Representative Photo 6.

Representative Photo 1. View of the start of the proposed trail from 28th Street facing west towards Sutters Landing Dog Park.

Representative Photo 2. View of the proposed trail circling the landfill from the top of the levee facing south

Representative Photo 3. View of proposed trail location within the landfill facing north towards the American River.

Representative Photo 4. View of proposed pedestrian bridge overcrossing location facing southeast towards the landfill

Representative Photo 5. View of proposed pedestrian bridge overcrossing location facing northwest towards the American River

Representative Photo 6: Comparable viewshed with similar example trail segment from the Two Rivers Trail Phase I Project, located directly west of SR-160.

Representative Photo 7. View of the proposed bikeway location along Sproule Avenue facing west

Representative Photo 8. View of the proposed trail underpass location at SR-160 facing southeast

# Environmental Impacts

## Thresholds 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:

- Have a substantial adverse effect on a scenic vista.
- Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a State scenic highway.
- Conflict with applicable zoning and other regulations governing scenic quality.
- Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area.

## Issues Not Discussed Further in this Subsequent EIR

### Damage Scenic Resources within a Scenic Highway

Multiple roadways have views of the project site including 28th Street, McKinley Village Way, Sproule Avenue, and Basler Street; however, none of these roadways is designated as a local or State scenic highway and no impact would occur.

## Impacts and Mitigation Measures

The following impacts of the Subsequent Focused EIR are examined in light of the impacts previously disclosed in the 2022 FEIR. The impact titles are the same as those used in the 2022 FEIR.

### Impact AES-1: Adverse Effect on Scenic Vista or Scenic Quality

The City of Sacramento's 2040 General Plan (2024) identifies scenic vistas as public areas that provide visual access to significant natural and built features, including the Sacramento and American Rivers, adjacent greenways, prominent landmarks, and urban skyline features such as the State Capitol and Capitol Mall. These scenic vistas contribute to the city's visual character and the public's enjoyment of aesthetic resources.

The proposed Phase III trail segment would be constructed directly adjacent to the American River; however, views of the river are not available from this location due to the presence of an existing levee and riparian habitat that obstructs direct lines of sight. As such, implementation of Phase III would not introduce new visual access to a designated scenic vista, nor would it obstruct existing views, since the existing view to the river is already obstructed along this portion of the trail alignment.

Phase IV of the project, which is planned for future implementation, would extend the trail north of the landfill and up to the American River levee. This phase would include the construction of a pedestrian/bicycle bridge overcrossing spanning the UPRR tracks. The bridge would connect to the Phase III trail and provide elevated, unobstructed views of the American River and

surrounding riparian corridor. The overcrossing is anticipated to be approximately 40 feet in height and would be similar in scale to other pedestrian bridges overlooking the American River in the region, such as the Guy West Bridge by California State University Sacramento. Therefore, the bridge would provide new opportunities for trail users to experience scenic views of the American River, consistent with the scenic vista policies of the 2040 General Plan. The bridge structure would be visible to motorists traveling on SR-160, trail users along the existing levee, and recreational users on the river. However, the overcrossing would not obstruct views of the river from any of these vantage points. Because the existing levee already limits visual access to the river in this location, the overcrossing would not result in the obstruction of an existing scenic vista and, in fact, may enhance public access to scenic views as part of the completed trail system.

Visual Character and Quality

The bridge overcrossing proposed in Phase IV would be designed to be visually compatible with the surrounding environment. As required under Policy 7.25 of the American River Parkway Plan (ARPP), since the bridge overcrossing is adjacent to the parkway, design for the structure shall respect the intent of the Parkway goals by reducing visual impacts through context sensitive site planning and building design. The bridge's design would follow these guidelines to minimize potential contrast with the natural and recreational character of the Parkway.

Further, the proposed undercrossing of SR-160 would consist of a 12-foot paved path with no shoulders and supported on the water side by a retaining wall overlooking the American River and within the American River Parkway Plan area. After completion of Project construction activities, although the existing natural area would be paved, the overall visual character of the project site would remain similar. Implementation of the proposed Project would be constructed consistent with ARPP policies concerning aesthetics, including Policy 7.22, which requires that structures be designed with color, texture, and scale that blends in with their surroundings. Outside of the proposed trail and retaining wall, construction of the trail would not include any other structures that would affect background views or the overall visual character of the study area.

Other than the UPRR overcrossing and undercrossing of SR-160, the proposed trail improvements would not include vertical structures or built features that could alter the existing visual character of the area. The trail would follow an alignment consistent with other developed segments of the American River Parkway trail system, including both top-of-levee and toe-of-levee configurations. Paved multi-use trails and associated minor improvements (e.g., signage, striping) would be constructed in a manner consistent with established Parkway design standards.

Representative Photos 1 through 8 illustrate existing views along the proposed trail alignment and comparable trail segments elsewhere in the Parkway. These images demonstrate that the project would not substantially degrade the visual quality of the area. Following construction, the visual character of the trail corridor would remain consistent with existing Parkway aesthetics and would not result in significant changes to the visual environment.

Temporary Impacts

Temporary impacts within the project area for both Phase III and IV would consist of temporary construction and tree removal resulting in a minimal overall visual impact. Some existing vegetation, including trees, would be removed to provide a sufficient clear width for the trail as

well as under the SR-160 bridge for construction of the trail undercrossing. While the elimination of large existing trees would temporarily impact the existing visual quality of the corridor, new trees and vegetation would be planted and allowed to grow; therefore, this impact would be temporary and ultimately result in a similar visual quality. The Project would also be designed to avoid oak trees to the greatest extent feasible. The City would comply with City Code 12.56.040 and establish a replacement plan prior to removal of the protected trees pursuant to Sacramento City Ordinance 2016-0026, Chapter 12.56 City and Private Protected Trees. With the implementation of measure AES-2, the Build Alternative would have a less than significant impact on protected trees. Temporary construction activities would take place within the landfill or existing parking lots. Viewers such as recreational trail users and motorists along SR-160 and City streets would only have short durations of visual impacts from temporary construction activities. Construction-related vehicle access and staging of construction materials would occur within already disturbed areas along the length of the Project site.

Project construction would expose nearby viewers to surfaces, produce construction debris, and introduce equipment and truck traffic. Construction vehicle access and staging of construction materials would be visible to motorists travelling in the Project vicinity from City streets and SR-160. Temporary impacts due to Project construction would be short-term and would cease upon Project completion. Erosion control will be provided to protect graded elements within the American River channel and on the landfill; therefore, a less than significant impact would occur and no mitigation is required.

Conclusion

Implementation of the proposed project, including the future UPRR bridge overcrossing and the SR-160 underpass, would not have a substantial adverse effect on a scenic vista, nor would it degrade the existing visual character or quality of public views of the site and its surroundings. The project is consistent with applicable aesthetic policies and design standards of the ARPP. With implementation of measures AES-1 through AES-3, impacts to scenic vistas and visual character would be **less than significant with mitigation** incorporated.

**Required Mitigation: AES-1**

**Impact AES-2: New Sources of Light and Glare**

The multi-use trail surface would be constructed from materials typically seen within the adjacent landscape. No substantially reflective surfaces are proposed. The Project would be designed to avoid oak trees to the greatest extent feasible; however, both Phase III and Phase IV are anticipated to require select removal of vegetation and trees throughout the Project area. The number of trees to be removed would be determined during final design. While the elimination of existing trees would temporarily increase glare due to removal of shade sources, new trees and vegetation would be planted and allowed to grow; therefore, this impact would be temporary and ultimately result in a similar visual quality that currently exists. To minimize impacts from tree removal during Project implementation, measure AES-2 would be implemented.

The Project area is not currently lighted. Light and glare only exist from the residential and commercial streetlights adjacent to the Project area. No additional lighting is anticipated to be added along the trail; however, security lighting would be installed at the UPRR overcrossing as well as the underpass of SR-160 for safety. Additionally, all construction work would be

conducted during the hours specified in the City ordinances; therefore, no short-term, temporary sources of nighttime lighting would be used during construction activities. With implementation of AES-5, impacts due to light and glare would be **less than significant with mitigation** incorporated.

**Required Mitigation: AES-2 and AES-3**

**Mitigation Measures from the 2022 FEIR**

None.

**New Proposed Mitigation Measures**

**AES-1:** As required under Policy 7.22 of the American River Parkway Plan (ARPP), the undercrossing of SR-160 design will utilize appropriate colors, textures, and scale to blend into the setting and minimize potential contrast with the natural and recreational character of the Parkway. Design for the proposed bridge structure over UPRR will comply with Policy 7.25 of the ARPP: Development immediately adjacent to the Parkway shall respect the intent of the Parkway goals by reducing visual impacts through context sensitive site planning and building design.

**AES-2:** The City shall comply with City Code section 12.56.040 by establishing a replacement plan for any City trees that must be removed. The City shall plant additional trees where feasible. The exact number of trees and locations shall be determined during final design. The tree removal and replacement plan is subject to approval by the City Council. Any trees that will be removed within County right of way or designated bounds of the American River Parkway shall comply with County Code chapter 19.12. County tree removal and replacement is subject to approval and coordination with the Director of Regional Parks.

**AES-3:** Lighting design will comply with local standards in order to minimize light and glare impacts on surrounding sensitive users. Lighting fixtures will be selected to minimize light pollution into the adjacent residences and skies, while taking into account safety needs.

# 3.1.2 Biological Resources

## Existing Conditions

### Regulatory Setting

The regulatory setting is largely the same as when the 2014 General Plan PEIR was certified.

**Federal**

Federal Endangered Species Act

The Federal Endangered Species Act (FESA) of 1973 [16 United States Code (U.S.C.) section 1531 et seq.] provides for the conservation of endangered and threatened species listed pursuant to Section 4 of the Act (16 U.S.C. section 1533) and the ecosystems upon which they depend. These species and resources have been identified by the United States (U.S.) Fish and Wildlife Service (USFWS).

Clean Water Act

The CWA was enacted as an amendment to the Federal Water Pollutant Control Act of 1972, which outlined the basic structure for regulating discharges of pollutants to Waters of the U.S. The CWA serves as the primary federal law protecting the quality of the nation's surface waters, including lakes, rivers, and coastal wetlands. The CWA empowers the U.S. Environmental Protection Agency (EPA) to set national water quality standards and effluent limitations and includes programs addressing both point-source and non-point-source pollution for all Waters of the United States.

On May 25, 2023, the U.S. Supreme Court issued its ruling on the Sackett v. EPA case redefining Waters of the United States (WoUS). The ruling limits the scope of WoUS to only those "wetlands with a continuous surface connection to bodies that are WoUS in their own right." In addition, the Court's decision also holds that "only those relatively permanent, standing or continuously flowing bodies of water forming geographic features that are described in ordinary parlance as streams, oceans, river, and lakes" are considered WoUS.

The CWA was enacted as an amendment to the Federal Water Pollutant Control Act of 1972, which outlined the basic structure for regulating discharges of pollutants to WoUS. The CWA serves as the primary federal law protecting the quality of the nation's surface waters, including lakes, rivers, and coastal wetlands. The CWA empowers the EPA to set national water quality standards and effluent limitations and includes programs addressing both point-source and non-point-source pollution. Point-source pollution originates or enters surface waters at a single, discrete location, such as an outfall structure or an excavation or routine maintenance site. Non-point-source pollution originates over a broader area and includes urban contaminants in storm water runoff and sediment loading from upstream areas. The CWA operates on the principle that all discharges into the nation's waters are unlawful unless they are specifically authorized by a permit; permit review is CWA's primary regulatory tool.

Section 401

The RWQCB has jurisdiction under §401 of CWA and regulates any activity that may result in a discharge to surface waters. Typically, the areas subject to jurisdiction of the RWQCB coincide with those of the USACE (i.e., waters of the U.S. including any wetlands). The RWQCB also asserts authority over "waters of the State" under waste discharge requirements pursuant to the Porter-Cologne Water Quality Control Act.

Section 402

The State Water Resources Control Board regulates construction projects that involve ground disturbance of 1 acre or greater. These projects must obtain coverage under the State Water Resources Control Board General Permit for Storm Water Discharges Associated with Construction Activity (General Construction Permit). Operators of regulated construction sites are required to develop a Stormwater Pollution Prevention Plan; to implement sediment, erosion, and pollution prevention control measures; and to obtain coverage under the General Construction Permit.

City of Sacramento's Municipal Separate Storm Sewer System (MS4) Permit (Order R5-2016-0040, NPDES No. CAS0085324).

Under the City of Sacramento's MS4 Permit (Order R5-2016-0040, NPDES No. CAS0085324), the City is required to implement a comprehensive stormwater management program to minimize pollutant

discharges from public and private development projects to the maximum extent practicable. Compliance includes incorporation of site design measures, source control best management practices (BMPs), and low impact development (LID) features that reduce runoff and promote infiltration. Projects that create or replace a threshold amount of impervious surface must also address post-construction stormwater management, including hydromodification controls, and ensure long-term maintenance of installed BMPs. The City's compliance is guided by its Stormwater Quality Design Manual and enforced through plan review, permitting, and ongoing monitoring and reporting to the Central Valley Regional Water Quality Control Board.

Section 404

The USACE regulates discharges of dredged or fill material into waters of the U. S. These waters include wetlands and non-wetland bodies of water that meet specific criteria, including a direct or indirect connection to interstate commerce. USACE regulatory jurisdiction pursuant to Section 404 of the CWA is founded on a connection, or nexus, between the water body in question and interstate commerce. This connection may be direct (through a tributary system linking a stream channel with traditional navigable waters used in interstate or foreign commerce) or may be indirect (through a nexus identified in USACE regulations).

Executive Order 13112: Prevention and Control of Invasive Species

Executive Order (EO) 13112 (signed February 3, 1999) directs all federal agencies to prevent and control introductions of invasive species in a cost-effective and environmentally sound manner.

Executive Order 13186: Migratory Bird Treaty Act

EO 13186 (signed January 10, 2001) directs each federal agency taking actions that could adversely affect migratory bird populations, to work with USFWS to develop a Memorandum of Understanding that will promote the conservation of migratory bird populations. Protocols developed under the Memorandum of Understanding will include the following agency responsibilities:

- Avoid and minimize, to the maximum extent practicable, adverse impacts on migratory bird resources when conducting agency actions;
- Restore and enhance habitat of migratory birds, as practicable; and
- Prevent or abate the pollution or detrimental alteration of the environment for the benefit of migratory birds, as practicable.

The EO is designed to assist federal agencies in their efforts to comply with the Migratory Bird Treaty Act (MBTA) [50 Code of Federal Regulations (CFR) 10 and 21] and does not constitute any legal authorization to take migratory birds. Take is defined under the MBTA as "the action of or attempt to pursue, hunt, shoot, capture, collect, or kill" (50 CFR 10.12) and includes intentional take (i.e., take that is the purpose of the activity in question) and unintentional take (i.e., take that results from, but is not the purpose of, the activity in question).

Bald and Golden Eagle Protection Act

The Bald and Golden Eagle Protection Act, established in 1940, prevents the "take" of bald or golden eagles, including their parts (feathers, nests, eggs, etc.), (USFWS 16 U.S.C. 668-668d). Bald and golden eagles are known to occur in the Project vicinity, however bald/golden eagles or evidence of these species nesting was not observed within the Project area. To prevent take of these species, a pre-construction nesting bird survey will be completed prior to the start of Project activities (see Section

4). If an active bald or golden eagle nest is identified within the survey area the appropriate measures will be implemented to avoid take of the species.

**State**

California Environmental Quality Act

The CEQA is a state law created to inform governmental decision-makers and the public about the potential, significant environmental effects of proposed activities and to work to reduce these negative environmental impacts. The City is the CEQA lead agency for the Project.

California Endangered Species Act

The California Endangered Species Act (CESA) [California Fish and Game (CFG) Code Section 2050 et seq.] requires the CDFW to establish a list of endangered and threatened species (Section 2070) and to prohibit the incidental taking of any such listed species except as allowed by the Act (Sections 2080-2089). In addition, CESA prohibits take of candidate species (under consideration for listing).

CESA also requires CDFW to comply with CEQA (Pub. Resources Code Section 21000 et seq.) when evaluating Incidental Take Permit applications [CFG Code Section 2081(b) and California Code Regulations, Title 14, section 783.0 et seq.], and the potential impacts the project or activity, for which the application was submitted, may have on the environment. CDFW's CEQA obligations include consultation with other public agencies that have jurisdiction over the project or activity [California Code Regulations, Title 14, Section 783.5(d)(3)]. CDFW cannot issue an Incidental Take Permit if issuance will jeopardize the continued existence of the species [CFG Code Section 2081(c); California Code Regulations, Title 14, Section 783.4(b)].

Section 3503 and 3503.5: Bird and Raptors

CFG Code Section 3503 prohibits the destruction of bird nests and Section 3503.5 prohibits the killing of raptor species and destruction of raptor nests.

Section 3513: Migratory Birds

CFG Code Section 3513 prohibits the take or possession of any migratory non-game bird as designated in the MBTA or any part of such migratory non-game bird except as provided by rules and regulations adopted by the Secretary of the Interior under provisions of the MBTA.

Porter-Cologne Water Quality Control Act

California's Porter-Cologne Act, enacted in 1969, provides the legal basis for water quality regulation within California. The act requires a "Report of Waste Discharge" for any discharge of waste (liquid, solid, or gaseous) to land or surface waters that may impair beneficial uses for surface and/or groundwater of the state. It predates the CWA and regulates discharges to waters of the State. Waters of the State include more than just WoUS, such as groundwater and surface waters that were recently precluded from the definition of WoUS by the Sackett ruling. Additionally, it prohibits discharges of "waste" as defined and this definition is broader than the CWA definition of "pollutant". Discharges under the Porter-Cologne Act are permitted by Waste Discharge Requirements and may be required even when the discharge is already permitted or exempt under the CWA.

The RWQCBs are responsible for establishing the water quality standards (objectives and beneficial uses) required by the CWA and regulating discharges to ensure compliance with the water quality standards. Details regarding water quality standards in a project area are contained in the applicable

RWQCB Basin Plan. In California, Regional Boards designate beneficial uses for all water body segments in their jurisdictions and then set criteria necessary to protect these uses. Consequently, the water quality standards developed for particular water segments are based on the designated use and vary depending on such use. In addition, the State Water Resources Control Board identifies waters failing to meet standards for specific pollutants, which are then state-listed in accordance with CWA Section 303(d). If a state determines that waters are impaired, and the standards cannot be met through point source or non-source point controls (National Pollutant Discharge Elimination System) permits or Waste Discharge Requirements), the CWA requires the establishment of Total Maximum Daily Loads which specify allowable pollutant loads from all sources (point, non-point, and natural) for a given watershed.

**Local**

City of Sacramento Tree Ordinance: Sacramento City Code 12.56

The City has adopted regulatory policies for the preservation, protection, and maintenance of the existing trees within the City. Sacramento City Code (CC) 12.56 was amended and adopted by the City Council on August 4, 2016.

Work on and/or the removal of City trees or private protected trees requires prior approval in the form of a City of Sacramento Tree Permit (City Tree Permit). City trees are characterized as trees partially or completely located in a City park, on City owned property, or on a public right-of-way, including any street, road, sidewalk, park strip, mow strip or alley. For City trees located within City Park, the Director of the City Youth, Parks & Community Enrichment Department handles approvals for tree removal. For all other City trees located on City property or within the ROW, the City Director of Public Works handles approvals. CC section 12.56.040 includes specific requirements for notice and hearing for removal of City trees.

Private protected trees are defined as trees designated to have special historical value, special environmental value, or significant community benefit, and are located on private property. In addition, private protected trees include: 1) native trees at 12 inches DSH (i.e., coast live, interior, valley and blue oaks [Quercus spp.], California sycamore [Platanus racemose], and buckeye [Aesculus californica]); 2) all trees at 32 inches DSH with an existing single family or duplex dwelling; and 3) all trees at 24 inches DSH on undeveloped land or any other type of property such as commercial, industrial, and apartments (City of Sacramento 2017b).

City of Sacramento Tree Ordinance: Sacramento City Code 12.56.040 Removal of City Trees—Public Projects

Whenever feasible, the City shall modify the design of public projects to avoid the removal or damage to City trees. If the City proposes to remove City trees that have a DSH of four inches or more as part of a public project that otherwise requires City council approval, the City project manager shall provide written justification to the director of the need to remove City trees for the public project. The director shall review the written justification and if the director agrees with the written justification the director shall make a recommendation to the City council to approve the request to remove the City trees. The request for approval from City council may take place at any stage of the public project but the City shall obtain council approval prior to removing the City trees. City trees proposed to be removed as part of a public project that either does not require City council approval or has a DSH less than four inches shall be removed as provided in Section 12.56.030(C).

The director shall provide written notice of the proposal to remove City trees as part of a public project by posting a notice of the time, date, and location of the City council meeting during which the City council is to decide whether or not to remove City trees in a conspicuous place on or in proximity to the trees at least fifteen (15) days prior to the City council meeting (Ord. 2016-0026 § 4).

Sacramento General Plan

The City's General Plan serves as the long-term blueprint for guiding land use, development, and resource management within the City of Sacramento, California. It reflects the City's vision for growth and development over the coming decades while balancing economic, environmental, and social needs. The plan addresses key areas like housing, transportation, public services, and conservation, ensuring that future growth occurs in a sustainable and organized manner. The Project must remain consistent with the applicable policies and procedures outlined in the General Plan (2024).

Section 6 of the City's General Plan outlines policies related to the preservation of environmental resources such as water and biological resources including:

Policy 6.ERC-1. –

- Responsible management of water resources that preserves and enhances water quality and availability. The City is committed to water resource protection goals and policies, including:
- Clean Water Programs
- Clean Watershed
- Runoff Contamination
- Construction Site Impacts
- Drinking Water Data
- Groundwater Management
- Policy 6.ERC-2. –

Thriving rivers, wildlife, and natural open spaces that contribute to public health, livability, and protection of the environment for future generations. The City is committed to biological resource protection goals and policies, including:

2.1 Conservation of Water Resources in Open Areas

2.2 Biological Resources

2.3 Onsite Preservation

2.4 Native and Climate-Adapted Plants

2.5 Environmental Awareness

2.6 Wetland Protection

2.7 Annual Grasslands

2.8 Wildlife Corridors

2.9 Habitat Assessments

2.10 Agency Coordination

2.11 Natomas Basin Habitat Conservation Plan

2.12 Support Habitat Conservation Plan Efforts

2.13 Climate Change-related Habitat Shifts

2.14 Climate Change-related Habitat Restoration and Enhancement

American River Parkway Plan

The American River Parkway Plan (Sacramento County 2008) was developed by the County of Sacramento to guide the County's administration and management of the American River Parkway. Policies set forth in the ARPP include protecting and preserving the biological resources of the Parkway, with the following policies considered relevant to the analysis of biological resource impacts of the project:

*Section 3.0 Terrestrial Resource Policies.*

Terrestrial Resource Policies:

3.1 Any development of facilities within the Parkway, including but not limited to buildings, roads, turfed areas, trails, bridges, tunnels, pipelines, overhead electrical lines, levees and parking areas, shall be designed and located such that any impact upon native vegetation is minimized and appropriate mitigation measures are incorporated into the project.

3.1.1 Parkway facilities are those necessary for the operations, management, and permitted uses within the Parkway.

3.1.2 Development of non-Parkway facilities must have a compelling regional need, meet all applicable statutory requirements and provide mitigation and enhancements to the Parkway's natural, recreational, or interpretive resources.

3.2 Agencies managing the Parkway shall protect, enhance and expand the Parkway's native willow, cottonwood, and valley oak-dominated riparian and upland woodlands that provide important

shaded riverine aquatic habitat, seasonal floodplain, and riparian habitats; and the native live oak and blue oak woodlands and grasslands that provide important terrestrial and upland habitats.

3.2.1 Vegetation plantings shall be consistent with the approved list of trees, shrubs, and herbaceous plants native to the Parkway. This list shall be approved by the Recreation and Parks Commission, upon recommendation by the Director of the Department of Regional Parks, working in cooperation with resource and flood control managers, and organizations with native vegetation expertise. This list shall include species appropriate to the plant communities and habitats within the Parkway. Only plants on this approved list shall be planted within the Parkway, the exception being grass in permitted locations.

