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DEPARTMENT OF
PUBLIC WORKS

TRAFFIC ENGINEERING
SERVICES

CITY OF SACRAMENTO
CALIFORNIA

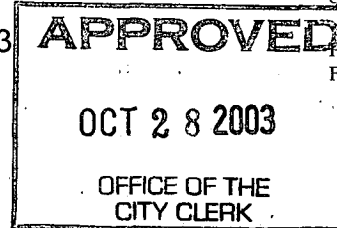
October 2, 2003

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City Council
Sacramento, California

Honorable Members in Session:



**SUBJECT: NEIGHBORHOOD TRAFFIC MANAGEMENT PROGRAM PHASE I
SOUTH MIDTOWN AREA REVITALIZATION AND TRANSPORTATION
(SMART) PLAN (PN: TS86) – CERTIFYING THE FINAL ENVIRONMENTAL
IMPACT REPORT (SCH#2002092069), MAKING FINDINGS OF FACT, AND
ADOPTING THE MITIGATION MONITORING PLAN FOR THE PROPOSED
SOUTH MIDTOWN AREA REVITALIZATION AND TRANSPORTATION PLAN
PROJECT AND APPROVAL OF PROJECT PLAN PHASE 1**

LOCATION AND COUNCIL DISTRICTS:

Area bounded by L Street, Q Street, 29th and 15th Streets - Council Districts 1 and 3 (see Attachment A)

RECOMMENDATION:

This report recommends that City Council adopt the attached resolution:

- Certifying the Environmental Impact Report (EIR);
- Approving Project Plan Phase 1;
- Making Findings of Fact; and
- Adopting the Mitigation Monitoring Plan.

CONTACT PERSON: Marty Hanneman, City Traffic Engineer, 808-7508

FOR COUNCIL MEETING OF: October 28, 2003

SUMMARY:

The SMART Plan began in 1998 using the Neighborhood Traffic Management Program (NTMP) process. The Traffic Calming Committee (TCC) developed the Phase I plan with the goal to reduce speeding and enhance safety. Staff estimates that approximately \$680,000 is

City Council

South Midtown Area Revitalization and Transportation (SMART) Plan (PN: TS86)

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required to implement the Phase I plan. This report recommends that the City Council certify the EIR and approve the Phase I plan.

COMMITTEE/COMMISSION ACTION: None.

BACKGROUND:

The SMART Plan has its