3.2.2 Native vegetation shall be reintroduced in areas of the Parkway where the substrate will support it, especially in areas that have been disturbed by construction, past gravel mining and agricultural activity, except in sites of human historical value.

3.2.3 Non-native trees and shrubs can be beneficial for native wildlife or be benign to the ecosystem. Non-native trees and shrubs may be removed over time if they:

a) constitute a hazard to the users of the Parkway,

b) the removal is a part of the on-going normal maintenance practices of the Parkway by its managers, or

c) the vegetation was approved to be removed as a part of a discretionary project in accordance with the policies of this Plan.

3.2.4 Agencies managing the Parkway shall remove invasive non-native vegetation species that conflict with habitat management goals, recreation uses, flood control or water supply conveyance.

3.2.5 New turf planting and associated irrigation within the dripline of existing mature native oaks shall be prohibited. Turf areas can be placed where there are immature native trees, provided the trees are not damaged by turf maintenance activities, such as summer watering, mowing, and string trimming.

3.3 The Parkway shall be managed to create habitat connectivity and wildlife travel corridors that provide for the habitat needs of the endangered valley elderberry longhorn beetle and other important native wildlife species, without compromising the integrity of flood control facilities, the flood conveyance capacity of the Parkway, or other Parkway management goals.

3.4 Management of the Parkway shall ensure the protection of the Parkway's resources, its environmental quality and natural values. A resource impact monitoring plan shall be developed that clearly defines criteria and standards to monitor, evaluate and protect the Parkway's resources from overuse, and provides steps to be taken to restore areas that have been overused.

3.5 Agencies managing the Parkway should develop and implement an Integrated Vegetation and Wildlife Management Plan to accommodate native wildlife species and minimize adverse effects of non-native species.

3.6 Excavation of aggregate/soil material should not be permitted except as a part of a flood control, environmental restoration or recreation improvement project approved in accordance with the provisions of this Plan. Objectives of the project will:

a) result in a net improvement to the health of the Parkway ecosystems,

b) not cause "harm" to the Parkway,

c) utilize material within the Parkway, where feasible, prior to being transferred out of the Parkway, and

d) prohibit commercial mining.

*Aquatic Communities Policies:*

3.7 The Parkway shall be managed to preserve, protect and/or restore riparian and in-channel habitat necessary for spawning and rearing of fish species, including native Chinook salmon (fall-run), steelhead, and Sacramento splittail, and recreational non-native striped bass and American shad. Priority shall be on providing diversity and complexity of habitat, consistent with recreational safety needs.

3.8 It is the intent of this Plan that available water provide adequate seasonal river flows and water temperatures to achieve and maintain viable populations and life stages of federal or state listed species, such as the Central Valley steelhead trout. In addition, species of primary concern include:

naturally spawning Chinook salmon (fall-run) and Sacramento splittail; non-native American shad and striped bass; and their macroinvertebrate food sources in the lower American River.

3.9 Responsible local and state agencies shall, and federal agencies should, discourage introductions of invasive non-native aquatic plants and animals.

3.11 Agencies managing the Parkway shall identify, enhance and protect:

a) areas where maintaining riparian vegetation will benefit the aquatic and terrestrial resources;

b) current shaded riverine aquatic habitat; and

c) other areas that can support a shaded riverine aquatic habitat, as time and resources permit, especially as associated with flood control or federally/state mandated species protection projects.

*Section 4.0 Water Flows, Water Quality and Flood Control Policies.*

Water Quality Policies:

4.4 Water quality in the lower American River shall be maintained to provide for beneficial uses of the river, including: municipal and domestic water supply; industrial service water supply; irrigation; water contact and non-contact recreation; freshwater habitat; migration of aquatic organisms; spawning, reproduction, and/or early development of fish; and wildlife habitat.

4.5 Local, regional, state and federal agencies with jurisdiction over water quality of the American River should work together to maintain and protect a high level of water quality, manage and monitor discharges, and enforce existing water quality regulations.

4.6 Due to the unique urban setting of the lower American River, urban run-off containing a variety of contaminants has the potential to further degrade the river and Parkway resources. Therefore, agencies responsible for protecting water quality should take steps to minimize such contaminants.

Flood Control Policies:

4.10 Flood control projects, including levee protection projects and vegetation removal for flood control purposes, shall be designed to avoid or minimize adverse impacts on the Parkway, including impacts to wildlife and wildlife corridors. To the extent that adverse impacts are unavoidable, appropriate feasible compensatory mitigation shall be part of the project. Such mitigation should be close to the site of the adverse impact, unless such mitigation creates other undesirable impacts.

4.16 Bank scour and erosion shall be proactively managed to protect public levees and infrastructure, such as bridges, piers, power lines, habitat and recreational resources. These erosion control projects, which may include efforts to anchor berms and banks with rock revetment, shall be designed to minimize damage to riparian vegetation and wildlife habitat, and should include a revegetation program that screens the project from public view, provides for a naturalistic appearance to the site, and restores affected habitat values.

4.18 It is recognized that flood control agencies have the authority to take action(s) to prevent or respond to flood emergencies occurring in or adjacent to the Parkway. In the event that these action(s) have an adverse impact on biological resources in excess of the estimated impacts of the projected flood damage to such resources, the agency(ies) undertaking the emergency work will implement feasible compensatory mitigation measures pursuant to Policies 3.1 and 3.2. Nothing in

this Policy shall be construed to interfere with the existing authority of flood control agencies to prevent or respond to an emergency situation occurring in or adjacent to the Parkway.

## Environmental Setting

A Biological Resources Technical Report was prepared by Dokken Engineering in support of the Phase III and Phase IV Projects (2025)(see Appendix C). Prior to field surveys, the Project impact area was defined with an approximate 50-100-foot buffer to capture potential biological resources adjacent to Project limits and accommodate for any potential changes in Project design. The Project area encompasses portions of SR-160 and is located west of the Capital City Freeway (Business Loop I-80, as well as directly adjacent to the American River. The total acreage of the Project area is approximately 92.89 acres (Figure 7. Project Features). Plant and wildlife species identified during the February 2025 biological survey were used to classify land cover types within the Project area, based on their composition, abundance, and density (Table 1. Species Observed, Appendix C of this EIR). Four primary land cover types were documented: developed, valley oak riparian woodland, disturbed valley oak woodland, and disturbed/ruderal/barren. Additionally, the American River, a jurisdictional WoUS and state, is directly adjacent to and partially within the Project area (Figure 8. Vegetation Communities). A detailed description of each land cover type is provided below.

Developed

The Project area includes portions of various paved highways, dirt shoulders, residential areas, gravel roads, and industrial facilities that are devoid of vegetation/contain roadside or ornamental vegetation and are regularly disturbed by both vehicular and foot traffic. This area experiences heavy use as the Project area is located in a popular recreational destination and busy residential/industrial area. Developed areas within the Project area include SR-160 and Richards Boulevard, railroad tracks, and associated road shoulders, and comprises approximately 35.47 acres of the Project area.

Disturbed/Ruderal/Barren

The Project area includes areas that have been disturbed by foot, vehicle traffic, and previous construction. These areas are either devoid of vegetation or disturbed with minimal vegetation. This area supports a large, unhoused community that is also present within all other habitats. This community is the most common throughout the Project area and is dominated by Russian thistle (*Salsola tragus*), dallisgrass (*Paspalum dillatatum*), and ripgut brome (*Bromus diandrus*). Also present in this habitat are multiple patches of elderberry shrubs (*Sambucus spp.*). There are also several stands of tree of heaven (*Ailanthus altissima*) located adjacent to the landfill within the trail study area. This vegetation community comprises approximately 51.72 acres of the Project area.

Valley Oak Riparian Woodland

The Project area includes a riparian habitat that encompasses the south bank of the American River. This community is dominated by valley oak, Fremont cottonwood (Populus fremontii), northern California black walnut (Juglans hindsii), California sycamore (Plantanus racemosa), willow (Salix spp.), dallisgrass, ripgut brome, and common vetch. Elderberry shrub patches are common throughout the community. This area also supports an unhoused community and is disturbed by regular foot traffic in some areas. The valley oak riparian woodland comprises approximately 2.71 acres of the Project area.

Project Area (92.15 acres)

**Vegetation Communities and Land Cover**

- American River (0.22)
- Developed (35.46 acres)
- Disturbed Valley Oak Woodland (2.26 acres)
- Disturbed/Ruderal/Barren (51.71 acres)
- Valley Oak Riparian Woodland (2.50 acres)

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Source: ESRI Maps Online; Dokken Engineering 6/5/2025; Created By: lbraen

1 inch = 600 feet

0 600 1,200 1,800 2,400 3,000 Feet

**Figure 8**
**Vegetation Communities**

Two Rivers Trail Phase III and IV Project
City of Sacramento, Sacramento County, California

American River

The Project area is located directly on the southern bank of the American River, a perennial river that flows southwest underneath the SR-160 Bridge. The river originates in eastern Placer County in the Tahoe National Forest. Given the Project area is approximately 18 miles downstream of the Nimbus Dam, flows within this portion of the American River are influenced by water releases generated by the Dam, regulated by the U.S. Bureau of Reclamation. This aquatic feature is classified as a WoUS and state. The American River comprises approximately 0.73 acres of the Project area.

In addition to the field survey, literature searches were conducted using USFWS IPaC, CDFW CNDDB, CNPS, and NMFS databases to identify regionally sensitive species with potential to occur within the Project area (Appendix C). Seventeen special status plant species and twenty-seven special status wildlife species were returned by the database searches. No special status plant species were determined to have the potential to occur within the Project area.

Two special status wildlife species have been determined to have a high potential to occur within the Project area: Swainson's hawk (Buteo swainsoni) and white-tailed kite (Elanus leucurus). Four special status wildlife species have been determined to have a moderate potential to occur within the Project area: burrowing owl (Athene cunicularia), purple martin (Progne subis), song sparrow ("Modesto" population) (Melospiza melodia pop. 1), and northwestern pond turtle (Actinemys marmorata). Lastly, four species are presumed present within the portion of the American River: chinook salmon Central Valley spring-run ESU (Oncorhynchus tshawytscha pop. 11), chinook salmon Sacramento River winter-run ESU (Oncorhynchus tshawytscha pop. 7), steelhead – Central Valley Distinct Population Segment (DPS) (Oncorhynchus mykiss irideus pop. 11), and valley elderberry longhorn beetle (Desmocerus californicus dimorphus).

## Environmental Impacts

### Thresholds 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 resource issues would occur if the project would:

- Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?
- Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?
- Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?
- Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?

- Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?
- Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?

## Impacts and Mitigation Measures

The following impacts of the Project are examined in light of the impacts previously disclosed in the 2022 FEIR. The impact titles are the same as those used in the 2022 FEIR.

**Impact BIO-1: Potential to have a substantial adverse effect, either directly or through habitat modifications, on any species in local or regional plans, policies, or regulations, or regulated by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service**

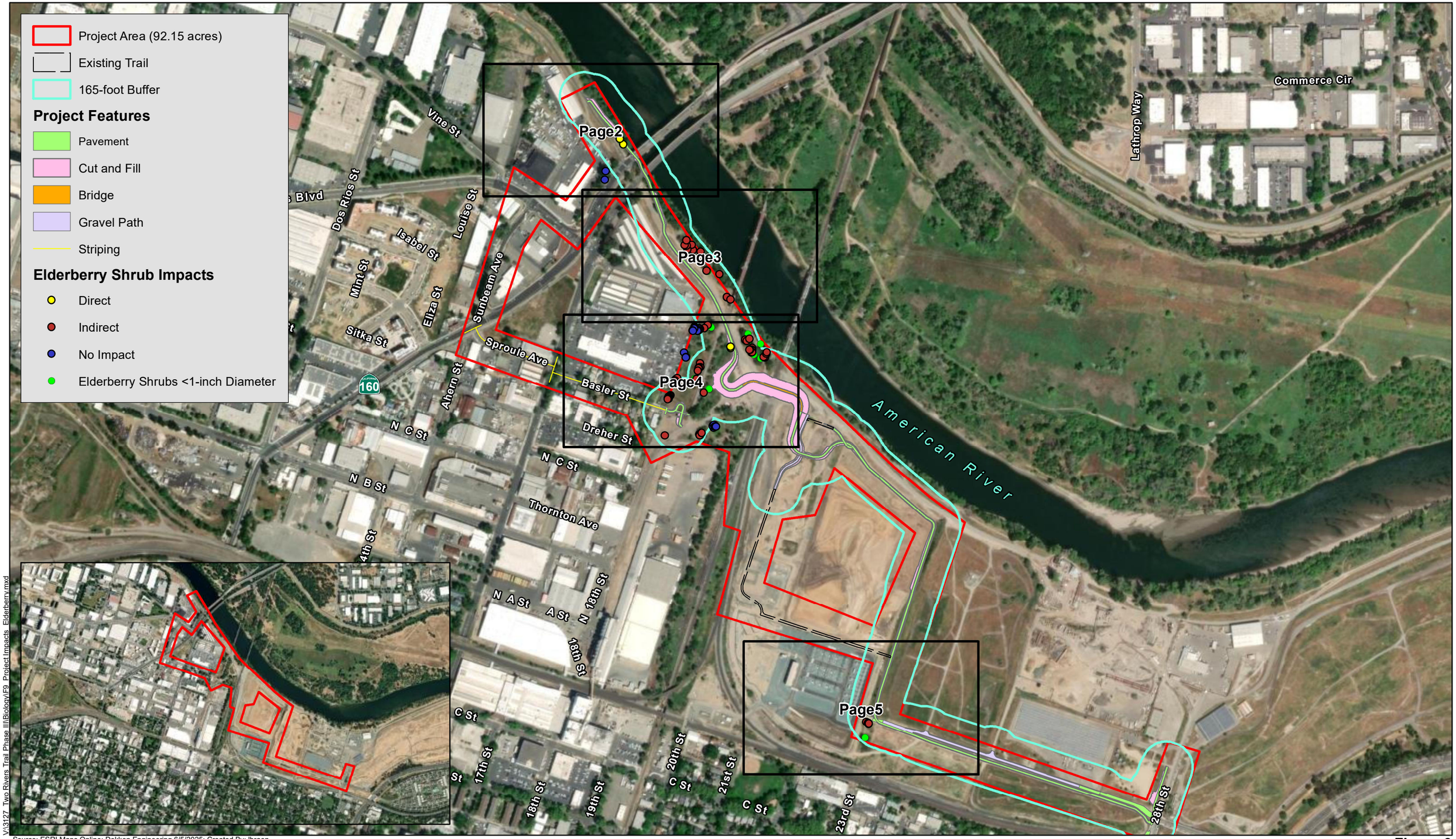
Special Status Wildlife Species

Animals are considered to be of special concern based on (1) federal, state, or local laws regulating their development; (2) limited distributions; and/or (3) the habitat requirements of special-status animals occurring on site. In addition to field surveys, a list of regional special-status wildlife species with potential to occur within the Project vicinity was compiled from database searches. The potential for each species to occur within the Project area was determined by analyzing the habitat requirements of each species and comparing the habitat requirements to available habitat within the Project area. After a careful comparison between habitat requirements and the habitat available within the Project area, ten special status wildlife species have potential to occur within the Project area.

The Project area also contains >150 elderberry shrubs. This is the host plant for the Valley Elderberry Longhorn Beetle (VELB). Exit holes, indicating the presence of VELB were observed on elderberry shrubs during biological surveys (see Figure 9).

Burrowing Owl

The burrowing owl (Athene cunicularia) is not Federally listed species but is a CDFW Species of Special Concern (SSC) and is currently a candidate species for listing under CESA, as well as a USFWS Migratory Nongame Bird of Management Concern. Burrowing owls were historically common throughout much of California; however, due to habitat degradation and urbanization, populations have been drastically reduced. The owl is a migrant or yearlong resident occupying disturbed open, arid habitats, particularly grasslands, deserts, and abandoned agricultural areas. The species requires friable soils for burrow construction and an adequate prey base (Zeiner et al. 1988-1990). Burrowing owls rely on California ground squirrels and other fossorial mammals for burrow construction. Although active throughout the day, burrowing owls mainly forage nocturnally for small vertebrate and invertebrate prey including mammals, lizards, birds, and beetles (Shuford 2008). Burrowing owl nests can be identified by the presence of owl excrement, pellets, debris, grass, and feathers in the vicinity of a burrow. Human




V:\3127_Two Rivers Trail_Phase III\Biology\F9_Project Impacts_Elderberry.mxd

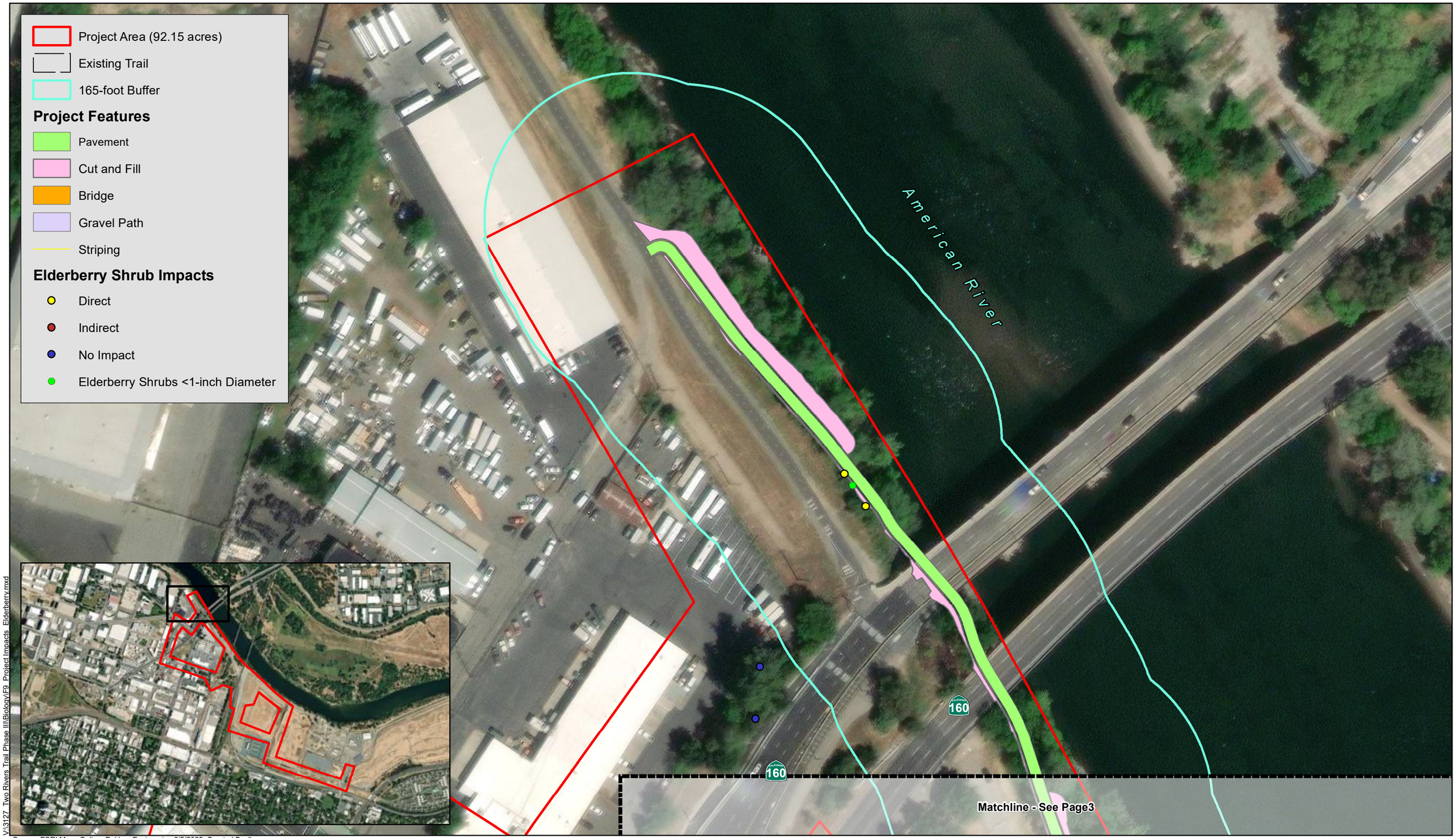
Source: ESRI Maps Online; Dokken Engineering 6/5/2025; Created By: lbraen

1 inch = 600 feet

0 600 1,200 1,800 2,400 3,000 Feet

**Figure 9**
**VELB Impacts**
**Page 1 of 5**

Two Rivers Trail Phase III and IV Project
City of Sacramento, Sacramento County, California

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Source: ESRI Maps Online; Dokken Engineering 6/5/2025; Created By: lbraen

1 inch = 100 feet

0 100 200 300 400 500 Feet

**Figure 9**
**VELB Impacts**
**Page 2 of 5**

Two Rivers Trail Phase III and IV Project
City of Sacramento, Sacramento County, California


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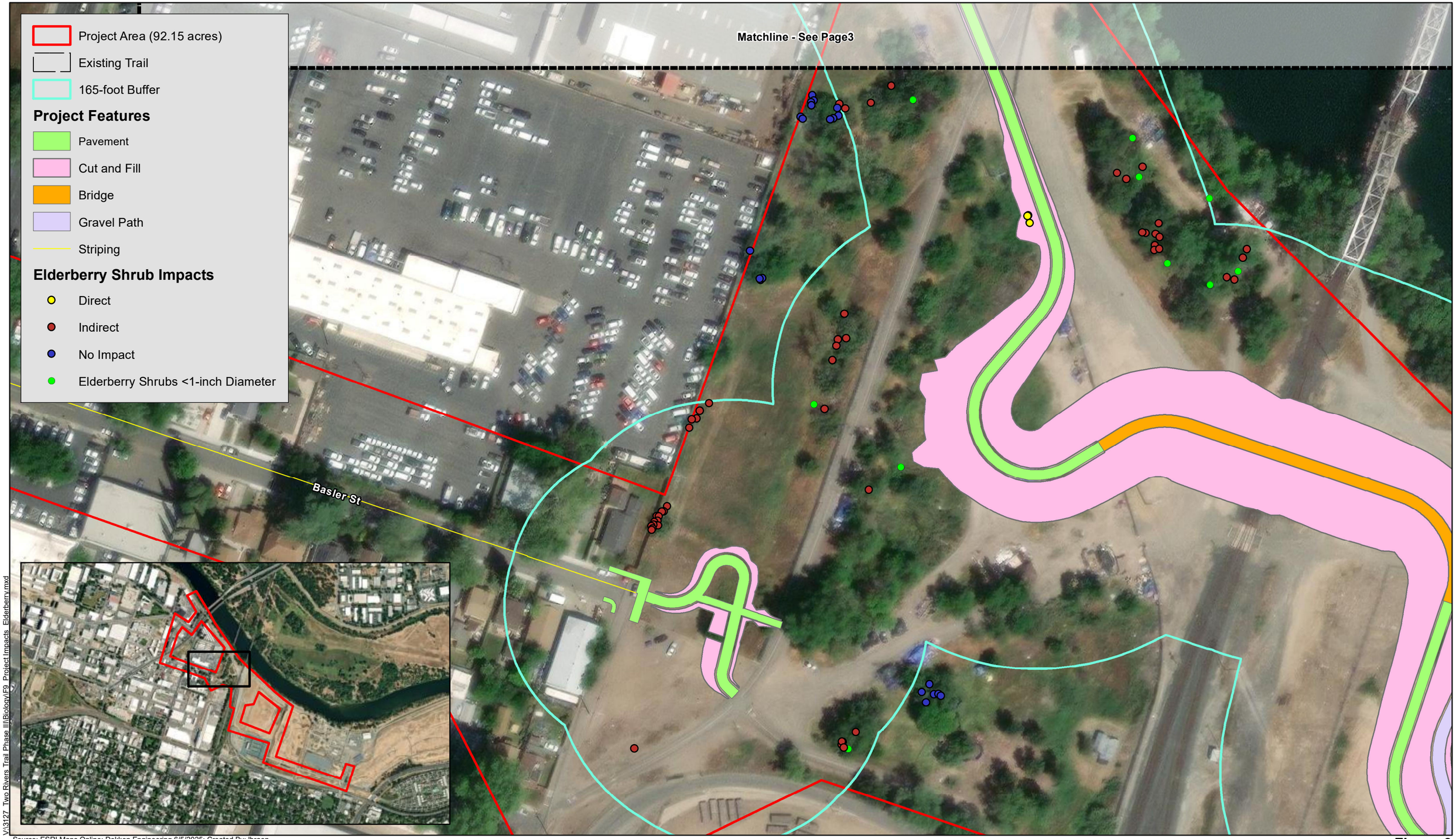
Source: ESRI Maps Online; Dokken Engineering 6/5/2025; Created By: lbraen

1 inch = 100 feet

0 100 200 300 400 500 Feet

**Figure 9**
**VELB Impacts**
**Page 3 of 5**

Two Rivers Trail Phase III and IV Project
City of Sacramento, Sacramento County, California

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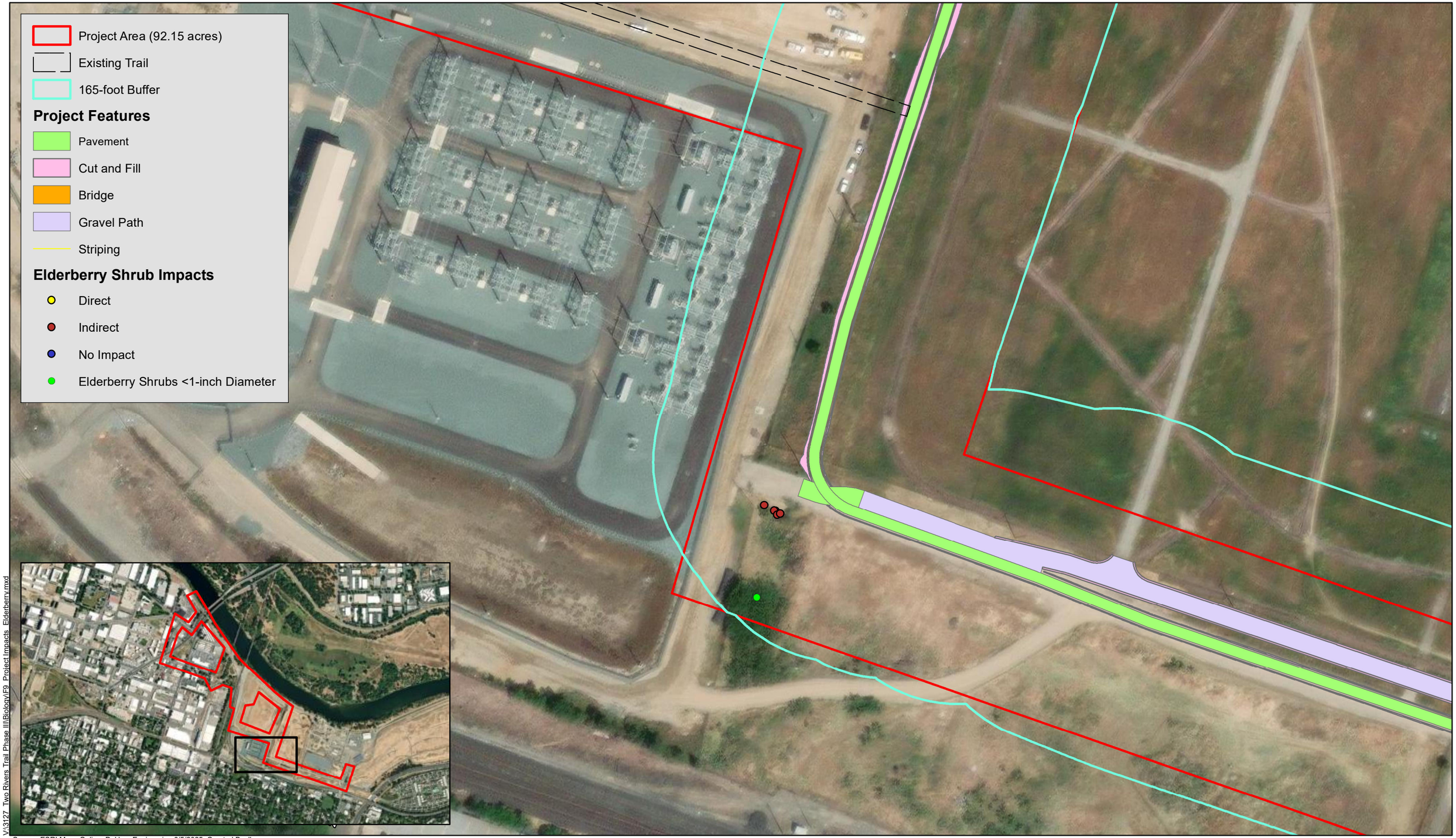
Source: ESRI Maps Online; Dokken Engineering 6/5/2025; Created By: lbraen

1 inch = 100 feet

0 100 200 300 400 500 Feet

**Figure 9**
**VELB Impacts**
**Page 4 of 5**

Two Rivers Trail Phase III and IV Project
City of Sacramento, Sacramento County, California

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Source: ESRI Maps Online; Dokken Engineering 6/5/2025; Created By: lbraen

1 inch = 100 feet

0 100 200 300 400 500 Feet

**Figure 9**
**VELB Impacts**
**Page 5 of 5**

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development threatens burrowing owl populations by reducing available nesting habitat and decreasing rodent populations, which serve as the owl's main food source.

*Potential for Occurrence*

Although the burrowing owl was not observed during biological surveys, it does have a moderate potential to occur within the Project area. The Project area contains disturbed, open habitat just west of Sutter's Landing Corporation Yard/Bell Marine Industrial Aggregate and Concrete Recycling and north of the SMUD substation. However, these areas are clay capped landfills which are designed to be impenetrable by water, plants and animal burrows. However a few burrows were observed on the western portion of the Project area. None of the burrows exhibited signs of burrowing owls. The nearest CNDDB occurrence was approximately 1.49 miles east of the Project area (1974). The most recent recorded occurrence from CNDDB is approximately 8.84 miles southeast of the Project area (2016). Due to the presence of potentially suitable habitat and recorded CNDDB occurrences within 10 miles of the Project area, this species has a moderate potential to occur within the Project area.

*Potential Impacts to Burrowing Owl*

The Project has the potential to temporarily impact habitat suitable for burrowing owl. Construction activities such as grading, staging, and equipment operation may disturb open areas or levee slopes that support ground squirrel burrows, which are often used by burrowing owls for nesting and shelter. If present during the breeding season (February 1 to August 31), owls could be subject to nest abandonment or displacement due to increased noise, vibration, and human activity. Although no permanent habitat loss is anticipated, temporary disturbance could affect both nesting and foraging behavior in the immediate vicinity of the trail alignment if burrowing owl are present. To avoid direct and indirect effects of the Project on the burrowing owl, measures BRT-5 through 6 will be implemented.

Chinook Salmon Central Valley Spring-Run ESU

Central Valley Spring Run (CVSR) Chinook salmon is listed as threatened under the FESA (70 FR 37160, June 28, 2005) and is under the jurisdiction of NMFS. CVSR Chinook salmon are anadromous fish that spend part of their life cycle in freshwater and part in salt water. Adults typically leave the ocean between January and May, entering freshwater from March to July. After migrating up rivers, they hold in deep pools with cool, well-oxygenated water during the summer months before spawning in the fall, usually between September and October. Eggs hatch in late fall or early winter, and the fry emerge from the gravel nests (redds) about 4 to 6 weeks later. Juvenile salmon typically spend 3 to 12 months in freshwater before migrating downstream through the Sacramento River system and into the Delta, eventually reaching the ocean. Once in the ocean, they mature over a period of 2 to 4 years before returning to their natal streams to spawn and complete their life cycle (NOAA 2025).

Historically, CVSR Chinook salmon were abundant in the rivers and tributaries of the Sacramento and San Joaquin River systems. Population numbers have drastically declined due to habitat loss, water diversions, and barriers such as dams. In particular, many populations were thought to be extirpated from the San Joaquin River, but restoration efforts have led to the reintroduction of small populations in some tributaries. Upon entering freshwater, the salmon hold in deep pools until flows increase enough to access upstream spawning areas.

Unlike CCV steelhead, CVSR Chinook salmon are semelparous, meaning they die after spawning once. The species can tolerate a range of water temperatures, but optimal holding temperatures range between 52°F to 60°F, while ideal temperatures for egg incubation and juvenile rearing range from 50°F to 55°F (NOAA 2025).

*Potential for Occurrence*

The lower American River is known to support this species, and is designated as Critical Habitat for the species. The Nimbus Fish Hatchery, located in Folsom, California, also raises Chinook Salmon for release into the American River. The only CNDDB occurrence in the 10-mile buffer is located approximately 3.33 miles southwest within the Sacramento River Deep Water Ship Channel, however there are other records from CDFW of this species within the American River. This species is presumed present within the American River.

*Potential Impacts to Chinook Slamon Central Valley Spring-Run ESU*

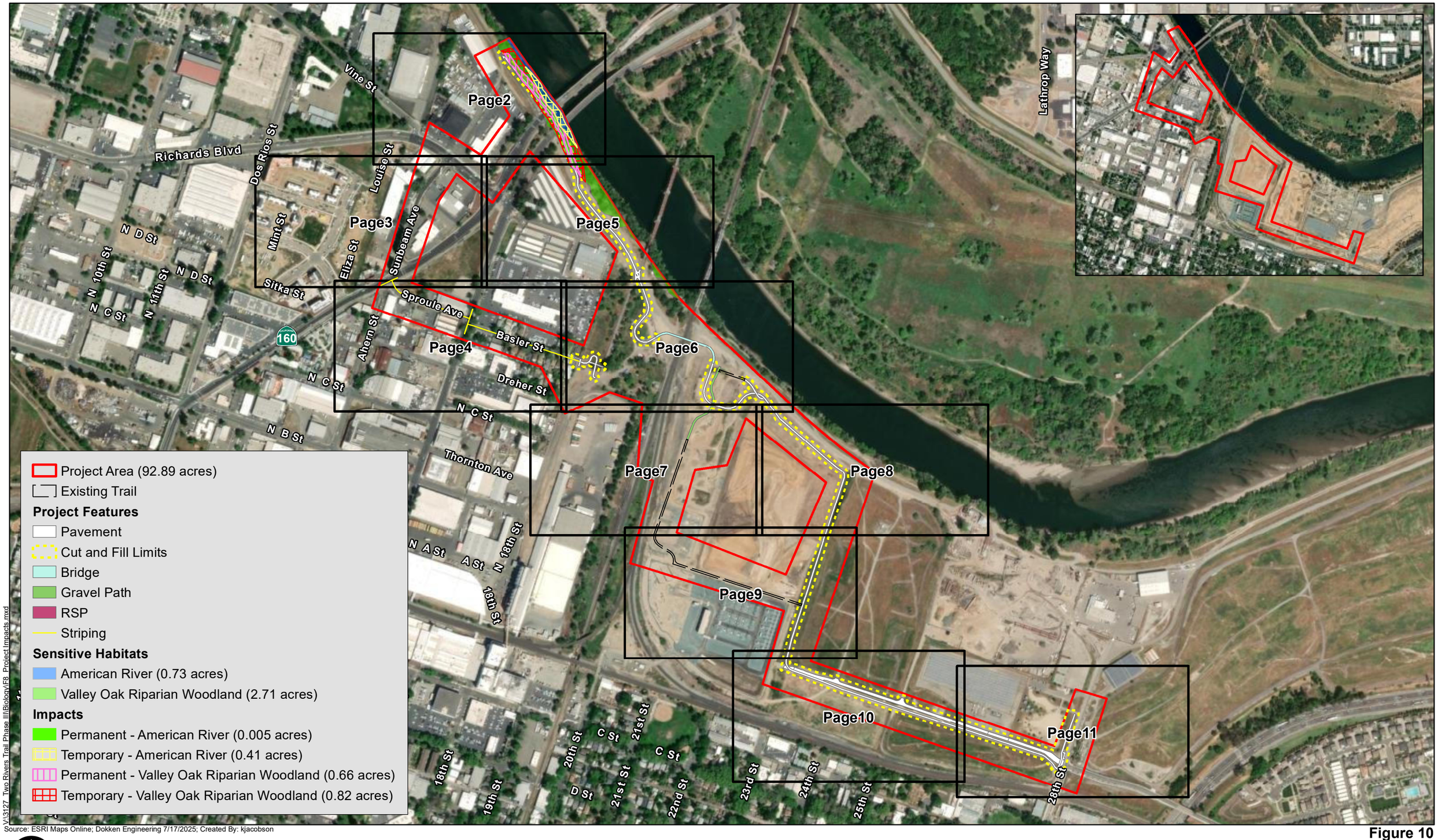
As part of Phase IV of the Project, construction of the SR-160 bridge undercrossing will require both temporary and permanent fill within the ordinary high-water mark of the American River. The undercrossing will include a retaining wall constructed into the soil beneath the existing rock slope protection (RSP) along the north edge of the trail to provide structural support and enhance safety for trail users.

Construction of the Class I path beneath SR-160 (at the 12th and 16th Street bridges), including the ramped approaches, will require temporary shoring to support excavation for the retaining wall footings and to isolate the construction area from river flows through dewatering. To enable this, temporary shoring or cofferdams—anticipated to consist of steel sheet piling installed roughly parallel to the trail alignment and located approximately 30 feet beyond the riverward edge of the RSP excavation—will be installed. This sheet piling will create a dry work area for safe excavation and foundation construction. The additional 30-foot buffer will allow for necessary grading, pile installation for the retaining wall foundation, and equipment access to place the RSP along the retaining walls and approaches.

As a result of these activities, approximately 0.089 acre of temporary impact within the American River is anticipated to accommodate construction access, including temporary fill for an access path (Figure 10. Project Impacts). In addition, approximately 0.005 acres of permanent fill within the American River will be required for the trail, including the RSP, pile supports, and retaining wall. Upon completion of construction, all temporary shoring, cofferdams, supports, and construction equipment will be removed from the river channel.

Moreover, the adjacent valley oak riparian woodland is considered essential fish habitat (EFH) for Chinook salmon. Construction will result in approximately 0.502 acre of permanent impacts and approximately 0.361 acre of temporary impacts to the riparian corridor, including the removal of mature trees that provide bank stability and shading for instream habitat.

Construction activities associated with the SR-160 bridge undercrossing have the potential to result in both direct and indirect impacts to Chinook salmon. Direct impacts may include physical injury or mortality from in-water activities such as pile driving, wall installation, and placement of fill material, with an increased risk of “take” of individuals protected under the Federal Endangered Species Act (FESA), especially during sensitive life stages such as migration or spawning.




V:\3127_Two Rivers Trail Phase III\Biology\F8_Project Impacts.mxd

Source: ESRI Maps Online; Dokken Engineering 7/17/2025; Created By: kjacobson

1 inch = 600 feet

0 600 1,200 1,800 2,400 3,000 Feet

**Figure 10**
**Project Impacts**
**Page 1 of 11**

Two Rivers Trail Phase III and IV Project
City of Sacramento, Sacramento County, California

Project Area (92.89 acres)
Existing Trail

**Project Features**

Pavement
Cut and Fill Limits
Bridge
Gravel Path
RSP
Striping

**Sensitive Habitats**

American River (0.73 acres)
Valley Oak Riparian Woodland (2.71 acres)

**Impacts**

Permanent - American River (0.005 acres)
Temporary - American River (0.41 acres)
Permanent - Valley Oak Riparian Woodland (0.66 acres)
Temporary - Valley Oak Riparian Woodland (0.82 acres)

Vine St

160

Matchline - See Page5

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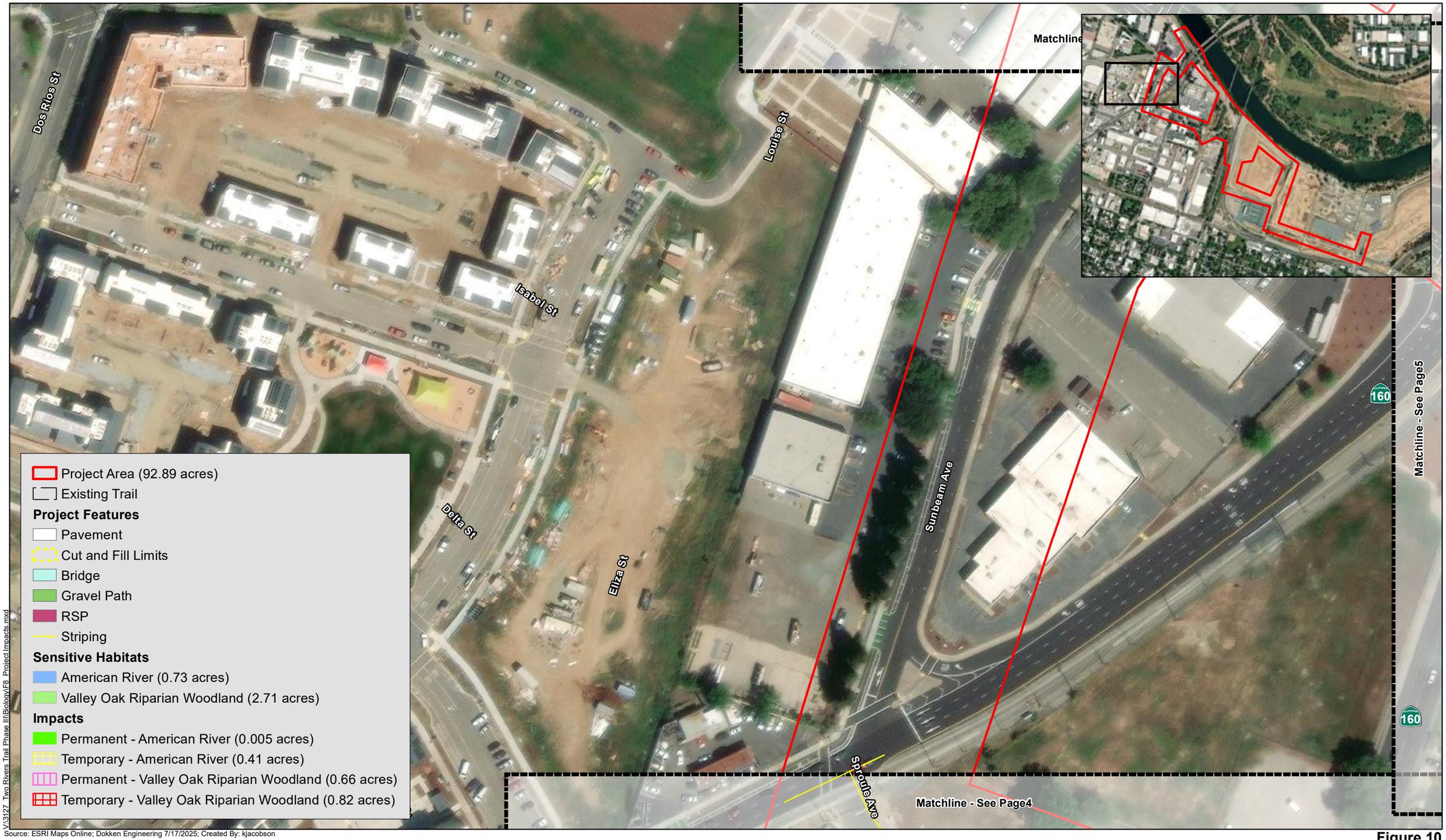
Source: ESRI Maps Online; Dokken Engineering 7/17/2025; Created By: kjacobson

1 inch = 100 feet

0 100 200 300 400 500 Feet

**Figure 10**
**Project Impacts**
**Page 2 of 11**

Two Rivers Trail Phase III and IV Project
City of Sacramento, Sacramento County, California

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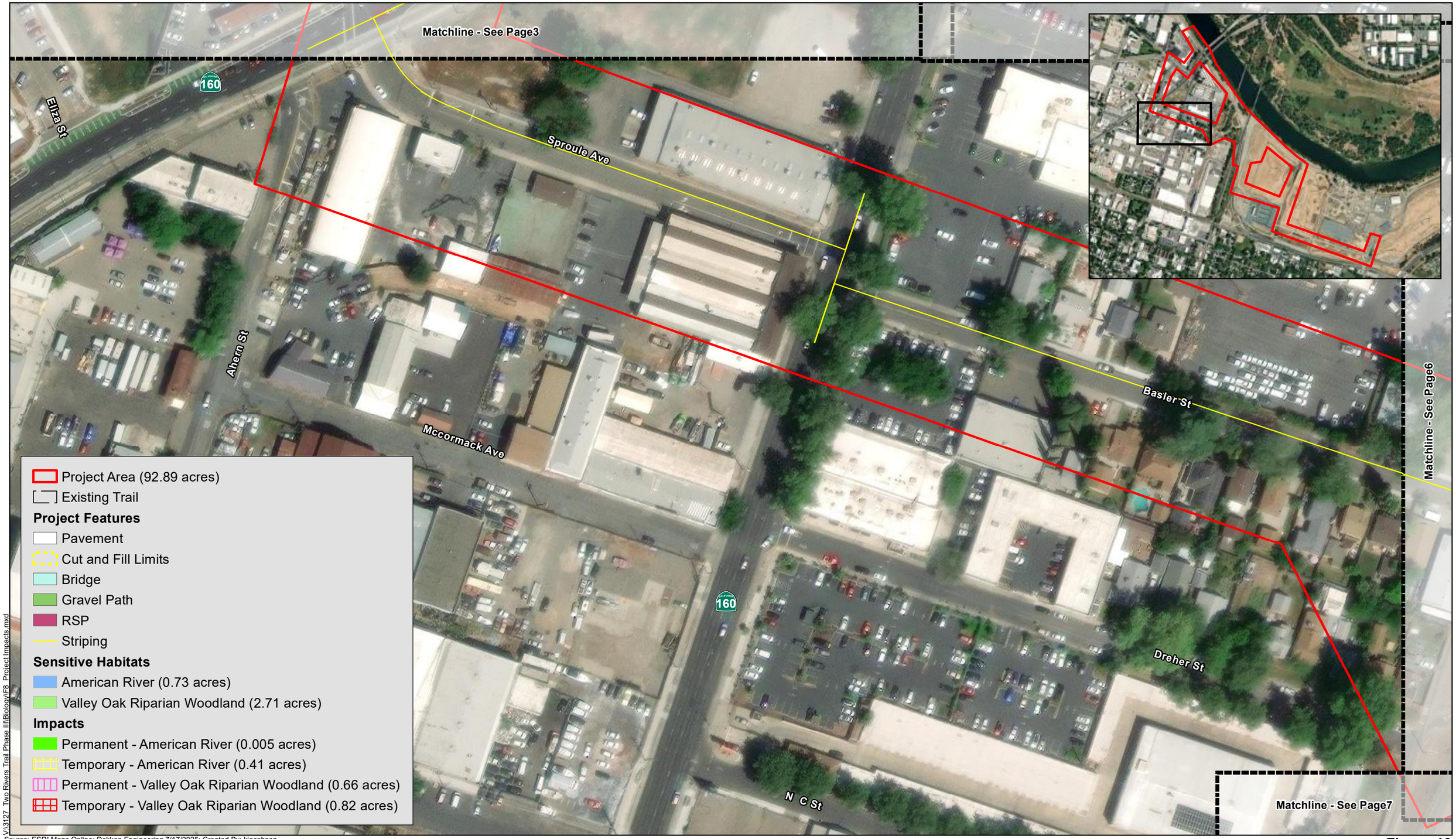
Source: ESRI Maps Online; Dokken Engineering 7/17/2025; Created By: kjacobson

1 inch = 100 feet

0 100 200 300 400 500 Feet

**Figure 10**
**Project Impacts**
**Page 3 of 11**

Two Rivers Trail Phase III and IV Project
City of Sacramento, Sacramento County, California

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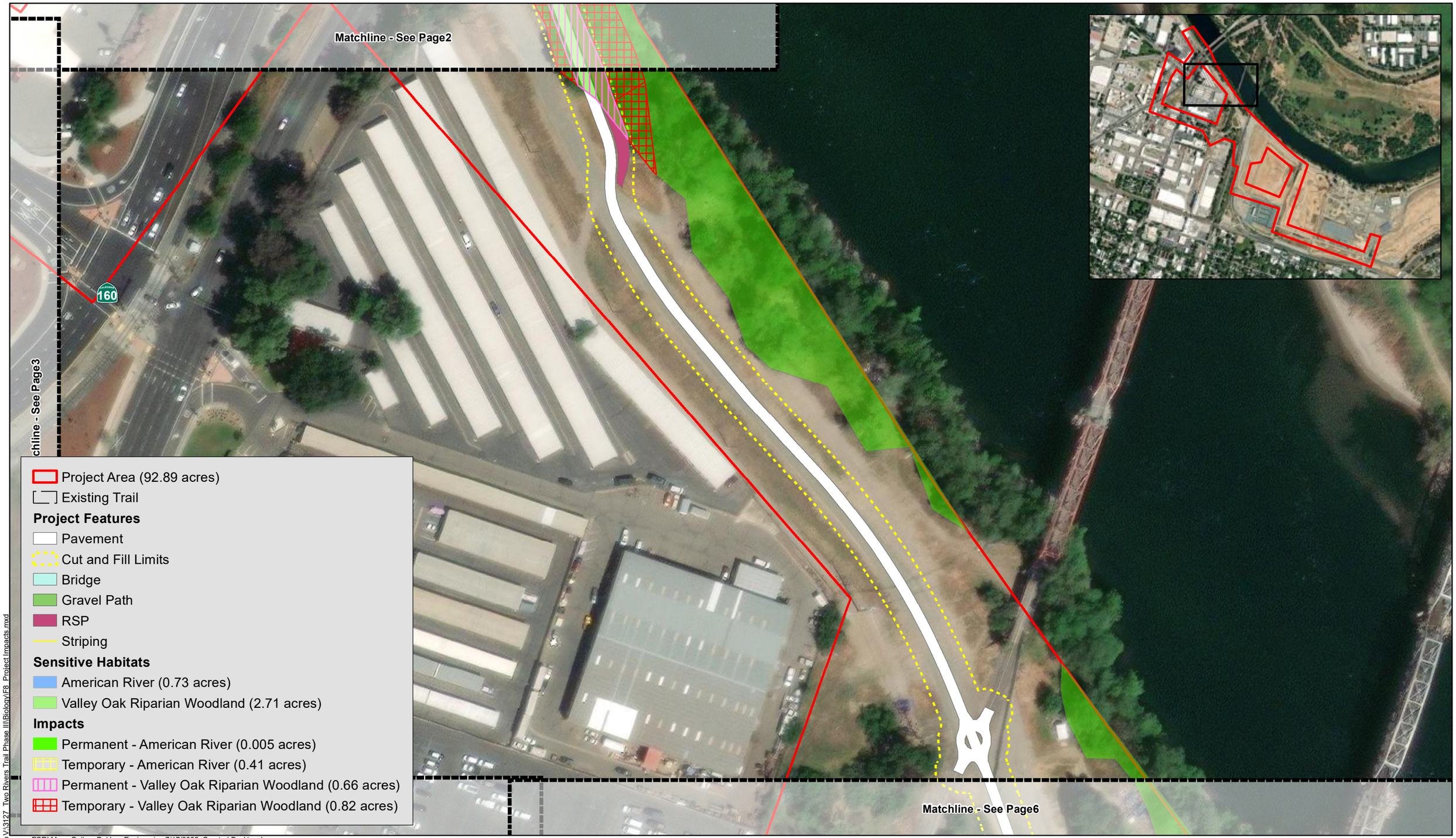
Source: ESRI Maps Online; Dokken Engineering 7/17/2025; Created By: kjacobson

1 inch = 100 feet

0 100 200 300 400 500 Feet

**Figure 10**
**Project Impacts**
**Page 4 of 11**

Two Rivers Trail Phase III and IV Project
City of Sacramento, Sacramento County, California

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Source: ESRI Maps Online; Dokken Engineering 7/17/2025; Created By: kjacobson

1 inch = 100 feet

0 100 200 300 400 500 Feet

**Figure 10**
**Project Impacts**
**Page 5 of 11**

Two Rivers Trail Phase III and IV Project
City of Sacramento, Sacramento County, California


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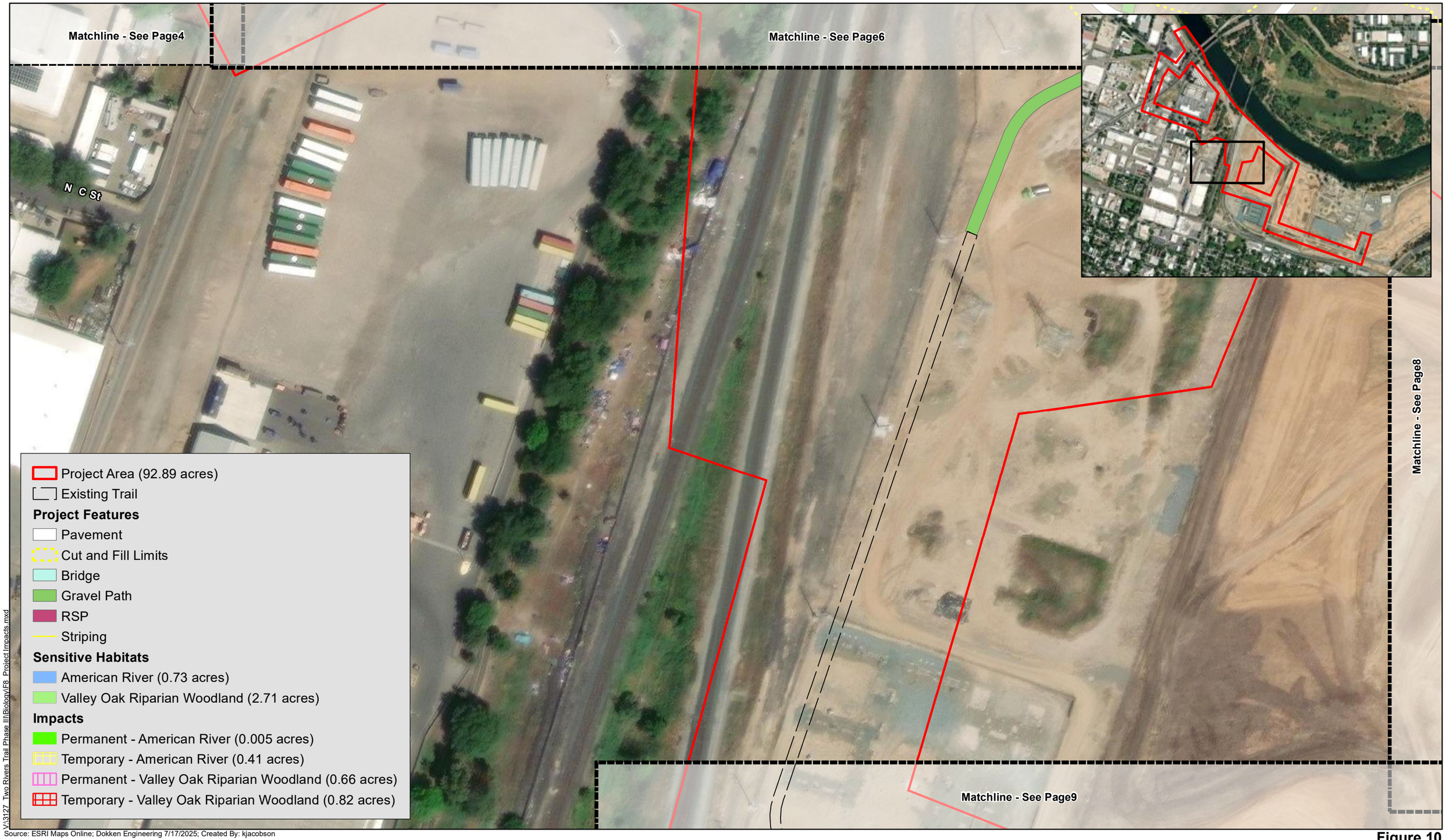
Source: ESRI Maps Online; Dokken Engineering 7/17/2025; Created By: kjacobson

1 inch = 100 feet

0 100 200 300 400 500 Feet

**Figure 10**
**Project Impacts**
**Page 6 of 11**

Two Rivers Trail Phase III and IV Project
City of Sacramento, Sacramento County, California

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Source: ESRI Maps Online; Dokken Engineering 7/17/2025; Created By: kjacobson

1 inch = 100 feet

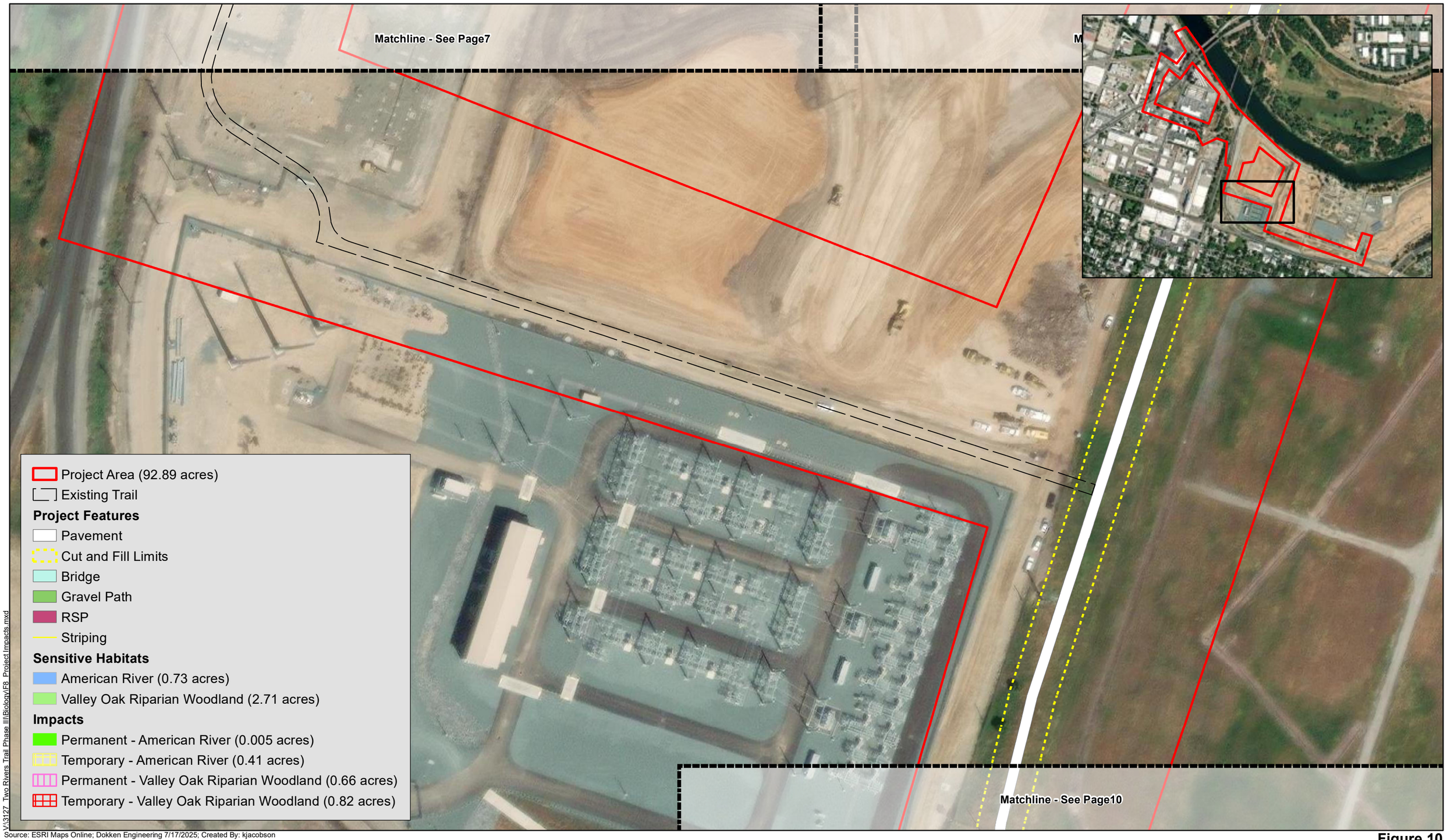
0 100 200 300 400 500 Feet

**Figure 10**
**Project Impacts**
**Page 7 of 11**

Two Rivers Trail Phase III and IV Project
City of Sacramento, Sacramento County, California


**Figure 10**
**Project Impacts**
**Page 8 of 11**

Two Rivers Trail Phase III and IV Project
City of Sacramento, Sacramento County, California

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Source: ESRI Maps Online; Dokken Engineering 7/17/2025; Created By: kjacobson

1 inch = 100 feet

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**Figure 10**
**Project Impacts**
**Page 9 of 11**

Two Rivers Trail Phase III and IV Project
City of Sacramento, Sacramento County, California


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Source: ESRI Maps Online; Dokken Engineering 7/17/2025; Created By: kjacobson

1 inch = 100 feet

0 100 200 300 400 500 Feet

**Figure 10**
**Project Impacts**
**Page 10 of 11**

Two Rivers Trail Phase III and IV Project
City of Sacramento, Sacramento County, California


V:\3127_Two Rivers Trail Phase III\Biology\F8_Project Impacts.mxd

Source: ESRI Maps Online; Dokken Engineering 7/17/2025; Created By: kjacobson

1 inch = 100 feet

0 100 200 300 400 500 Feet

**Figure 10**
**Project Impacts**
**Page 11 of 11**

Two Rivers Trail Phase III and IV Project
City of Sacramento, Sacramento County, California

Work within the ordinary high-water mark may increase sedimentation and turbidity, which can impair gill function and reduce feeding efficiency by diminishing aquatic invertebrate prey. Construction noise and vibration, particularly from pile driving and heavy equipment operation, may disrupt migration corridors or spawning behavior, potentially causing delayed migration, habitat abandonment, or unsuccessful reproduction. Accidental fuel or contaminant spills could degrade water quality, and temporary removal of riparian vegetation could decrease shading, raise water temperatures, and destabilize the riverbank, collectively reducing habitat quality for Chinook salmon.

A Section 7 consultation under the FESA will be required for this species. Implementation of species-specific avoidance and minimization measures, as well as compliance with all measures prescribed by the National Marine Fisheries Service (NMFS) in the final Biological Opinion, will reduce potential impacts to Chinook salmon and their habitat to the extent feasible. To avoid direct and indirect effects of the Project on Chinook Salmon Central Valley Spring-Run ESU, measure BRT-7 will be implemented.

Chinook Salmon Sacramento River Winter-Run ESU

The Sacramento River Winter-Run (SRWR) Chinook salmon is listed as endangered under the Federal Endangered Species Act (59 FR 440, June 28, 1994) and is under the jurisdiction of the NMFS. SRWR Chinook salmon are anadromous fish, meaning they migrate between freshwater and saltwater during their life cycle. Adults typically leave the ocean between November and May, entering freshwater from December through early July. After migrating upriver, they hold in deep, cold-water pools with high oxygen levels during the summer months before spawning in the late summer, usually between May and August. Their eggs incubate in the gravel beds and hatch in late summer or early fall, with fry emerging from the redds about 4 to 6 weeks later.

Juvenile salmon typically spend 5 to 10 months in freshwater before migrating downstream through the Sacramento River system and into the Delta, eventually reaching the ocean. Once in the ocean, they mature over a period of 2 to 4 years before returning to their natal streams to spawn and complete their life cycle (NOAA 2014).

Historically, SRWR Chinook salmon were abundant in the upper Sacramento River and its cold-water tributaries, particularly areas that are now blocked by Shasta and Keswick Dams. Their populations have drastically declined due to habitat loss, water diversions, and migration barriers.

Unlike other Chinook salmon runs, SRWR Chinook rely on the cold-water releases from Shasta Reservoir to sustain their summer holding and spawning periods, as they require cooler water temperatures for successful reproduction. Restoration efforts, such as the use of the Livingston Stone National Fish Hatchery and habitat enhancement projects, have aimed to stabilize and support the remaining populations. Upon entering freshwater, SRWR Chinook salmon hold in deep pools until suitable spawning conditions become available in the upper Sacramento River.

Unlike Central Valley steelhead, SRWR Chinook salmon are semelparous, meaning they die after spawning once. The species can tolerate a range of water temperatures, but optimal holding temperatures range between 50°F to 58°F, while ideal temperatures for egg incubation and juvenile rearing range from 50°F to 55°F (NOAA 2014).

*Potential for Occurrence*

The lower American River is known to support this species. The Nimbus Fish Hatchery, located in Folsom, California, also raises Chinook Salmon for release into the American River. The only CNDDB occurrence in the 10-mile buffer is located approximately 3.33 miles southwest within the Sacramento River Deep Water Ship Channel, however there are other records from CDFW of this species within the American River. This species is presumed present within the American River.

*Potential Impacts to Chinook Salmon SRWR ESU*

As part of Phase IV of the Project, construction of the SR-160 bridge undercrossing will require both temporary and permanent fill within the ordinary high-water mark of the American River. The undercrossing will include a retaining wall constructed into the soil beneath the existing rock slope protection (RSP) on the north edge of the trail to help support the undercrossing structure and provide safety for trail users.

Construction of the Class I path beneath SR-160 (at the 12th and 16th Street bridges), including the ramped approaches to the undercrossing, will require temporary shoring to facilitate excavation for retaining wall footings and to protect the construction area from river flows through dewatering. To accomplish this, temporary shoring or cofferdams—anticipated to consist of steel sheet piling installed roughly parallel to the alignment and located approximately 30 feet beyond the riverward limit of the RSP excavation—will be used. The sheet piling will allow for dewatering and create a stable work zone for safe excavation and foundation installation. The 30-foot setback will provide adequate space for grading, installation of the sheet piling, construction of driven or drilled piles for the retaining wall foundation, and access for an excavator to place RSP along the retaining walls and approaches.

As a result of these activities, approximately 0.089 acre of temporary impacts to the American River are anticipated to accommodate construction access, including temporary fill for an access path (see Figure 10, Project Impacts). Additionally, approximately 0.005 acres of permanent fill within the American River will be required for the completed trail infrastructure, including the RSP, pile supports, and retaining wall. Upon Project completion, all temporary materials, shoring, cofferdams, and construction equipment will be fully removed from the river channel.

The adjacent valley oak riparian woodland is considered essential fish habitat (EFH) for the Sacramento River winter-run Chinook salmon ESU. Construction of the undercrossing will result in approximately 0.502 acre of permanent impacts and approximately 0.361 acre of temporary impacts to the riparian corridor, including removal of large mature trees that provide shading, bank stability, and habitat complexity beneficial to salmonids.

Construction activities within and adjacent to the American River have the potential to result in both direct and indirect impacts to winter-run Chinook salmon. Direct impacts may include physical injury or mortality due to in-water activities such as pile driving, retaining wall installation, and placement of fill material. These actions could result in the “take” of individuals protected under the Federal Endangered Species Act (FESA), especially during sensitive life stages such as upstream migration, spawning, or rearing.

Construction activities at and within the ordinary high-water mark may increase sedimentation and turbidity, which can impair gill function in fish and reduce feeding efficiency by diminishing aquatic invertebrate prey availability for juvenile salmon. Construction-related noise and

vibration, particularly from pile driving and heavy equipment operation, could disturb migratory pathways or spawning behavior, potentially causing delayed migration, avoidance of the area, or unsuccessful reproduction. Accidental spills of fuel, lubricants, or other hazardous materials also pose a risk to water quality, while temporary removal of riparian vegetation could reduce stream shading, increase water temperatures, and destabilize the riverbank, further degrading suitable habitat for this ESU.

A Section 7 consultation under the FESA will be required for the Sacramento River winter-run Chinook salmon ESU. Implementation of species-specific avoidance and minimization measures, in compliance with all requirements identified in the final Biological Opinion issued by the National Marine Fisheries Service (NMFS), will be necessary to avoid or reduce potential impacts to the species and its critical habitat to the maximum extent practicable. Avoidance and minimization measures BIO-7 will serve to protect water quality and reduce potential impacts to the Chinook Salmon SRWR.

Northwestern Pond Turtle

Northwestern pond turtle (Actinemys marmorata) is a federally proposed threatened species. The species is fully aquatic, inhabiting ponds, lakes, rivers, streams, creeks, marshes, and irrigation ditches with aquatic vegetation. Suitable habitat includes woodland, forests, and grasslands. The species requires logs, rocks, cattail mats, and exposed banks for basking. Suitable upland habitat (sandy banks or grassy open field) is required for reproduction, which begins in April and ends with egg laying as late as August.

*Potential for Occurrence*

Although the northwestern pond turtle was not observed during surveys, it does have a moderate potential to occur within the Project area. The northwestern pond turtle is known to occur in the American River, however the portion of the American River near the Project area is fast moving, has steep banks with RSP, and lacks basking areas. The nearest documented CNDDB occurrence of the species is approximately 5.52 miles northeast of the Project area, recorded in 1995. There are also recent iNaturalist occurrences of the species nearby. However, habitat along the American River, upstream of the Project area, is different than habitat available within the Project area, with sloped banks that aren't too steep, and logs/emergent vegetation available for basking. Due to the nearby presence of suitable habitat, this species has a moderate potential to occur.

*Potential Impacts to Northwestern Pond Turtle*

Construction activities associated with the Project, particularly near the SR-160 undercrossing and within the riparian corridor, such as grading, vegetation clearing, equipment staging, and temporary access could disturb or degrade potential nesting sites, or temporarily disturb areas used by turtles for movement or foraging. While the immediate Project area is not ideal turtle habitat due to steep, riprap-lined banks and lack of basking features, individuals could still pass through from higher-quality habitat upstream. With proper avoidance measures such as pre-construction clearance surveys and biological monitoring these potential impacts can be effectively minimized. Construction activities may temporarily impact potentially suitable upland habitat for the northwestern pond turtle. To avoid direct and indirect effects of the Project on the northwestern pond turtle, measure BRT-8 will be implemented.

Purple Martin

Purple martin migrates and is present in California during the summer. This species can inhabit valley foothills and montane hardwood/hardwood-conifer, coniferous, or riparian habitats. Purple martin prefers nesting in tall, old, isolated tress or snags, or former woodpecker cavities in open forest or woodland in proximity to a body of water and is associated with closed-cone pine -cypress, ponderosa pine, Douglas-fir, and redwood.

*Potential for Occurrence*

Although the purple martin was not observed during biological surveys, it does have a moderate potential to occur within the Project area. This is due to the presence of snags and structures as well as valley oak woodland and riparian communities that may provide potentially suitable nesting habitat near the American River. The nearest CNDDB occurrence is approximately 1.23 miles west of the Project area (2003). There are more recent iNaturalist occurrences in Sutter's Landing Regional Park, directly adjacent to the Project area (2015 and 2017). Due to the presence of suitable habitat and local occurrences, this species has a moderate potential for occurrence within the Project area.

*Potential Impacts to Purple Martin*

The purple martin has the potential to occur within bridges, snags, or mature trees within the Project area. In Sacramento, purple martins often nest in crevices under elevated freeway structures or in large cavities in standing trees. Vegetation removal required for trail construction includes trimming or removal of 20+ trees within Disturbed Valley Oak Woodland and Valley Oak Riparian Woodland, which could result in the loss of potential nesting or roosting sites, as well as reduce foraging habitat by altering insect-rich open space adjacent to the river. To minimize potential impacts, pre-construction nesting bird surveys should be performed to identify and protect any active nests in compliance with the MBTA.

To avoid direct and indirect effects of the Project on the purple martin, the measure BRT-9 will be implemented.

<u>Song Sparrow ("Modesto" Population)</u>

The song sparrow ("Modesto" population) (Melospiza melodia pop. 1) is not a State or Federally listed species but is a CDFW SSC. The song sparrow ("Modesto" population) is endemic to the north-central portion of the Central Valley of California and its highest densities are within the Butte Sink and Sacramento-San Joaquin River Delta. This species prefers open and brushy habitats along ponds or steams, abandoned pastures, thickets, and woodland edges. This species is strongly associated with emergent freshwater marshes dominated by tules and cattails, riparian willow thickets, and valley oak forests with blackberry-dominated understory. The song sparrow ("Modesto" population) nests un the base of shrubs or clumps of grasses near water.

*Potential for Occurrence*

Although the song sparrow ("Modesto" population) was not observed during biological surveys, it does have a moderate potential to occur within the Project area. This is due to potentially suitable riparian willow and valley oak habitat as well as some areas with prominent blackberry understories or larger clumps of grass. A CNDDB historic occurrence is present within the Project area (1900). The nearest, most recent CNDDB occurrence is located approximately 8.92 miles southwest of the Project area (2011). iNaturalist also features more recent occurrences

within the 10-mile buffer, though none are present within or directly adjacent to the Project area with the most presence in the Yolo Bypass area. Due to the presence of habitat and local occurrences, this species has a moderate potential to occur.

*Potential Impacts to the Song Sparrow ("Modesto" Population)*

The song sparrow ("Modesto" Population) has the potential to occur within trees, shrubs and willow thickets within the Project area. Vegetation removal required for trail construction, including trimming or removal of 20+ trees within Disturbed Valley Oak Woodland and Valley Oak Riparian Woodland, could result in the loss of potential nesting sites, as well as reduce foraging habitat by altering insect-rich open space adjacent to the river. To minimize potential impacts, pre-construction nesting bird surveys should be performed to identify and protect any active nests in compliance with the MBTA. To avoid direct and indirect effects of the Project on the song sparrow ("Modesto" population), measure BIO-9 will be implemented.

Steelhead – Central Valley DPS

California Central Valley steelhead is listed as threatened under FESA (63 FR 13347, March 19, 1998) and is under the jurisdiction of NOAA Fisheries. This distinct population segment consists of steelhead in the Sacramento and San Joaquin River basins in the Central Valley. Steelhead are anadromous fish that spend part of their life cycle in freshwater and part in salt water. The species was once abundant in California coastal and Central Valley drainages. Population numbers have declined significantly, especially in the tributaries of the Sacramento River (NOAA Fisheries 2014). The species spawns in small, freshwater streams where the young remain from one to several years before migrating to the ocean to feed and grow. Adults return to their natal streams to spawn and complete their life cycle. Juvenile steelhead typically migrate to marine waters after spending two years in cool, clear, fast-flowing permanent streams and rivers where they reside for two or three years prior to returning to their natal stream to spawn at four- or five-years old (Williams 2006). All California Central Valley steelhead today are winter-run fish, beginning their upstream migrations to freshwater during peak flows between December and February. Upon entering freshwater, they remain until flows are high enough in tributaries to enter for spawning. Spawning typically occurs from February to April (California Trout 2022). Steelhead may survive a wide temperature gradient, but optimal immigration and holding temperatures are 46°F to 52°F and optimal growing temperatures for juveniles are 59°F to 64.4°F (NOAA Fisheries 2014).

*Potential for Occurrence*

The lower American River is known to support this species, and is designated as Critical Habitat for the species. The Nimbus Fish Hatchery, located in Folsom, CA, also raises Steelhead for release into the American River. Due to the presence of habitat and known occurrence, this species is presumed present.

*Project Impacts to Steelhead – Central Valley DPS*

As part of Phase IV of the Project, construction of the SR-160 bridge undercrossing will require both temporary and permanent fill within the ordinary high-water mark of the American River. The undercrossing will include a retaining wall constructed into the soil beneath the existing

rock slope protection (RSP) on the north edge of the trail to help support the undercrossing structure and ensure trail user safety.

Construction of the Class I path beneath SR-160 (at the 12th and 16th Street bridges), including the ramped approaches to the undercrossing, will require temporary shoring to facilitate excavation for retaining wall footings and to protect the work area from river flows through dewatering. To enable this, temporary shoring or cofferdams—anticipated to consist of steel sheet piling installed roughly parallel to the alignment and positioned approximately 30 feet beyond the riverward limit of the RSP excavation—will be installed. This sheet piling will create a stable, dry construction zone for safe excavation and installation of the wall foundation. The additional 30-foot setback will provide adequate space for grading, installation of the sheet piling, pile installation for the retaining wall foundations, and access for heavy equipment to place the RSP along the retaining walls and approaches.

As a result of these activities, approximately 0.089 acre of temporary impacts to the American River are anticipated to accommodate construction access, including temporary fill for an access path (see Figure 10, Project Impacts). Additionally, approximately 0.005 acres of permanent fill within the American River will be required for the completed trail improvements, including the RSP, pile supports, and retaining wall. Upon completion of construction, all temporary shoring, cofferdams, supports, and construction equipment will be removed from the river channel.

Construction activities associated with the SR-160 bridge undercrossing have the potential to result in both direct and indirect impacts to Central Valley steelhead. Direct impacts may include physical injury or mortality due to in-water activities such as pile driving, wall installation, and placement of fill material. These actions have the potential to result in the "take" of individuals protected under the Federal Endangered Species Act (FESA), particularly during sensitive life stages such as upstream migration or spawning.

Work at and within the ordinary high-water mark may increase sedimentation and turbidity, which can impair gill function and reduce feeding efficiency by decreasing the availability of aquatic invertebrates on which juvenile steelhead depend. Construction noise and vibration, especially from pile driving and heavy equipment operation, may disturb migratory pathways or spawning behavior, potentially causing delayed migration, habitat avoidance, or unsuccessful reproduction. Accidental spills of fuel or other contaminants pose a risk to water quality, while temporary disturbance to riparian vegetation could reduce shading, increase water temperatures, and destabilize the riverbank, cumulatively degrading steelhead habitat.

A Section 7 consultation under the FESA will be required for this species. Implementation of species-specific avoidance and minimization measures, and adherence to all conditions specified by the National Marine Fisheries Service (NMFS) in the final Biological Opinion, will be necessary to avoid or minimize potential impacts to steelhead and their habitat to the extent feasible. Avoidance and minimization measures BRT-7 will serve to protect water quality and reduce potential impacts to the Steelhead – Central Valley DPS.

Swainson's Hawk

The species migrates annually from wintering areas in South America to breeding locations in northwestern Canada, the western U.S., and Mexico. In California, Swainson's hawk nest throughout the Sacramento and San Joaquin Valley in large trees in riparian habitats and in isolated trees in or adjacent to agricultural fields. The breeding season extends from late March through late August, with peak activity from late May through July (England et al. 1997).

Swainson's hawks forage in large, open agricultural habitats, including alfalfa and hay fields. The breeding population in California has declined by an estimated 91% since 1900; this decline is attributed to the loss of riparian nesting habitats and the conversion of native grassland and woodland habitats to agriculture and urban development (CDFG 1994).

*Potential for Occurrence*

Although the Swainson's hawk was not observed during biological surveys, it has a high potential to occur within the Project area. This is due to the presence of disturbed, open grasslands with adjacent or sparser/scattered mature riparian/oak woodland trees providing potentially suitable nesting and foraging habitats. The nearest, most recent CNDDB occurrence is approximately 0.35 miles south of the Project area (2017) and there are multiple recent iNaturalist occurrences within Sutter's Landing Regional Park. Due to the presence of habitat and recent occurrences, this species has a high potential to occur.

*Potential Impacts to Swainson's Hawk*

Vegetation removal required for trail construction includes trimming or removal of 20+ trees within Disturbed Valley Oak Woodland and Valley Oak Riparian Woodland, which could result in the loss of potential nesting sites for the species. In addition, if Swainson's hawk are nesting near the Project area, this may result in temporary increase in noise, vibration and human presence, including construction equipment. To minimize potential impacts and avoid take of the species, pre-construction protocol level Swainson's hawk surveys will be performed to identify and protect any active nests. To avoid direct and indirect effects of the Project on the Swainson's hawk, the measure BRT-10 will be implemented.

Valley Elderberry Longhorn Beetle

The Valley Elderberry Longhorn Beetle (VELB) has been federally listed as threatened since 1980. Elderberry shrubs, which grow in riparian areas and foothill woodlands in California's Central Valley, are VELB's obligate host plant which they depend on for survival and reproduction. The beetle goes through four life stages: egg, larvae, pupa, and adult. Females lay their eggs on the bark of the elderberry shrub and the larvae hatch and burrow into the stems. Larvae are active within the stems year-round and take one to two years to emerge as adults. The adults are active from March to June. The beetle feeds exclusively on the elderberry shrub throughout all stages of its life (USFWS 2017). VELB's usage of elderberry shrubs can be detected by the presence of exit holes created by the beetle's larval stage in the stem of the shrubs. The VELB is threatened by habitat loss of California's Central Valley riparian areas mainly due to agriculture and urban development.

*Potential for Occurrence and Survey Results*

In accordance with the Framework for Assessing Impacts to the Valley Elderberry Longhorn Beetle (USFWS 2017), the valley oak woodland habitat inland and on the banks of the American River within the Project area provides suitable habitat for VELB. During the biological survey >150 elderberry shrubs were identified within the Project area (Figure 9. VELB Impacts). Exit holes were observed in most shrubs, indicating the current or historic presence of VELB. Due to the presence of suitable habitat and observance of exit holes, this species is presumed to be present within the Project area.

*Potential Impacts to Valley Elderberry Longhorn Beetle*

The Project will result in direct impacts to elderberry shrubs including removal of five shrubs and two elderberry clusters of <1-inch diameter as a result of the proposed path and associated cut and fill (see Figure 9). The Project will have indirect impacts on 60 elderberry shrubs in non-riparian areas due to the shrubs being located within 165 feet of Project activities. These indirect impacts may include increased dust, vibration, soil compaction, accidental encroachment from equipment, and root zone disturbance. Furthermore, construction noise and increased human presence may alter microhabitat conditions near these shrubs, potentially affecting the beetle's lifecycle or dispersal. Section 7 consultation under the FESA will be required for this species.

**Table 2. Direct and Indirect Impacts to Riparian Habitat**

| Impact Type | Habitat Type | No. of Shrubs | Mitigation Ratio |
|---|---|---|---|
| Direct | Riparian | 2 | 3:1 |
| Direct | Non-Riparian | 3 | 2:1 |
| Indirect | Riparian | 11 | 2:1 |
| Indirect | Non-Riparian | 60 | 1:1 |

To avoid direct and indirect effects of the Project on VELB, measures BRT-11 and BRT-12 will be implemented and consultation with USFWS will be initiated.

White-Tailed Kite

The white-tailed kite (Elanus leucurus) is not a State or Federally listed species but is a fully protected species under CDFW. The white-tailed kite is a year-round species of California and occurs in coastal and valley lowlands, most often in association with agricultural areas. The white-tailed kite forages in undisturbed, open grasslands, meadows, farmlands and emergent wetlands and seldom hunts more than 0.5 miles from nest while breeding. Breeding occurs from February to October, preferably in isolated, dense-topped trees close to open grasslands, meadows or marsh foraging sites (Zeiner 1990, CNDDB 2012).

*Potential for Occurrence*

Although white-tailed kite was not observed during biological surveys, the species has a high potential to occur within the Project area. This is due to the presence of potentially suitable open grasslands nearby riparian woodland habitat potentially capable of supporting this species. The nearest, most recent CNDDB occurrence is approximately 3.34 miles southwest of the Project area, however there is a historic occurrence directly across the American River from the Project area (1974) and multiple recent iNaturalist occurrences within Sutter's Landing Regional Park and surrounding area. Due to the presence of suitable habitat and local occurrences, this species has a high potential to occur.

*Potential Impacts to White-tailed Kite*

Vegetation removal required for trail construction includes trimming or removal of 20+ trees within Disturbed Valley Oak Woodland and Valley Oak Riparian Woodland, which could result in the loss of potential nesting sites for the species. In addition, if white-tailed kites are nesting

near the Project area, this may result in temporary increase in noise, vibration and human presence, including construction equipment. To minimize potential impacts and avoid take of the species, pre-construction nesting bird surveys, including a ½ mile buffer for raptors, will be performed to identify and protect any active nests. The avoidance and minimization measures for the white-tailed kite will be the same measures implemented for migratory nesting birds and Swainson's hawk (BIO-9 and BIO-10). In addition to field survey, a list of seventeen federally threatened or endangered species were returned via database searches. The potential for each species to occur within the Project area was determined by analyzing the habitat requirements of each species, comparing the habitat requirements to available habitat within the Project area. Overall, twelve species are presumed absent from the Project area, and five species have habitat present. Further consideration under FESA is warranted.

**Table 3. Federally Listed Species Determinations**

| Species Name | Federal Status | Potential | Determination |
|---|---|---|---|
| Delta smelt (*Hypomesus transpacificus*) | Threatened | Absent | No Effect |
| Giant gartersnake (*Thamnophis gigas*) | Threatened | Absent | No Effect |
| Green sturgeon – southern DPS (*Acipenser medirostris pop. 1*) | Threatened | Absent | No Effect |
| Least Bell's vireo (*Vireo bellii pusillus*) | Endangered | Absent | No Effect |
| Northwestern pond turtle (*Actinemys marmorata*) | Proposed Threatened | Moderate | No determination at this time |
| Chinook salmon – Central Valley spring-run ESU (*Oncorhynchus tshawytscha pop. 11*) | Threatened | Presumed Present/Critical Habitat | May Affect, Likely to Adversely Affect |
| Chinook salmon – Sacramento River winter-run ESU (*Oncorhynchus tshawytscha pop. 7*) | Endangered | Presumed Present | May Affect, Likely to Adversely Affect |
| Western spadefoot (Spea hammondii) | Proposed Threatened | Absent | No Effect |
| Longfin smelt – San Francisco Bay Delta DPS (*Spirinchus thaleichthys pop.2*) | Endangered | Absent | No Effect |
| Monarch butterfly (*Danaus plexippus*) | Candidate | Absent | No Effect |
| Sacramento Orcutt grass (*Orcuttia viscida*) | Endangered | Absent | No Effect |
| Slender Orcutt grass (*Orcuttia tenuis*) | Threatened | Absent | No Effect |
| Steelhead – Central Valley DPS | Threatened | Presumed Present/Critical Habitat | May Affect, Likely to Adversely Affect |
| Valley elderberry longhorn beetle (*Desmocerus californicus dimorphus*) | Threatened | Habitat Present | May Affect, Likely to Adversely Affect |
| Vernal pool fairy shrimp (*Brachinecta lynchi*) | Threatened | Absent | No Effect |
| Vernal pool tadpole shrimp (*Lepidurus packardi*) | Endangered | Absent | No Effect |
| Western yellow-billed cuckoo (*Coccyzus americanus occidentalis*) | Threatened | Absent | No Effect |

With the implementation of the mitigation measures from the 2022 FEIR and the new proposed measures BRT-7 through BRT-17 impacts would be **less than significant with mitigation** incorporated.

**Mitigation Measures from the 2022 FEIR**

Mitigation Measure BIO-1: Conduct Environmental Awareness Training Regarding Special-status Species and Sensitive Habitats prior to Construction

Mitigation Measure BIO-2: Install Temporary Fencing around Environmentally Sensitive Habitat

Mitigation Measure BIO-3: Prepare and Implement a Storm Water Pollution Prevention Plan, Spill Prevention and Control Plan, and Associated Best Management Practices

Mitigation Measure BIO-4: Return Temporarily Disturbed Areas to Pre-Project Conditions

Mitigation Measure BIO-5: Avoid the Spread of Invasive Plant Species

Mitigation Measure BIO-6: Compensate for Permanent Impacts to Riparian Habitat and Protected Trees

Mitigation Measure BIO-7: Monitor During Ground Disturbance and Vegetation Removal

Mitigation Measure BIO-8: Avoid Construction Activities within 165 feet of Elderberry Shrubs During Valley Elderberry Longhorn Beetle Flight Season

Mitigation Measure BIO-9: Implement Dust Control Measure

Mitigation Measure BIO-10: Prohibit Use of Herbicides and Mowing near Elderberry Shrubs

Mitigation Measure BIO-11: Compensate for the Permanent Removal and Temporary Disturbance of Valley Elderberry Longhorn Beetle Habitat

Mitigation Measure BIO-12: Transplant Elderberry Shrubs

Mitigation Measure BIO-13: Provide Escape Ramps or Cover Open Trenches

Mitigation Measure BIO-14: Conduct Preconstruction Surveys

Mitigation Measure BIO-15: Avoid Loss of Swainson's Hawk Nests

**New Proposed Mitigation Measures**

**BRT-1:** Every individual working on the Project must attend a biological awareness training session delivered by a biologist. This training program will include information regarding the sensitive habitats and an overview of special-status wildlife species that may be encountered within the work area.

**BRT -2:** Prior to the start of construction activities, the Project limits adjacent to the American River and riparian corridor will be marked with flagging, staking, or high visibility fencing to ensure construction will not further encroach into adjacent sensitive resources.

**BRT -3:** Best Management Practices will be incorporated into Project design and Project management to minimize impacts on the environment including erosion and the release of pollutants (e.g., oils, fuels):

- Equipment used in and around jurisdictional waters must be in good working order and free of dripping or leaking contaminants;

- All erosion control measures, and storm water control measures will be properly incorporated and maintained;
- All construction materials will be hauled off-site after completion of construction.
- A chemical spill kit must be kept onsite and available for use in the event of a spill.

**BRT 4:** Secondary containment consisting of plastic sheeting or other impermeable material will be used during refueling to prevent petroleum products or other potentially harmful chemicals from contaminating the soil or directly or indirectly entering the American River and associated riparian corridor. Secondary containment must have a raised edge (e.g. sheeting wrapped around wattles).

**BRT-5:** Prior to construction, during the breeding season or non-breeding season, surveys for burrowing owl must be conducted by a biologist in accordance with the 2012 CDFW Staff Report on Burrowing Owl Mitigation (or more recent guidance). Surveys must follow CDFW guidance based on timing of survey efforts (breeding season vs. non-breeding season). If burrowing owl is not detected, no further measures will be required.

**BRT-6:** If burrowing owls are detected within 500 feet of the Project area, a 250-foot construction buffer zone will be established and maintained around any occupied burrowing owl burrow. A biologist will monitor the site periodically to ensure that buffers are enforced, and owls are not disturbed. The Project biologist will also train/inform construction personnel on avoidance procedures, buffer zones, and protocols in the event that a burrowing owl flies into an active construction zone. Occupied burrows must not be disturbed until a Project biologist verifies through non-invasive means that either: 1) the birds have not begun egg laying, or 2) juveniles from the occupied burrows are foraging independently and are capable of independent survival. The Project biologist and City will coordinate with CDFW regarding the potential need for burrowing owl mitigation prior to the collapse of presumed unoccupied burrows.

**BRT -7:** Work within or near the American River will be scheduled during periods of low water levels or within designated in-water work windows as determined through consultation with the National Marine Fisheries Service. Alternatively, if water is present within the work area, a dewatering system, or containment system will be implemented prior to commencing work to prevent silt, dust, equipment and other deleterious materials from entering the water.

**BRT -8**: The Project biologist will complete a clearance survey for northwestern pond turtle immediately prior to initiating work near the American River for the SR-160 undercrossing, as well as initiating clearing/grubbing in the riparian corridor. If a northwestern pond turtle is encountered during construction activities, construction activities will be suspended in a 100-foot radius of the animal until the animal leaves the Project site on its own volition. If necessary, the Project biologist will notify the Wildlife Agencies to determine the appropriate procedures related to relocation. Any worker who inadvertently injures or kills a northwestern pond turtle or who finds one dead, injured, or entrapped must immediately report the incident to the Project biologist.

**BRT -9:** If vegetation removal or ground disturbance is planned to occur during the nesting season (February 1st – August 31st), the Project biologist will conduct a pre-construction nesting bird survey within 5 days prior to vegetation removal or ground disturbance. Within 2 weeks of the nesting bird survey, all vegetation cleared by the Project biologist will be removed from the Project site.

**BRT -10:** During the spring/summer season prior to construction the Project biologist must conduct Swainson's hawk protocol level surveys within the Project area plus a ½ mile buffer in accordance with CDFW's guide for Swainson's Hawk Technical Advisory Committee. Pre-construction surveys will determine if active nests are present within the Project area or within 0.25 mile of Project activities. If an active nest is discovered within the survey area the Project biologist will determine the appropriate avoidance strategies (e.g., monitoring, no-work buffers, work windows, temporary sound/noise barriers, etc.) to avoid take of the nest and will coordinate with CDFW as needed.

**BRT -11:** In order to avoid and minimize adverse effects to VELB, removal of elderberry shrubs will occur between November and February.

**BRT -12:** Prior to arrival at the Project site and prior to leaving the Project site, construction equipment that may excessive vegetation, debris, or mud that may contain invasive plants and/or seeds will be cleaned to reduce the spreading of noxious weeds.

**BRT -13:** All food-related trash must be disposed of in closed containers and transported offsite. Construction personnel must not feed or otherwise attract wildlife to the Project area.

**BRT -14:** The contractor will not apply rodenticide or herbicide within the Project area during construction.

**BRT -15:** If any wildlife is encountered during the course of construction, said wildlife will be allowed to leave the construction area unharmed.

**BRT -16:** The use of plastic or synthetic monofilament netting is prohibited. All erosion control materials will be comprised of natural fibers.

**Impact BIO-2: Potential to have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service**

The Project area includes a riparian habitat that encompasses the south bank of the American River. This community is dominated by valley oak, Fremont cottonwood (Populus fremontii), northern California black walnut (Juglans hindsii), California sycamore (Plantanus racemosa), willow (Salix spp.), dallisgrass, ripgut brome, and common vetch. Elderberry shrub patches are common throughout the community. This area occasionally supports an unhoused community and is disturbed by regular foot traffic in some areas.

During Phase IV of the Project, the proposed trail will be constructed partially within Valley Oak Riparian Woodland. Approximately 0.502 acres of Valley Oak Riparian Woodland will be permanently impacted by construction of the trail and associated cut and fill. Approximately 0.361 acres of Valley Oak Riparian Woodland will be temporarily impacted due to construction access (see Figure 10). Implementing species avoidance and water quality/erosion BMPs provided in Mitigation Measures BIO-1 through BIO-7 would reduce impacts to a less than significant level by requiring training, monitoring, fencing, restoring disturbed areas to pre-project conditions, avoiding the spread of invasive species, and compensating for the loss of habitat and protected trees. Therefore, this impact would be less than significant with the incorporation of Mitigation Measures BIO-1 through BIO-7.

**Impact BIO-3: Potential to have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means**

Under Section 401 and Section 404 of the CWA, certain surface waters are regulated by USACE and the RWQCB. CDFW also claims jurisdiction over the bed, bank and channel of waters and associated riparian vegetation. The Project area encompasses the American River, a stream channel that is a jurisdictional water feature pursuant to the CWA and CDFW. As a part of Phase IV of the Project, construction of the SR-160 bridge undercrossing will require temporary and permanent fill within the ordinary high-water mark of the American River. The undercrossing will include a wall built into the soil under the existing RSP on the north edge of the trail to help support the undercrossing and provide safety to trail users.

Construction of the Class I path beneath Highway 160 (at the 12th and 16th Street bridges), including the ramped approaches to the undercrossing, will require temporary shoring to facilitate excavation for the retaining wall footings and to protect the work area from river flows by enabling dewatering. To achieve dewatering for construction of the retaining walls at the undercrossing and the placement of rock slope protection (RSP) along the approaches, temporary shoring or cofferdams—anticipated to consist of steel sheet piling installed roughly parallel to the project alignment and approximately 30 feet beyond the river side of the RSP excavation—will be used. This sheet piling will isolate the construction site from the river and allow for safe excavation and foundation work. The additional 30-foot setback provides sufficient space for grading, installation of the sheet piling, placement of driven or drilled piles for the retaining wall foundations, and maneuvering of equipment needed to install the RSP along the retaining walls and approach ramps.

As a result of these processes, approximately 0.41 acres of temporary impacts to the American River are anticipated to account for construction access, which includes temporary fill for an access path (Figure 10. Project Impacts). Additionally, approximately 0.005 acres of permanent fill within the American River will be required for the trail, including RSP, pile supports and a wall. Upon Project completion, all temporary materials, supports and/or construction equipment will be removed. With the implementation of avoidance and minimization measures BIO-1 through BIO-4, impacts to the American River will be minimized. Prior to work near the river, the City will obtain a Section 1602 permit from CDFW, a 401 Water Quality Certification from RWQCB, and a 404 NWP from USACE. The finding would be **less than significant with mitigation** incorporated.

**Impact BIO-5: Potential to conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy; ordinance conflicting with the provisions of an adopted habitat conservation plan; natural community conservation plan; or other approved local, regional, or state habitat conservation plan.**

There are no adopted Habitat Conservation Plans, Natural Community Conservation Plans, or other approved local, regional, or State habitat conservation plans within or adjacent to the Project area; therefore, the Project would have no impact or conflict with any habitat conservation plan. Moderate to large diameter native oak and non-oak trees species occur within the BSA and the Project alignment. The Project would require the removal of trees to accommodate the Phase III and IV Projects, some of which meet the City's requirements as a protected City Tree. The City would comply with City Code 12.56.040 prior to removal of the

protected trees pursuant to Sacramento City Ordinance 2016-0026, Chapter 12.56 City and Private Protected Trees. Pursuant to City Code 12.56.040, there is no threshold of significance established for the removal of City trees for public projects; therefore, this impact is considered less than significant. To further minimize potential impacts to trees, the City would establish a replacement plan prior to removal of the protected trees. The City shall replace all removed trees removed by project construction where feasible. The exact number of trees and locations shall be determined during final design. See measure AES-2 in Section 3.1.1. The finding would be less than significant with mitigation incorporated.

## 3.1.3 Cultural Resources and Tribal Cultural Resources

### Existing Conditions

#### Regulatory Setting

The regulatory setting is largely the same as when the 2022 FEIR was certified.

Federal Regulatory Context

The NHPA of 1966 is the primary Federal legislation which outlines the Federal government's responsibility to cultural resources. More specifically, Section 106 of the NHPA and its implementing regulations located at 36 CFR Part 800, outline the Federal government's responsibility in identifying and evaluating cultural resources.

Section 106 of the NHPA requires the Federal government to take into account the effects of an undertaking on cultural resources listed on and eligible for listing on the National Register of Historic Places (National Register) and afford the Advisory Council on Historic Preservation a reasonable opportunity to comment. Those resources that are on or eligible for inclusion in the National Register are referred to as historic properties. The 36 CFR Part 800 regulations describe the Section 106 process. They outline the steps the Federal agency takes to identifying cultural resources and the level of effect that the proposed undertaking will have on historic properties. An undertaking is defined as any:

"…Project, activity or program funded in whole or in part under the direct or indirect jurisdiction of a Federal agency, including:

A) Those carried out by or on behalf of the agency.

B) Those carried out with Federal assistance.

C) Those requiring a federal permit, license, or approval; and

D) Those subject to state or local regulation administered pursuant to a delegation or approval by a Federal agency [Section 301(7) 16 U.S.C. 470w(7)]"

It is the initiating of an undertaking that begins the Section 106 process. Once an undertaking is initiated the Federal agency must first determine if the action is the type of action that has the potential to affect historic properties. If the action is the type of action that has the potential to affect historic properties, the Federal agency must 1) identify the APE, 2) determine if historic properties are present within the APE, 3) determine the effect that the undertaking will have on

historic properties, and 4) consult with the appropriate State Historic Preservation Officer (SHPO) to seek concurrence on Federal agencies findings.

In addition, the Federal agency is required through the Section 106 process to consult with Native American tribes if the undertaking may affect historic properties to which Native American tribes have attached religious and cultural significance. If the undertaking would result in adverse effects to historic properties, these adverse effects must be resolved in consultation with the SHPO, and other parties identified during the Section 106 process before the undertaking can proceed to implementation.

State Regulatory Context

CEQA established statutory requirements for establishing the significance of historical resources in PRC Section 21084.1. The CEQA Guidelines (Section 10564.5[c]) also require consideration of potential project impacts to "unique" archaeological sites that do not qualify as historical resources. The statutory requirements for unique archaeological sites that do not qualify as historical resources are established in PRC Section 21083.2. These two PRC sections operate independently to ensure that significant potential impacts on historical and archaeological resources are considered as part of a project's environmental analysis. Historical resources, as defined in Section 15064.5 as defined in the CEQA regulations, include 1) cultural resources listed in or eligible for listing in the California Register of Historical Resources (CRHR); 2) cultural resources included in a local register of historical resources; 3) any object, building, structure, site, area, place, record, or manuscript which a lead agency determines to be historically significant or significant in one of several historic themes important to California history and development.

Under CEQA, a project may have a significant effect on the environment if the project could result in a substantial adverse change in the significance of a historical resource, meaning the physical demolition, destruction, relocation, or alteration of the resource would be materially impaired. This would include any action that would demolish or adversely alter the physical characteristics of an historical resource that convey its historic significance and qualify it for inclusion in the California Register or in a local register or survey that meets the requirements of PRC Section 5020.1(l) and 5024.1(g). PRC Section 5024 also requires state agencies to identify and protect state-owned resources that meet NRHP listing criteria. Sections 5024(f) and 5024.5 require state agencies to provide notice to and consult with the SHPO before altering, transferring, relocation, or demolishing state-owned historical resources that are listed on or are eligible for inclusion in the NRHP or are registered or eligible for registration as California Historical Landmarks.

CEQA and the CEQA Guidelines also recommend provisions be made for the accidental discovery of archaeological sites, historical resources, or Native American human remains during construction (PRC Section 21083.2(i) CCR Section 15064.5[d and f]).

CEQA Native American Consultation

Effective January 1, 2015, CEQA was revised to include early consultation between local agencies and California Native American tribes, and to include the consideration of Tribal Cultural Resources (TCRs) in this consultation. Pursuant to AB 52 (PRC 21074[a]), a TCR means either of the following:

Sites, features, places, cultural landscapes, sacred places, and objects with cultural value to a California Native American tribe that are either of the following:

> i. Included or determined to be eligible for inclusion in the California Register of Historical Resources
>
> ii. Included in a local register of historical resources as defined in PRC Section 5020.1, subdivision (k)

A resource determined by a California lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in PRC 5024.1., subdivision (c).

PRC 21074(a) further relays that a cultural landscape that meets the criteria of subdivision (a) is a TCR to the extent that the landscape is geographically defined in terms of the size and scope of the landscape. PRC 21074(a) also states that a historical resource described in PRC 21084.1, a unique archaeological resource as defined in subdivision (g) of PRC 21083.2, or a "nonunique archaeological resource" as defined in subdivision (h) of PRC 21083.2 may also be a TCR if it conforms with the above criteria.

CEQA requires formal consultation with California Native American Tribes concerning tribal cultural resources that may be impacted by a proposed Project when a Negative Declaration, a Mitigated Negative Declaration or an Environmental Impact Report (EIR) is being prepared for the Project. As this Project as a subsequent EIR (SEIR), consultation under CEQA is required.

Local Context

*City of Sacramento 2040 General Plan (2024)*

The following goal and policies from the Historic and Cultural Resources (HCR) Element, related to cultural resources are relevant to the proposed project.

Goal HCR-1 Historic and cultural resources that enrich our sense of place and our understanding of the City's prehistory and history.

> Policy HCR-1.1 Preservation of Historic and Cultural Resources, Landscapes, and Site Features. The City will continue to promote the preservation, restoration, enhancement, and recognition of historic and cultural resources throughout the city.
>
> Policy HCR-1.2 Maintenance and Preservation. The City will continue to encourage maintenance and preservation of historic and cultural resources to promote the continued vitality of its neighborhoods.
>
> Policy HCR-1.5 Historic Surveys and Context Statements. Where historic resource surveys are outdated, or for areas that have not been surveyed, the City shall seek funding to conduct new historic resource surveys and/or prepare context statements. In these efforts, the potential eligibility of all properties 45 years and older for listing in National, California, or Sacramento registers shall be evaluated.
>
> Policy HCR-1.6 Early Project Consultation. The City will continue to strive to minimize impacts to historic and cultural resources by consulting with property owners, land developers, tribal representatives, and the building industry early in the development review process as needed.

Policy HCR-1.7 Contextual Features. The City shall promote the preservation, rehabilitation, restoration, and/or reconstruction, as appropriate, of contextual features related to historic resources, including maintenance and reconversion of parkway strips to landscaping; maintenance and replication of historic sidewalk patterns; use of historic streetlamps and street signs; and maintenance or restoration of historic park features.

Policy HCR-1.8 Ongoing Maintenance. The City shall support the maintenance and safety of historic properties and resources through a combination of education and incentives, to avoid the need for major and costly rehabilitation, and to reduce risks to historic properties that are suffering from deferred maintenance.

Policy HCR-1.13 Indigenous Cultures. The City shall seek ways to recognize the peoples who first lived in, traveled, and traded in what is now the Sacramento area, by working with tribal representatives to preserve their identity, culture, and artifacts. Methods for recognizing tribal history and imagery may include, but are not limited to, the following: Public art that provides a Native American perspective including works by Native artists; Naming of parks and places that reflects local Native American heritage and/or restores tribal names; Parks and recreation programming that increases awareness of tribal heritage and culture (including through interpretive displays) and allows opportunities for craft sharing; Incorporation of traditional native plants into landscape design palettes.

Policy HCR-1.14 Archaeological, Tribal, and Cultural Resources. The City shall continue to comply with federal and State regulations and best practices aimed at protecting and mitigating impacts to archaeological resources and the broader range of cultural resources as well as tribal cultural resources.

Policy HCR-1.15 Treatment of Native American Human Remains. The City shall treat Native American human remains with sensitivity and dignity and ensure compliance with the associated provisions of California Health and Safety Code and the California Public Resources Code. The City shall collaborate with the most likely descendants identified by the Native American Heritage Commission.

Policy HCR-1.16 Endemic Traditions. The City shall seek ways to recognize the endemic traditions of various communities in Sacramento, including African American, Hispanic, Native, and Asian American communities, to promote the retention of Sacramento's intangible cultural heritage, which may include oral traditions, performing arts, social practices and festive events, legacy businesses, knowledge and practices concerning nature and the universe, and traditional craftsmanship.

Policy HCR-1.17 Evaluation of Archeological Resources. The City shall work in good faith with interested communities to evaluate proposed development sites for the presence of sub-surface historic, archaeological, and tribal cultural resources that may be present at the site. These efforts may include the following: Consideration of existing reports and studies, Consultation with Native American tribes as required by State law, Appropriate site-specific investigative actions, and onsite monitoring during excavation if appropriate.

Policy HCR-1.18 Evaluation of Potentially Eligible Built Environment Resources. The City shall continue to evaluate all buildings and structures 50 years old and older for potential historic significance prior to approving a project that would demolish or significantly alter the resource.

## Environmental Setting

A Cultural Resources Inventory Report was prepared by Dokken Engineering and Galvin Preservation Associates (GPA) in support of the Phase III and IV Project (2025). Due to confidential information within the report, it has not been included as an appendix to this document. Prior to conducting any identification efforts, an Area of Potential Effects (APE) was developed for the Project, consisting of the anticipated project activities that could impact cultural resources (See Figure 11). The APE comprises approximately 84 acres and consists of ground disturbing activities required to construct the proposed pedestrian and bicycle trail alignments on the south side of the American River along existing ROWs and private property easements between 0.1 miles west SR-160 to just beyond the 28th/A Street intersection. Project activities will include grading, placement of imported fill, paving, striping, construction access, new access road, construction of retaining walls, and construction of a grade separated overcrossing above the active UPRR.

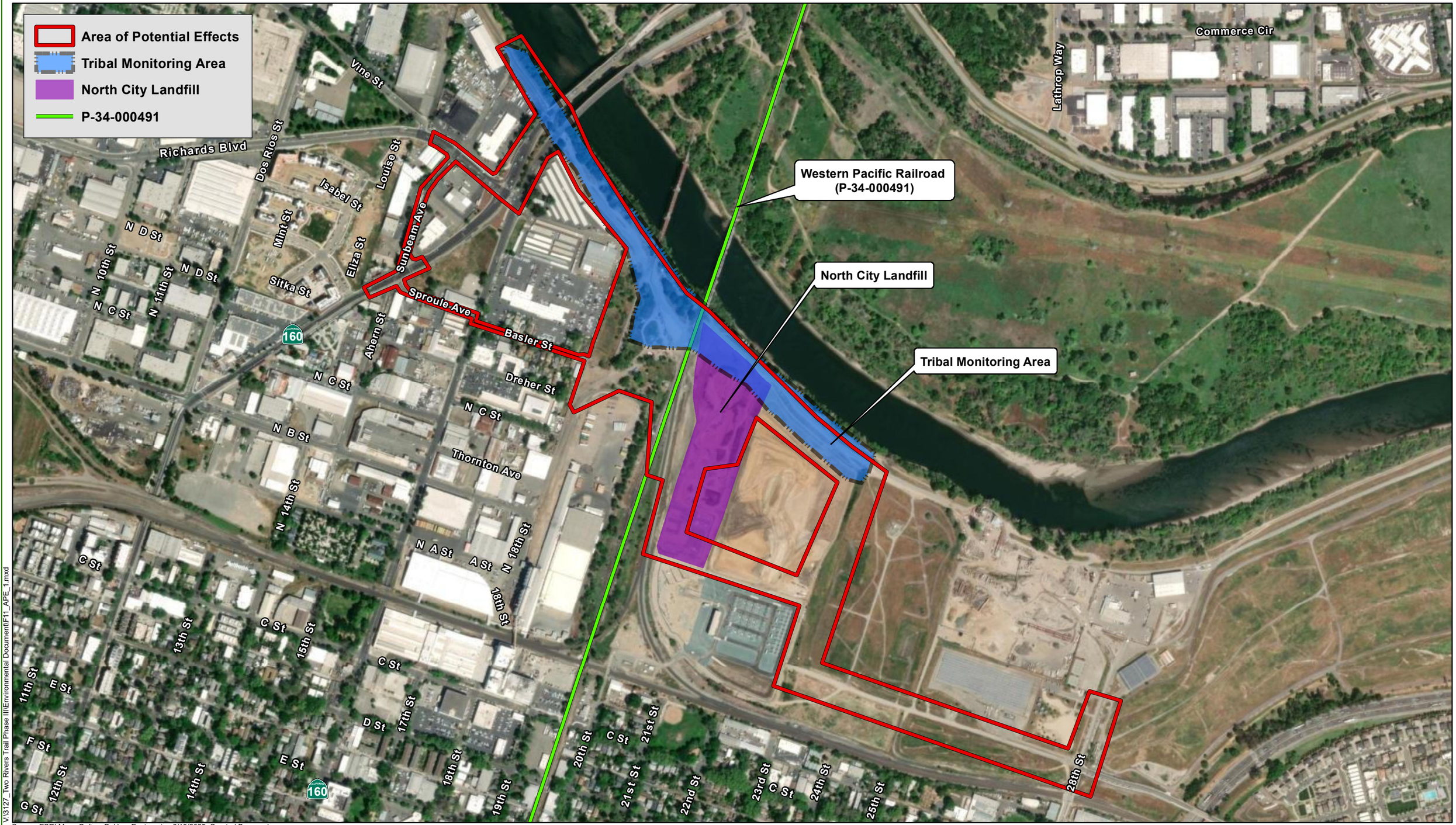
The APE also has subsurface-vertical and above-ground-vertical components. For most of the APE, the above-ground-vertical component is at grade with the existing ground surface. For the UPRR overcrossing the above-ground vertical APE consists of approximately 24 feet to accommodate the overcrossing approaches and the concrete structure. The subsurface-vertical APE varies depending on proposed activities; generally, areas of bike trail construction will require ground disturbance between zero and two feet, retaining walls will require ground disturbance between six and ten feet, overcrossing bridge abutments will require eight feet of ground disturbance, and deep bridge piles needed to support the abutments will reach 80 feet depth.

**Research Efforts**

To determine what cultural resources might be present within the APE, background research was conducted through a variety of sources, including the North Central California Information Center (NCIC), historic literature review, historic maps and aerial review, and a search of the Sacred Lands File by the Native American Heritage Commission (NAHC).

A record search (File # SAC-25-34) for a one-mile study area surrounding the Project was requested from the NCIC in February 2025. This search included a review of all recorded Indigenous Peoples and historic archaeological sites and historic architectural resources, as well as all known cultural resources survey and excavation reports documented in the National Archaeological Database. Additional research efforts conducted outside the NCIC included historic USGS topographic and aerial maps, and other pertinent historic data specific to Sacramento County.

The NCIC identified 30 previous cultural resource investigations conducted within the APE and 33 outside the APE but within the one-mile search radius of the APE. Dates of survey range between 1972




V:\3127_Two Rivers Trail Phase III\Environmental Documents\F11_APE_1.mxd

Source: ESRI Maps Online; Dokken Engineering 6/19/2025; Created By: amyd

1 inch = 600 feet

0 600 1,200 1,800 2,400 3,000 Feet

**Figure 11**
**Area of Potential Effects**

Two Rivers Trail Phase III and IV Project
City of Sacramento, Sacramento County, California

and 2023. The NCIC reported five previously recorded resources within the APE and 36 resources within the one-mile search radius. Historic map research and reviews of reports available online also identified eight historic landfills. These are discussed below.

**Native American Consultation**

A Sacred Lands File (SLF) search was conducted by the NAHC in February 2025 with a positive finding. Project notification letters were sent out by the City and the United Auburn Indian Community (UAIC) requested to consult on the Project, including a field survey. The field survey was conducted in April 2025. No indigenous resources were identified during the survey; however, subsequent consultation with the UAIC identified that the portion of the APE along the levee was located within sacred lands registered with the NAHC. Due to this, the UAIC have requested that Tribal monitor occur within this area to reduce impacts to any unanticipated discoveries that may be associated with the sacred lands.

**Cultural Resources Field Survey**

In April 2025 a cultural resources field survey was conducted by Dokken Engineering Archaeologist, Amy Dunay, and UAIC Tribal Representative, René Guerrero. Due to the highly developed nature of the area, meandering transects were conducted through the APE with a focus on areas of exposed native soils. All cut banks, burrow holes, and other exposed sub-surface areas were visually inspected for the presence of archaeological resources, soil color change, and/or staining that could indicate past human activity or buried deposits.

**Identified Cultural Resources**

As a result of the records search, background research, field survey, and Native American consultation, a total of 12 historic-era cultural resources and one indigenous cultural resource were identified within the APE:

- Western Pacific Railroad Segment (P-34-000491)
- Union Pacific Railroad Alignment (P-34-000505)
- Sacramento River Flood Control Project (SRFCP) Levee Unit 118 Part 1 (P-34-000509)
- Sacramento Northern Railroad Segment (P-34-000746)
- 24 0001L Bridge (P-34-004299)
- 28th Street Landfill
- Cannon Landfill
- Dellar Landfill
- Lot 31 Landfill
- North City Landfill
- SMUD Substation E Landfill
- Scollan Landfill
- Indigenous Peoples – Sacred Lands

The original EIR included assessment of the Sacramento River Flood Control Project (SRFCP) Levee Unit 118 Part 1 (P-34-000509), considering it eligible for listing on both the California Register and the National Register, and determining that there would be no significant impact to the resource, as defined under CEQA. As the proposed design has not changed in a way that would alter this previous determination, no further consideration of this resource is considered in this document. The remaining resources are discussed below.

**Western Pacific Railroad Segment (P-34-000491)**

This resource is a portion of a railroad completed in 1909 as part of a 930-mile route from Oakland to Salt Lake City. The railroad was initially completed and run by the Western Pacific Railroad and sold to Union Pacific Railroad in the 1980s. in 1980 the rails were upgraded to support heavier trains. The railroad is operational to the present day. Based on a review of background information this resource may be significant under Criteria A/1. Further research into the integrity of the railroad may prove vital aspects as lacking; however, for the purpose of this project the research was not conducted. Previous evaluations conclude that the Western Pacific Railroad is significant under Criterion A for its contributions to California's transportation history, but that the evaluated segment lacks sufficient integrity to convey its significance. All aspects of integrity, aside from location, are described as diminished. In particular, design, materials, workmanship, and feeling were diminished in 1980 when the rails were upgraded to support heavier trains. The period of significance for the Western Pacific Railroad is not consistently presented across the various records reviewed. To this study it is assumed the period of significance extends from 1909, when the initial 930-mile route from Oakland to Salt Lake City was completed, to 1980, when the Western Pacific Railroad was sold to the Union Pacific Railroad. The prior records also do not enumerate the character-defining features, but it is inferred that the alignment itself is the only remaining original feature, as the rail track components were relaced circa 1980. For these reasons, Criterion A/1.

The resource does not appear to meet any of the remaining criteria. It is not attributed to an individual considered significant to history at the national, state, or local level, and the resource cannot be associated with any specific significant historic figures (Criteria B/2). The segment of railroad is an engineered structure and does not display distinctive characteristics for its type, period, or methods of construction. It is not an exemplary representation of a style, period, method of construction, or work of a master architect, builder or master engineer, nor is it representative of a significant and distinguished entity whose components lack individual distinction. Due to its relatively simple design and materials, this resource does not possess high artistic value (Criteria C/3). Finally, the significance of the railroad lies primarily in its alignment and function as a linear resource that spans several counties and hundreds of miles. Its route is well known, and its history is thoroughly documented. As such, the railroad is unlikely to reveal new or significant historical information from the period of significance (Criteria D/4).

As the resource may be significant under Criteria A/1, it is considered eligible for listing on the National Register and California Register, for the purposes of this Project only; therefore, it is considered a historical resource, as defined under CEQA, for the purposes of this Project only.

**Union Pacific Railroad Alignment (P-34-000505)**

Although a segment of this resource is within the APE, no project features or construction access is proposed within its recorded boundaries; therefore, it would not be impacted by the Project and is not further discussed.

**Sacramento Northern Railroad Segment (P-34-000746)**

Although a segment of this resource is within the APE, the railroad was converted into the Sacramento Northern Bikeway and is no longer extent; therefore, it would not be impacted by the Project and is not further discussed.

**24 0001L Bridge (P-34-004299)**

Although a segment of this resource is within the APE, the proposed trail would be constructed beneath the bridge; therefore, it would not be impacted by the Project and is not further discussed.

**Landfills - 28th Street, Cannon, Dellar, Lot 31, North City, SMUD Substation E, and Scollan**

Of the seven landfills, all but the North City Landfill are located below the subsurface-vertical APE. These six landfills have been buried beneath at least two feet of imported soil. As the majority of grading activities do not extend below two feet from the ground surface these six landfills would not be impacted and are therefore excluded from the APE. While the North City Landfill has also been buried beneath approximately two feet of imported fill, the overcrossing is proposed within the historic boundary of the landfill. The overcrossing supports would therefore extend into the resource's vertical boundaries.

The North City Landfill was in use by the City of Sacramento between 1940-1949 until its acquisition by the SMUD. SMUD continued utilizing the dump area periodically between 1980 and 1993 and has approximately 3-18 feet of SMUD construction debris overlaying the 1940-1949 refuse materials.

The North City Landfill was assessed for significance according to the National Register or California Register criteria. This particular landfill is part of a series of landfills run by the City in the vicinity, all of which were closed by the mid-1990s. Additionally, this landfill is not closely associated with waste disposal themes which are considered important to the City's goals of sanitation, nor is it associated with any other event or trend considered significant to history (Criteria A/1). The creation of the landfill is not attributed to an individual considered significant to history at the national, state, or local level. Since this landfill accepted refuse from the entire city of Sacramento and the surrounding rural area, the resource cannot be associated with any specific significant historic figures (Criteria B/2). The North City Landfill does not have a distinctive design, it follows the standard and ubiquitous design for landfills from the 1940s; refuse was placed on the surface of the ground and then burned. It is not an exemplary representation of a style, period, method of construction, or work of a master architect, builder or master engineer, nor is it representative of a significant and distinguished entity whose components lack individual distinction. Due to its relatively simple design and materials, this resource does not possess high artistic value (Criteria C/3).

While the North City Landfill does not meet National Register/California Register Criteria A/1 through C/3, it does appear to meet Criteria D/4. It contains a large volume and wide variety of residential waste from the City of Sacramento within a discrete time frame spanning from 1940 to 1949. Studies at this landfill could provide information on dietary habits, socioeconomic relations, trade, ethnicity, health and hygiene, technological issues, and demography. For these reasons, the North City Landfill is considered eligible for listing on the National Register and California Register, for the purposes of this Project only. Therefore, it is considered a historical resource, as defined under CEQA, for the purposes of this Project only.

**Indigenous People – Sacred Lands**

The UAIC did not indicate what constitutes the components of the sacred lands registered with the NAHC, but did note that it is located along the levee. No specific cultural components were identified by the UAIC during their field survey of the APE; however, as the UAIC have identified this area as part of sacred lands, it is being considered eligible for the National Register and the California Register under Criteria B/2 for association with Native American Tribes who are significant persons in

California history. The resource is also being considered eligible under Criteria D/4, as previously unidentified components of the resource that could be discovered during construction may yield information important to defining and documenting Tribal California history. For these reasons, the Indigenous People – Sacred Lands resource is considered a historical resource, as defined under CEQA, for the purposes of this Project only. It is also considered a Tribal Cultural Resource, as defined under CEQA, for the purposes of this Project only.

In summary, a total of three cultural resources are being considered as historical resources and Tribal Cultural Resources, as defined under CEQA, for the purposes of this Project only. These three resources are:

- Western Pacific Railroad Segment (P-34-000491)
- North City Landfill
- Indigenous People – Sacred Lands

Environmental impacts to these three resources are discussed below.

# Environmental Impacts

## Thresholds of Significance

In accordance with Appendix G of the State CEQA Guidelines, the proposed project would be considered to have a significant effect if it would result in any of the conditions listed below. These are the thresholds applied in the 2022 FEIR for impacts on cultural and tribal resources (see section 3.3 of the FEIR).

- Cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5;
- cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5;
- Disturb any human remains, including those interred outside of formal cemeteries; or
- Result in a substantially adverse change in the significance of a TCR (as defined in California PRC Section 21074 and above) when compared against existing conditions.

## Impacts and Mitigation Measures

### Impact CTR-1: Damage to or Destruction of Historical Resources

As discussed, the Western Pacific Railroad Segment (P-34-000491) and the North City Landfill are being considered historical resources, as defined under CEQA, for the purposes of this Project only.

*Western Pacific Railroad Segment (P-34-000491)*

The Project proposed to construct an overcrossing to carry the trail over a segment of the Western Pacific Railroad Segment (P-34-000491). While no physical component of the tracks would be impacted by the proposed Project, an assessment of potential impacts to its historic visual character was considered. The proposed elevated trail structure would be a new visual element, but would not alter the character defining feature of the tracks. All aspects of historic integrity, aside from location, have diminished through modernization and development of the surrounding area. In particular,

design, materials, workmanship, and feeling were diminished in 1980 when the rails were upgraded to support heavier trains. As insufficient integrity remains, introduction of a modern overcrossing would not further degrade the setting; therefore, the Project would have a less than significant impact to this historical resource.

*The North City Landfill*

The Project proposes to install two columns, supported by six piles, within the boundary of the North City Landfill to support the trail overcrossing of the UPRR railroad. While it is anticipated that archaeological components dating to the 1940s would be impacted by this proposed ground disturbance, it is anticipated that the maximum disturbance area is approximately 2,848 cubic feet. The estimated undisturbed portion of the landfill (areas north of the 1950s SMUD substation) consists of approximately 5,464,908 cubic feet. Therefore, the Project would impact approximately 0.05% of the entire resource, preserving the remaining 99.95%.

Project activities will not destroy or damage the unique characteristics of the landfill, alter its form or function, or displace it from its historic location. As a result, the Project would not affect the resource's historic character or integrity, and the Project impact would be considered less than significant.

Although two additional historical resources have been identified within the APE, the Project's impact would remain less than significant and no avoidance or minimization measures are required.

**Mitigation Measures from the 2022 FEIR**

None.

**New Proposed Mitigation Measures**

None.

**Impact CTR-2: Potential Damage to or Destruction of Previously Undiscovered Archaeological Sites or Tribal Cultural Resources**

One new Tribal Cultural Resource has been identified within the APE, the Indigenous People – Sacred Lands. No physical components of the Tirbal Cultural Resource have been identified but there is potential to impact previously undiscovered cultural components of the resource during construction.

With implementation of measures CTR-1 and CTR-2 from the 2022 FEIR along with new measures CTR-4, impacts would remain less than significant.

**Mitigation Measures from the 2022 FEIR**

Mitigation Measure CTR-1: Conduct Cultural Resources and Tribal Cultural Resources Sensitivity and Awareness Training Program Prior to Ground-Disturbing Activities

Mitigation Measure CTR-2: Implement Avoidance, Minimization, and Preservation Measures Should Cultural or Tribal Cultural Resources Be Discovered During Construction

**New Proposed Mitigation Measures**

Mitigation Measure CTR-4: A Tribal Monitoring Area shall be developed in coordination with the United Auburn Indian Community (UAIC). If desired, the UAIC may provide a Tribal monitor (at their cost) to be present during all Project activities that will disturb the ground surface within the

designated monitoring area. The level of monitoring may be adjusted at the discretion of the UAIC, based on observed soil conditions. If monitoring is desired, the UAIC or the Project archaeologist shall also provide Tribal Cultural Awareness Training to all Project personnel working within the monitoring area.

**Impact CTR-3: Potential Damage to or Destruction of Human Remains During Construction**

There are no new impacts identified. With implementation of measure CTR-32 from the 2022 FEIR, impacts would remain less than significant.

**Mitigation Measures from the 2022 FEIR**

Mitigation Measure CTR-3: Implement Post Discovery Procedures in the Event of the Inadvertent Discovery of Human Remains

**New Proposed Mitigation Measures**

None.

## 3.1.4 Hazardous Waste

### Existing Conditions

#### Regulatory Setting

This section describes relevant federal, state, and local regulations applicable to the proposed project that have been updated since the preparation of the 2022 FEIR.

**Federal and State**

There have been no updates to federal and state regulations regarding hazardous waste since the certification of the 2022 FEIR.

**Local**

2021 Sacramento Countywide Local Hazard Mitigation Plan Update

The 2021 Local Hazard Mitigation Plan (LHMP) Update serves to update the 2016 Federal Emergency Management Agency (FEMA) approved Sacramento County LHMP. The purpose of hazard mitigation is to reduce or eliminate long-term risk to people and property from hazards. Sacramento County, 7 incorporated communities, and 24 special districts prepared this LHMP Update to the FEMA approved 2016 Sacramento County LHMP, in order to make the County and its residents less vulnerable to future hazard events.

City of Sacramento 2040 General Plan

On February 27, 2024, City Council unanimously voted to adopt the 2040 General Plan and Climate Action & Adaptation Plan. The following goals and policies from the Public Facilities and Safety (PFS) Element and the Environmental Justice Element related to Hazards, Public Health and Safety are relevant to the proposed project (City of Sacramento, 2024).

Goal PFS-1 Responsive police and fire services that ensure a high level of public safety.

Policy PFS-1.6 Fire Prevention Programs and Suppression. The City shall deliver fire prevention programs that protect the public through education, adequate inspection of existing development, and incorporation of fire safety features in new development.

Goal PFS-2 Effective emergency preparedness for and response to natural and human-made hazards.

Policy PFS-2.1 Hazard Mitigation Planning. The City shall continue to use the Local Hazard Mitigation Plan, Comprehensive Floodplain Management Plan, Emergency Operations Plan, and Operational Area Plan to guide actions and investments addressing disasters such as flooding, dam or levee failure, hazardous material spills, epidemics, fires, extreme weather, major transportation accidents, earthquakes, and terrorism.

Goal PFS-5 Sensible waste management that reduces disposal in landfills and supports cost-effective sustainability efforts.

Policy PFS-5.5 Recycled Materials in New Construction. The City shall encourage the use of recycled materials in new construction. Methods shall include promoting the availability of materials at Certified Construction and Demolition (C&D) Debris Sorting Facilities and the reuse store at the Sacramento Recycling and Transfer Station.

Goal EJ-1 Clean air, water, and soil with no segment of the community disproportionately burdened by environment conditions.

Policy EJ-1.5 Compatibility with Hazardous Materials Facilities. The City shall ensure that future development of treatment, storage, or disposal facilities is consistent with the County's Hazardous Waste Management Plan, and that land uses near these facilities, or proposed sites for the storage or use of hazardous materials, are compatible with their operation.

Policy EJ-1.7 Transportation Routes. The City shall restrict transport of hazardous materials within Sacramento to designated routes.

Policy EJ-1.8 Site Contamination. The City shall ensure buildings and sites are or have been investigated for the presence of hazardous materials and/or waste contamination before development, where applicable. The City shall continue to require remediation and construction techniques for adequate protection of construction workers, future occupants, adjacent residents, and the environment, and ensure they are adequately protected from hazards associated with contamination.

City of Sacramento Emergency Operations Plan

On January 7, 2025, City Council adopted the City of Sacramento Emergency Operations Plan (EOP). The City of Sacramento EOP provides the framework for coordinated response to emergencies and disasters within the City. Aligned with the California Standardized Emergency Management System (SEMS) and National Incident Management System (NIMS), the EOP outlines roles, responsibilities, and procedures for City departments during emergency events.

The plan includes protocols for activating the Emergency Operations Center (EOC), managing resources, and coordinating with regional, state, and federal agencies. While not project-specific, the EOP ensures that systems are in place to respond to potential hazards, supporting emergency preparedness and reducing the risk of significant impacts during project construction or operation.

## Environmental Setting

The information presented in this section is based on the Initial Site Assessment (ISA) prepared by Geocon in May 2025.

Topography and Drainage Patterns

Review of an online topographic map available from the United States Geological Survey (USGS) indicates that the Project Study Area is at elevations ranging from approximately 30 to 40 feet above mean sea level.

On the eastern portion of the Project Study Area that is occupied by inactive landfills, localized drainage is directed to stormwater drainage inlets and/or detention basins. Drainage on the western portion of the Project Study Area is primarily influenced by the American River levee system.

Soil and Geologic Conditions

The Project Study Area is located within the Great Valley Geomorphic Province of California, more commonly referred to as the Sacramento-San Joaquin Valley. The Sacramento-San Joaquin Valley is a broad depression bounded by the Sierra Nevada range to the east and the Coast Ranges to the west. The Sacramento-San Joaquin Valley has been filled with a thick sequence of sediments derived from weathering of adjacent mountain ranges resulting in a stratigraphic section of Cretaceous, Tertiary, and Quaternary deposits.

Published geologic mapping by the USGS depicts the site vicinity underlain by Quaternary-age alluvial deposits (map symbol Qa), consisting of poorly sorted natural levee and stream channel deposits comprised of interbedded mixtures of sand, silt, clay, and gravel (USGS 1981).

Groundwater Occurrence

Groundwater has generally been encountered at depths between 20 and 40 feet within the Project Study Area. The American River borders the Project Study Area to the north and influences the prevailing groundwater flow from southeast to southwest. Fluctuations of groundwater levels occur due to variations in precipitation, localized pumping, irrigation practices, and seasonal flows of the American River.

Landfill

The proposed bridge site is located within the boundaries of a closed, regulated landfill and above an active UPRR corridor. The landfill is known to contain municipal solid waste, and construction of deep foundations (including pile driving up to approximately 80 feet in depth) is proposed to support the bridge abutments. Based on preliminary review, the site is subject to oversight by the Regional Water Quality Control Board (RWQCB) and Department of Toxic Substances Control (DTSC).

## Environmental Impacts

### Thresholds 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:

- Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials
- Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment
- Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school
- Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, create a significant hazard to the public or the environment
- For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, result in a safety hazard or excessive noise for people residing or working in the project area
- Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan

## Issues Not Discussed Further in this Subsequent EIR

**Accidental Release of Hazardous Materials Associated with Asbestos**

Structures would not be demolished as a part of the project and the project alignment is not located in an area of known naturally-occurring asbestos (USGS 2011), thus there would be no potential for exposure to asbestos-containing materials as a result of project construction.

**Conflict With an Airport Land Use Plan or Location Within Two Miles of an Airport Resulting in Excessive Noise**

The project alignment is not located within an airport land use plan area and is not located within two miles of an airport. Thus, hazards associated with these issues are not discussed further in this Subsequent EIR.

**Interfere with an Emergency Response or Evacuation Plan**

Construction of the proposed project would result in short-term construction activities and will not require closure or reduced access on any adjacent roads that would interfere with an adopted emergency response plan or evacuation plan. Construction would occur in segments, thus only one portion of the trail will be inaccessible at any time, and construction will occur outside of the flood season. Additionally, the closest roads to the project alignment that are designated as evacuation routes are H Street, SR-160, and the Business I-80 Freeway by the Sacramento County Office of Emergency Services and access to these routes will not be affected by project construction or operation (Sacramento County 2015). Thus, hazards associated with emergency egress are not discussed further in this Subsequent EIR.

## Impacts and Mitigation Measures

The following impacts of the Subsequent Focused EIR are examined in light of the impacts previously disclosed in the 2022 FEIR. The impact titles are the same as those used in the 2022 FEIR.

**Impact HAZ-1: Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials**

The new trail alignment and design features would not result in routine or long-term transport, use, or disposal of hazardous materials during operation. Additionally, the 2022 FEIR found that "construction activity from the proposed project may involve the accidental spill of common materials used in the operation and maintenance of construction vehicles and equipment" and concluded that with implementation of BIO-3, impacts would be less than significant with mitigation. The same mitigation measure, BIO-3, listed in the certified 2022 FEIR will be implemented for Phase III and IV of the Project. Thus, the updated project design would not result in new or substantially more severe impacts than disclosed in the 2022 FEIR. New mitigation is not required.

**Mitigation Measure: BIO-3 from the 2022 FEIR. New mitigation measures are not proposed as a result of the proposed modifications.**

**Impact HAZ-2: Potential to create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment**

The updated project design would extend into and disturb portions of the North City Landfill, a site historically used for waste disposal. The presence of the North City Landfill and various other landfills within the project area were disclosed in the certified 2022 FEIR; however, prior trail alignments were adjacent to, but did not traverse, the North City Landfill.

Due to the modifications in the trail design, an ISA was prepared by Geocon in 2025 which concluded the potential presence of contaminated soil in the project area due to the presence of landfills. This impact would be potentially significant. However, in accordance with HAZ-1, which is listed in the previously certified 2022 FEIR, construction will not begin on the Phase III or IV Projects until all landfills are properly cleaned up and closed. Additionally, in May 2025, soil and analytical testing were conducted at 4 boring locations (see Figure 12) to determine levels of contamination at the project site. Soil samples were tested for California Administrative Manual (CAM) 17 metals, diesel-range organics (DRO), oil-range organics (ORO), organochlorine pesticides (OCPs), polychlorinated biphenyls (PCBs), and semi-volatile organic compounds (SVOCs).

At boring location B-2, lead concentrations exceeded the residential Department of Toxic Substances Control Screening Levels (DTSC-SLs) and Environmental Screening Levels (ESLs), but remained below the corresponding industrial and worker exposure thresholds. As lead particles in the soil can resuspend into the air when disturbed, AIR-1, which is listed in the previously certified 2022 FEIR, will be implemented to minimize air quality impacts during construction. All other sampling locations reported CAM 17 metal concentrations below both residential and industrial DTSC-SLs and ESLs. Given that reported concentrations fall below current health risk-based screening levels, soil handling during construction is not expected to pose a significant health risk to onsite workers with respect to CAM 17 metals. Additionally, the reported concentrations of all CAM 17 metals are less than their respective total threshold limit concentration and less than ten times their respective soluble threshold limit concentration. Based on the analytical results it does not appear that excess soil generated during grading would be classified as a hazardous waste based on CAM 17 metals content. Detailed testing results are provided in Table 1 in Appendix D.

As for DRO, ORO, OCP's, PCB's, and SVOC's, all concentrations at the testing locations were below both residential and industrial DTSC-SL's and ESL's. Given that reported concentrations fall below current

health risk-based screening levels, soil handling during construction is not expected to pose a significant health risk to onsite workers with respect to DRO, ORO, OCP's, PCB's, and SVOC's. See Table 2 in Appendix D for detailed DRO, ORO, OCP's, PCB's, and SVOC's testing results. Further, construction of Phase III of the Project would limit ground disturbance in the landfill to 1-2 feet for construction of the trail and would not impact the existing cap; therefore, contaminants such as volatile organic compounds (VOCs), heavy metals, or landfill leachate constituents will not be released.

Landfill Impacts in Phase IV

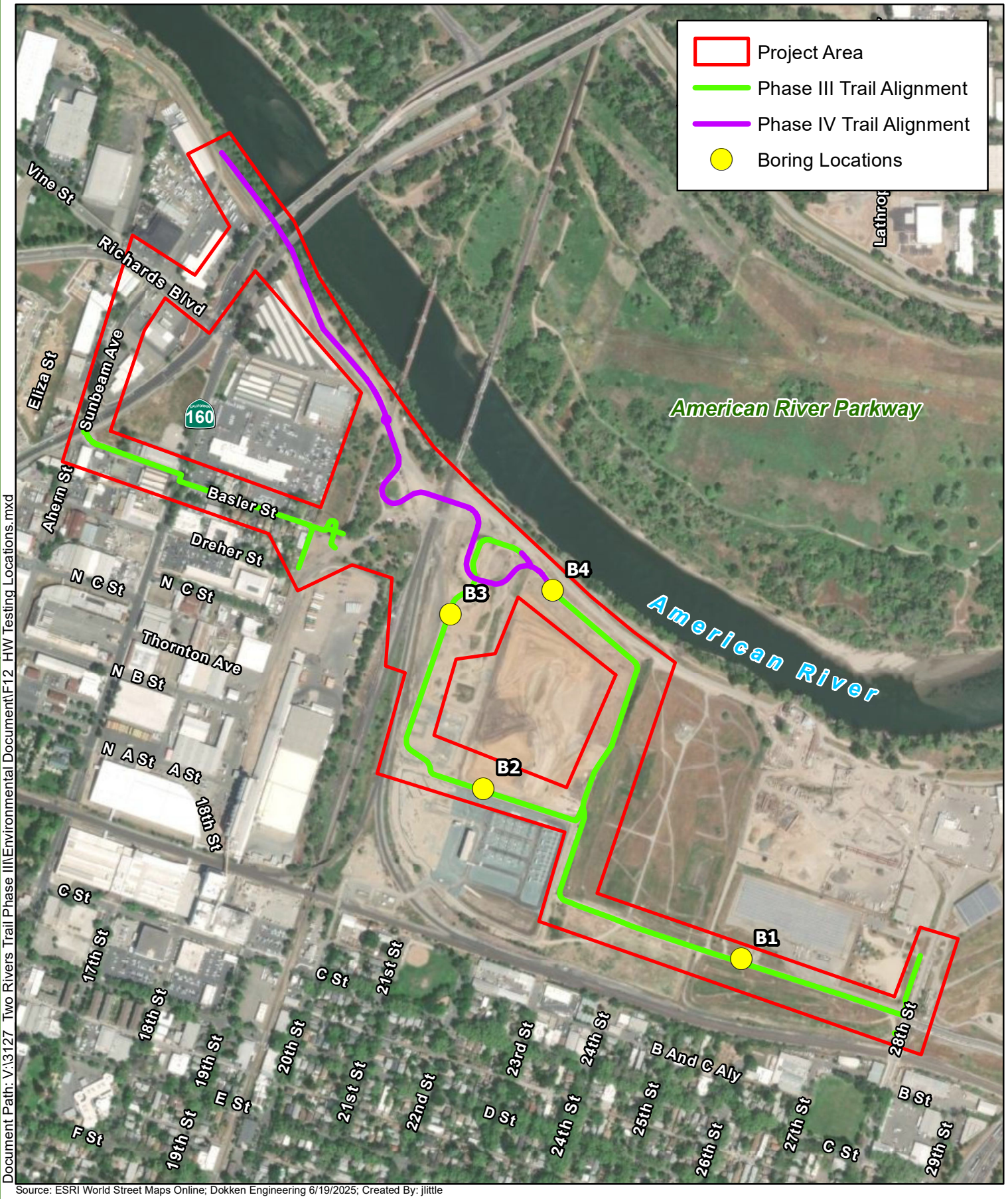
As part of Phase IV, project will involve deep pile driving to depths of approximately 80 feet below ground surface through a closed landfill for construction of the bridge abutments. The cap of the landfill is located between 13-30 feet underground. Activities such as pile driving, excavation, and disturbance of underlying fill material have the potential to encounter buried solid waste or contaminated soil and landfill gases such as methane or volatile organic compounds (VOCs). Additional site-specific testing for hazardous waste within the landfill up to 80 feet and within UPRR ROW to characterize the chemical composition of subsurface materials and evaluate the presence of landfill gases or leachate within the proposed work zone is required to be conducted during final design. The testing will also identify any necessary protective measures to be implemented during construction.

The project will also require coordination with the Regional Water Quality Control Board (RWQCB) in compliance with Title 27, California Code of Regulations (CCR), Division 2, Subdivision 1, which regulates post-closure activities at solid waste disposal sites. Any disturbance of the landfill cover, gas control systems, or drainage infrastructure will require prior agency review and approval. If necessary, a Post-Closure Land Use Plan will be submitted to the appropriate agencies in accordance with Title 27 CCR §21190.

To protect worker safety and avoid off-site releases of hazardous materials, a Health and Safety Plan (HASP) will be developed and implemented pursuant to 8 CCR §5192. The HASP will include procedures for handling contaminated soils, air monitoring, and protocols for personal protective equipment (PPE) during subsurface work.

Furthermore, the project will incorporate best management practices (BMPs) and controls consistent with a Groundwater Monitoring and Management Plan (GMMP) to ensure that any impacted soil encountered during construction is properly managed, stockpiled, tested, and, if necessary, disposed of at an approved facility in accordance with 22 CCR Division 4.5.

Construction would not involve the routine transport or use of hazardous materials beyond minor amounts of fuels, lubricants, and other standard construction-related substances. These materials would be managed in accordance with applicable City and Department of Toxic Substances Control (DTSC) regulations.




Document Path: V:\3127 Two Rivers Trail Phase III\Environmental Document\F12 HW Testing Locations.mxd

Source: ESRI World Street Maps Online; Dokken Engineering 6/19/2025; Created By: jlittle

0 500 1,000 1,500 2,000 Feet

**FIGURE 12**
**Hazardous Waste Testing Locations**

Two Rivers Trail Phase III and IV Project
City of Sacramento, Sacramento County, California

In addition to the information presented above, the original analysis and conclusions from the certified 2022 FEIR remain applicable. As such, the previously identified mitigation measures HAZ-1 and HAZ-2 will continue to be implemented to reduce impacts to a less-than-significant level. As discussed, Phase IV involves work within the Union Pacific Railroad (UPRR) right-of-way; thus, additional site-specific testing within UPRR ROW and the landfill is required to be conducted during final design. This requirement is addressed through the addition of mitigation measure HAZ-3 through HAZ-6. With the implementation of HAZ-1 through HAZ-6 and AIR-1, potential impacts as a result of the modifications to the trail design would be reduced to less-than-significant levels.

Sensitive Receptors

Based on comments received from the public during circulation of the Notice of Preparation, primary concerns were related to the potential release of airborne contaminates from the landfill during construction in relation to nearby sensitive receptors in the area, such as the Courtyard Private Elementary School located 500 feet south of the where the trail will be constructed in the landfill. As discussed above, testing occurred within the landfill (Figure 12). At boring location B-2, lead concentrations remained below the corresponding industrial and worker exposure thresholds. As lead particles in the soil can resuspend into the air when disturbed, AIR-1, which is listed in the previously certified 2022 FEIR, will be implemented to minimize air quality impacts to sensitive receptors during construction. During pile-driving activities for the bridge during Phase IV, a Health and Safety Plan will be developed and implemented pursuant to 8 CCR §5192. The HASP will include procedures for handling contaminated soils, air monitoring, and protocols for personal protective equipment (PPE) during subsurface work. Furthermore, the project will incorporate best management practices and controls consistent with a Groundwater Monitoring and Management Plan to ensure that any impacted soil encountered during construction is properly managed, stockpiled, tested, and, if necessary, disposed of at an approved facility in accordance with 22 CCR Division 4.5.

**Impact HAZ-3: Accidental Release of Hazardous Materials Associated with Contaminated Groundwater Encountered During Construction**

The project will involve deep pile driving to depths of approximately 80 feet below ground surface through a closed landfill. Groundwater is expected to be encountered between 20 and 40 feet. Given the historical use of the site for waste disposal, groundwater in this zone could be impacted by contaminants such as volatile organic compounds (VOCs), heavy metals, or landfill leachate constituents.

As discussed above, additional site-specific testing for hazardous waste and contaminated groundwater within UPRR ROW is required to be conducted during final design and identify any necessary protective measures during construction. If dewatering becomes necessary, the project will comply with applicable RWQCB regulations, including obtaining coverage under the General Dewatering Permit (Order No. 2014-0153-DWQ) and submitting a Notice of Intent under California Water Code Section 13260. Extracted groundwater, if contaminated, will be handled in accordance with Title 22 CCR and disposed of at an appropriately permitted treatment or disposal facility.

To ensure worker and environmental safety, a Health and Safety Plan (HASP) will be developed prior to any subsurface construction in compliance with 8 CCR §5192. The HASP will include provisions for personal protective equipment (PPE), air and groundwater monitoring, decontamination procedures, and emergency protocols in the event of an unanticipated release.

Through regulatory coordination with the RWQCB and DTSC, and with implementation of a Groundwater Monitoring and Management Plan, the project will avoid the release or uncontrolled migration of contaminated groundwater. With implementation of measures HAZ-3 through HAZ-6, impacts would be less than significant with mitigation.

**Mitigation Measures from 2022 FEIR**

**AIR-1 Implement Construction-related Emission Control Practices**

The City shall ensure that the construction contractor implement all basic construction emission control practices and requirements of SMAQMD Rule 403 during trail construction activities, including the following:

- Water all exposed surfaces a minimum of two times daily and as needed to control fugitive dust. Exposed surfaces include, but are not limited to soil piles, graded areas, unpaved parking areas, staging areas, and access roads.
- 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 should 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.
- 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.
- Maintain all 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.

**BIO-3:** Prepare and Implement a Storm Water Pollution Prevention Plan, Spill Prevention and Control Plan, and Associated Best Management Practices

**HAZ-1: Prepare a Worker Health and Safety Plan and Implement Appropriate Measures to Minimize Potential Exposure of the Public to Hazardous Materials**

The City of Sacramento shall ensure the construction contractor implement the following measures before and during construction to reduce potentially significant impacts associated with exposure to hazardous materials.

- Prepare and implement a worker health and safety plan before the start of construction activities that identifies, at a minimum, the potential types of contaminants that could be encountered during construction activity; all appropriate worker, public health, and environmental protection equipment and procedures to be used during project activities; emergency response procedures; the most direct route to the nearest hospitals; and a Site Safety Officer. The plan shall describe actions to be taken should hazardous materials be

encountered on-site, including the telephone numbers of local and state emergency hazmat response agencies.

- If, during site preparation and construction activities, evidence of hazardous materials contamination is observed or suspected (e.g., stained or odorous soil or groundwater) cease immediately construction activities in the areas of the find. If contamination is observed or suspected, the City shall retain a qualified hazardous materials specialist to assess the site and collect and analyze soil and/or water samples, as necessary. If contaminants are identified in the samples, the City shall notify and consult with the appropriate Federal, State, and/or local agencies. Measures to remediate contamination and protect worker health and the environment shall be implemented in accordance with Federal, State, and local regulations before construction activities may resume at the site where contamination is encountered. Such measures could include, but are not limited to, preparation of a Phase I and/or Phase II Environmental Site Assessment, removal of contaminated soil, and pumping of groundwater into containment tanks.

**Mitigation Measure HAZ-2: Obtain Site Closure and Follow Post-Closure Requirements for Past Disposal Sites**

The City shall implement the following measures for all Segment 2 construction:

- Construction of the trail segment should not commence until this area is properly closed as per the requirements of the City of Sacramento.
- Segment 2 construction should be completed under the requirements described in Title 27 of the California Code of Regulations (CCR), Division 2, Subdivision 1, Chapter 3, Subchapter 5, Section 21190 titled "CIWMB-Post-Closure Land Use."
- Where cut and fill activities occur in Segment 2, proper measures should be taken to mitigate any landfill material or other hazardous material that is encountered.
- If fill material/soils will be brought in, these soils must be certified as clean fill.
- The trail will be designed to conform with drainage patterns in the project area and to prevent water collection that could cause seepage of the buried landfill material.

**New Proposed Mitigation Measures**

**HAZ-3:** Perform a preliminary investigation and screening for potential levels of petroleum hydrocarbon contamination, grease, and oils in the surface and near-surface soils along the project area(s) within 50 feet of the existing railroad alignment, and perform testing for Title 22 metals and creosote. The investigation should include a remediation plan for handling and / or removal and disposal of contaminated soils and groundwater, if encountered.

**HAZ-4:** Prior to construction of the pedestrian overcrossing in Phase IV, a site-specific Groundwater Monitoring and Management Plan (GMMP) shall be prepared and implemented to monitor and manage groundwater encountered during construction. The plan shall include measures for containment, treatment, disposal, and reporting in compliance with Regional Water Quality Control Board and Title 22 requirements.

**HAZ-5:** Prior to construction of the pedestrian overcrossing in Phase IV and prior to subsurface construction, the contractor shall prepare and implement a Health and Safety Plan (HASP) in

accordance with 8 CCR §5192. The HASP shall include procedures for handling contaminated groundwater, PPE requirements, and emergency response protocols.

**HAZ-6:** Prior to construction of the pedestrian overcrossing in Phase IV, the City shall coordinate with the RWQCB and any other relevant agencies to obtain necessary permits and approvals for construction within a landfill and potential groundwater impact zone. Documentation of coordination and compliance shall be provided to the City.

# 3.2 Environmental Issues Not Discussed Further in this Draft Subsequent Focused EIR

CEQA Guidelines Section 21158(b)(1)(2) states that:

"The focused environmental impact report need not examine those effects which the lead agency finds were one of the following:

(1) Mitigated or avoided pursuant to paragraph (1) of subdivision (a) of Section 21081 as a result of mitigation measures identified in the master environmental impact report which will be required as part of the approval of the subsequent project.

(2) Examined at a sufficient level of detail in the master environmental impact report to enable those significant environmental effects to be mitigated or avoided by specific revisions to the project, the imposition of conditions, or by other means in connection with the approval of the subsequent project.
"

A focused environmental impact report on any subsequent project shall analyze any significant effects on the environment where substantial new or additional information shows that the adverse environmental impact may be more significant than was described in the master environmental impact report. As discussed in Section 3.1, new analysis is required for potential impacts to Aesthetics, Biological Resources, Cultural Resources, and Hazardous Waste. The following categories would not result in any additional mitigation that was not already disclosed in the 2022 FEIR and are therefore not discussed in this subsequent focused EIR.

## 3.2.1 Air Quality and Greenhouse Gas

Similar to the 2022 FEIR, the trail segments for Phase III and IV would not result in any long-term, operational emissions. Dust generated will result in a temporary, local impact, limited to areas of construction. The proposed project would result in construction-related air quality emissions, primarily due to the use of construction equipment; however, emissions would be temporary and short-term in duration. In addition, dust control practices will be incorporated into the Project to mitigate air quality impacts. The dust control practices will comply with the current City Codes: 15.40.050 and 15.44.170; SMAQMD Rule 403 (Fugitive Dust) and their Basic Construction Emissions Control Practices. The design updates are not expected to create new or substantially more severe significant impacts. Consequently, the air quality and related greenhouse gas emissions analysis and impact conclusions (potentially significant with mitigation measures required) provided in the 2022 FEIR were determined applicable to the proposed project and incorporated by reference into this Subsequent Focused EIR. The same mitigation measure AIR-1 listed in the certified 2022 FEIR will be implemented for Phase III and IV of the Project (see Appendix B). No further analysis is required.

## 3.2.2 Agricultural and Forestry Resources

The project site does not contain soils designated as Important Farmland (i.e., Prime Farmland, Unique Farmland or Farmland of Statewide Importance) (FMMP 2025). The site traverses an area zoned for recreation and industrial uses, and there are no Williamson Act contracts that affect the project site. No existing agricultural or timber harvest uses are located on or near the project site.

Therefore, the new trail segments are not expected to create new or substantially more severe significant impacts to agriculture or forestry resources.

## 3.2.3 Energy

Project construction would be typical of trail construction practices. There are no unusual features of the trail construction that would result in inefficient or unnecessary consumption of energy or obstruct implementation of plans related to energy. Operation of the trail would have no significant energy impacts, and potential for the trail to increase usage of bicycle and pedestrian transportation in nearby neighborhoods and the City could potentially reduce energy use. No impact would occur.

## 3.2.4 Geology and Soils

Phase III and IV of the project are being constructed in a similar geologic setting and would not substantially change the findings of the 2022 FEIR. Because the proposed project would be required to comply with federal, state, and local construction standards, it would not expose people or structures to the risk of loss, injury, or death. However, per City requirements (2040 General Plan - Policy EC 1.1.2), a geotechnical investigation of the site is required. Since the geotechnical investigation for the project area is still under development to verify onsite geologic conditions, the impact is **potentially significant under the 2022 FEIR**. Implementation of **Mitigation Measure GEO-1** from the 2022 FEIR would be applied and would reduce the impacts to **less than significant** by identifying site-specific soil conditions and limitations and implementing recommendations to meet engineering requirements**.** Therefore, this impact would be **less than significant** with the incorporation of **Mitigation Measure GEO-1**. Therefore, the proposed Phase III and IV trail segments are not expected to create new or substantially more severe significant impacts.

## 3.2.5 Hydrology and Water Quality

As discussed in Section 3.1.2 Biological Resources, construction of the Class I path beneath SR-160 (at the 12th and 16th Street bridges), including the ramped approaches to the undercrossing, will require temporary shoring to facilitate excavation for the retaining wall footings and to protect the work area from river flows by enabling dewatering. To achieve dewatering for construction of the retaining walls at the undercrossing and the placement of RSP along the approaches, temporary shoring or cofferdams—anticipated to consist of steel sheet piling installed roughly parallel to the project alignment and approximately 30 feet beyond the river side of the RSP excavation—will be used. This sheet piling will isolate the construction site from the river and allow for safe excavation and foundation work. The additional 30-foot setback provides sufficient space for grading, installation of the sheet piling, placement of driven or drilled piles for the retaining wall foundations, and maneuvering of equipment needed to install the RSP along the retaining walls and approach ramps.

As a result of these processes, approximately 0.41 acres of temporary impacts to the American River are anticipated to account for construction access, which includes temporary fill for an access path (Figure 10. Project Impacts). Additionally, approximately 0.005 acres of permanent fill within the American River will be required for the trail, including RSP, pile supports and a wall. Upon Project completion, all temporary materials, supports and/or construction equipment will be removed. With the implementation of avoidance and minimization measures BRT-1 through BRT-4, impacts to the American River will be minimized. Prior to work near the river, the City will obtain a Section 1602

permit from CDFW, a 401 Water Quality Certification from RWQCB, and a 404 NWP from USACE. With incorporation of BRT-1 through BRT-4, and BIO-3 of the 2022 FEIR. The finding for hydrology, water quality and drainage would remain less than significant with mitigation incorporated.

## 3.2.6 Noise and Vibration

As discussed in Section 3.8 Noise of the 2022 FEIR, Chapter 8.68.080 (Exemptions) of the Sacramento City Code exempts construction noise from its noise standards, provided that construction noise occurs between the hours of 7:00 am and 6:00 pm Monday through Saturday and between the hours of 9:00 am and 6:00 pm on Sunday. Since all project-related construction activities would only occur within the hours specified in the City's code, the proposed project would not result in a violation of the City's construction noise standards. Therefore, this impact would be **less than significant**, with no mitigation required. Activities associated with trail maintenance would also be similar to existing levee maintenance activities. Typical maintenance activities during project operation would include routine inspections, debris removal, and repair of cracks and slope failures. Mowing would occur four times per year, and tree and vegetation trimming would occur on an annual basis. Because operation of the trail would not introduce significant new noise sources or expose new sensitive receptors to noise, this impact would be **less than significant**, with no mitigation required. The new trail alignment and design features will not create new or substantially more severe significant impacts and no further analysis is required.

## 3.2.7 Population and Housing

The new trail segments would not contribute to an increase in population or the construction of new housing. Therefore, the Project is not expected to create new or substantially more severe significant impacts. No mitigation is required.

## 3.2.8 Public Services

Pursuant to the findings in the 2022 FEIR, construction and operation of the project would not cause an increase in population such that additional fire stations would be needed under General Plan guidelines. The proposed project would not require construction of a new station or expansion of an existing facility in order to provide law enforcement services in the project area. Additionally, trail improvements associated with the proposed project were anticipated under the 2040 General Plan and would be consistent with General Plan policies. Therefore, impacts to fire and law enforcement services from the proposed project have already been accounted for, and the project would comply with the requirements of the City Code, County Parks, and General Plan policies regarding adequate fire and law enforcement protection services. Design changes for Phase III and IV of the Project are not expected to create new or substantially more severe significant impacts that were not already analyzed within the 2022 FEIR. As a result, the impact on fire and emergency medical response would be **less than significant**, with no mitigation required.

## 3.2.9 Recreation

Similar to Phase II, portions of the new segments of the trail are within land considered a designated 'Protected Area' in the American River Parkway Plan (ARPP). Facilities permitted in this designation include surfaced and unsurfaced trails, water fountains, occasional family unit picnic tables, and restrooms located at trail rest stops. Trail recreational activities envisioned in Protected Areas include

walking, hiking, running, horseback riding, and bicycling. The overall Two Rivers Trail is identified as a "proposed bike trail" in the ARPP and is therefore consistent with the land use.

There are no formal recreational facilities along most of the new proposed trail alignment; the trail would connect several existing recreational facilities, including the Sacramento Northern Bikeway Trail and Sutter's Landing Regional Park. Visitors seeking access to Phase III and IV of the proposed Project might increase the use of the parking lot near Sutter's Landing beach access. However, the limited parking available at Sutters Landing reduces the potential for an increase in visitors to access the proposed trail facilities.

Similar to Phase II and disclosed in the 2022 FEIR, existing informal recreational use along the proposed trail alignment would be temporarily disrupted during construction, but the disruption would be short-term and there are other trails and parks in the region. Following the completion of construction activities, the levee crown and existing informal foot trails between the levee and the American River would be unchanged from the existing condition.

Therefore, the new Phase III and IV trail segments are not expected to create new or substantially more severe significant impacts than what were already disclosed in the 2022 FEIR. A less than significant impact would occur.

## 3.2.10 Transportation and Traffic

A Street is currently an access route for Bell Marine as well as landfill maintenance, radio tower maintenance, and solar maintenance. Construction-related activity along A Street from the proposed project may potentially disrupt the existing transportation network in the surrounding project area. Construction activities would be temporary and subject to traffic control requirements described in the 2022 FEIR. Implementation of the construction traffic control plan (consistent with City Code 12.20.030) as described in **Chapter 2.0** "**Project Description**" (see "Access and Staging Areas") of the 2022 FEIR would involve measures that would further reduce the potential for impacts associated with construction traffic by designating circulation routes and waiting areas for trucks. Consequently, this impact would be **less than significant**, with no mitigation required. Therefore, the proposed new trail segments are not expected to create new or substantially more severe significant impacts.

## 3.2.11 Utilities and Service Systems

Similar to the Phase II trail, the new Phase III and IV segments of the trail would not include any residential or commercial uses that would require connection to existing water conveyance pipelines or require additional connections to the regional water supply system. The proposed project would not involve construction of any public restrooms or other wastewater-generating facilities along the project alignment. The project would not generate new demand for water, wastewater, or solid waste disposal capacity. The Project will be subject to the City's drainage pumped development impact fee and would not result in the need for additional use of utilities or relocation of utilities; therefore, the new trail segments are not expected to create new or substantially more severe significant impacts.

## 3.2.12 Wildfire

Pursuant to Appendix G of the CEQA guidelines, a project may have a significant impact related to wildfire if it is located in or near state responsibility areas (SRAs) or lands classified as very high fire hazard severity zones as mapped by Cal Fire**.** The proposed project is not located within or near a

State responsibility area or lands classified as very high fire hazard severity zones according to CalFire (Calfire 2025); therefore, CEQA wildfire thresholds are not triggered. Additionally, standard construction practices such as watering the Project site for dust control would be implemented. Long-term operational trail usage would not reduce the effectiveness of emergency evacuation routes, interfere with an adopted emergency response or evacuation plan, or require the installation or maintenance of wildfire prevention or management infrastructure as part of normal trail maintenance. No impact would occur.

# Chapter 4
# Other CEQA Considerations

This chapter presents discussions of additional topics required by CEQA: cumulative impacts, growth-inducing impacts, significant and unavoidable impacts, and significant irreversible environmental changes.

## 4.1 Overview

The updated trail alignment is being viewed as subsequent activities under the 2022 FEIR. The 2022 FEIR examined the cumulative impacts and growth inducing impacts resulting from the Two Rivers Trail Phase II alignment. This chapter explains what cumulative and growth-inducing impacts are, and that the updated trail alignment does not result in new or more severe impacts than disclosed in the 2022 FEIR.

## 4.2 Cumulative Impacts

Cumulative significant impacts result from individually minor but collectively significant impacts occurring over a period of time. In other words, a cumulative impact results from the collective effects on a resource by numerous activities over time. State CEQA Guidelines Section 15130 requires that an EIR include a discussion of the potential cumulative impacts of a proposed project. Cumulative impacts are defined as two or more individual effects that, when considered together, are significant. The cumulative impact is the change in the environment that results from the incremental impact of the development when added to the incremental impacts of other closely related past, present, and reasonably foreseeable probable future activities.

As defined in State CEQA Guidelines Section 15355:

> "…a cumulative impact consists of an impact which is created as a result of the combination of the project evaluated in the EIR together with other projects causing related impacts. An EIR may determine that a project's contribution to a significant cumulative impact will be rendered less than cumulatively considerable and thus is not significant. A project's contribution is less than cumulatively considerable if the project is required to implement or fund its fair share of a mitigation measure or measures designed to alleviate the cumulative impact."

The 2022 FEIR determined that although the proposed Two Rivers Trail is part of a larger planned connection between the existing Sacramento River Parkway and the larger Jedediah Smith Memorial Trail located along the northern bank of the American River, no cumulative effects are anticipated because environmental resources that are adversely affected by the proposed project would be localized and of limited extent. While the elimination of trees and vegetation adjacent to the existing non-developed path would temporarily impact the existing visual quality of the corridor, new trees and vegetation would be planted and allowed to grow; therefore, this impact would be temporary and not considered a cumulative effect. Additionally, the proposed project was already accounted for in terms of consistency with projects identified in the City of Sacramento Bicycle Master Plan, City of

Sacramento General Plan, and the City of Sacramento General Plan Master Environmental Impact Report; therefore, no cumulative impacts would occur. Similarly, the proposed additional segments of the Two Rivers Trail Phase III and IV project were also accounted for in the City's Master Plan; therefore, no new additional cumulative impacts would occur.

## 4.3 Growth-Inducing Impacts

CEQA requires a discussion of the ways in which the project would be growth-inducing. State CEQA Guidelines Section 15126.2(d) identifies a project as growth-inducing if it fosters economic or population growth, or the construction of additional housing, either directly or indirectly, in the surrounding environment. Similar to the findings in the 2022 FEIR, the proposed new trail alignments for Phase III and IV do not include the construction of new housing, businesses, or roadways, or create new connections to undeveloped land. Easements from various property owners, such as UPRR, may be required. The proposed project aims to improve pedestrian and bicycle access throughout Sacramento and provide multi-modal connectivity to adjacent communities throughout the Sacramento area. No impacts would occur to the surrounding communities. However, the proposed project would result in improved accessibility for surrounding communities. The proposed project would also not create permanent employment. The proposed Project is consistent with the City of Sacramento General Plan as the proposed project will be zoned for Parks and Recreation and the Project would not change the zoning designation of adjacent areas. Development of the site as proposed would alter the existing landscape, but the project site has been designated for Recreation in the 2040 General Plan and the proposed development is consistent with these planning designations and those of the American River Parkway Plan (Sacramento County, 2008).

The proposed project would also not establish new permanent employment opportunities or involve a substantial construction effort with substantial long-term employment opportunities that could indirectly stimulate the need for additional housing and services to support the new employment demand. Construction of both Phase III and IV would not require additional housing and/or services for workers. The proposed project would not directly or indirectly induce growth or remove an obstacle to growth, would not require or result in the need for new or expanded water or wastewater treatment facilities, and would not increase population. Consequently, no growth inducing effects would occur as a result of the new trail alignment.

## 4.4 Significant and Unavoidable Impacts

CEQA Guidelines section 15126(b) requires an EIR to "describe any significant impacts, including those which can be mitigated but not reduced to a level of insignificance. Where there are impacts that cannot be alleviated without imposing an alternative design, their implications and the reasons why the proposed project is being proposed, notwithstanding their effect, should be described."

Chapter 3.0 of this EIR provides a description of the potential environmental impacts of the proposed project and recommends mitigation measures to reduce impacts to a less than significant level, where possible. After implementation of the recommended mitigation measures, all of the potentially significant impacts associated with the proposed project would be reduced to a less than significant level. Therefore, the proposed project will not have significant and unavoidable impacts.

# 4.5 Significant Irreversible Environmental Changes

CEQA Guidelines section 15126.2(d) describes irreversible environmental changes as follows:

*Uses of nonrenewable resources during the initial and continued phases of the project may be irreversible since a large commitment of such resources makes removal or nonuse thereafter unlikely. Primary impacts and, particularly secondary impacts (such as highway improvement which provides access to a previously inaccessible area) generally commit future generations to similar uses. Also, irreversible damage can result from environmental accidents associated with the project. Irretrievable commitments of resources should be evaluated to assure that such current consumption is justified.*

The CEQA Guidelines refer to the need to evaluate and justify the consumption of nonrenewable resources and the extent to which the proposed project commits future generations to similar uses of nonrenewable resources. In addition, CEQA requires that irreversible damage that could result from an environmental accident associated with the project be evaluated.

Construction of the proposed project would result in the commitment of nonrenewable natural resources used in the construction process and during operation, including gravel, petroleum products, and other materials. As described in **Chapter 2.0 "Project Description**, the proposed project would not require large areas to be excavated or include the demolition or removal of existing buildings or infrastructure that would generate large amounts of construction waste.

Construction and operation of the proposed project would also result in commitment of energy resources such as fossil fuels and electricity. Direct energy used during construction and operation would involve using petroleum products and electricity to operate equipment, and indirect energy use would involve consuming energy to extract raw materials, manufacture items, and transport the goods and people necessary for construction activities. Construction-related energy consumption would be temporary and would be confined to the construction period. Nevertheless, construction and operation activities would, as with any construction project, cause irreversible and irretrievable commitments of finite nonrenewable energy resources, such as gasoline and diesel fuel.

The proposed project would include all feasible control measures to improve equipment efficiency and reduce energy use as required by the Sacramento Metropolitan Air Quality Management District (SMAQMD). These measures include an Emission and Dust Control Plan that would reduce unnecessary equipment idling and other policies that would help reduce energy use and are consistent with state and local legislation and policies to conserve energy. In addition, the proposed project would comply with applicable Federal, State and local policies and regulations pertaining to energy standards and would ensure that natural resources are conserved to the maximum extent possible. Therefore, due to the rate and amount of energy consumed, the proposed project would not result in the unnecessary, inefficient, or wasteful use of resources and energy use would be accomplished in a manner consistent with applicable laws and regulations.

Finally, construction of the proposed project has the potential to result in accidental release of hazardous materials which may lead to irreversible damage. However, as stated in Section 3.1.4, "Hazards and Hazardous Materials" used during construction would be typical of common construction activities. They would be handled by the contractor in accordance with applicable federal, State, and local regulation for hazardous substances.

# Chapter 5
# Report Preparers

The City of Sacramento is the CEQA Lead Agency for this Draft Subsequent Focused EIR.

This Draft EIR was prepared for the City of Sacramento by Dokken Engineering. This chapter lists the primary individuals who prepared this Draft Subsequent Focused EIR.

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# Chapter 6
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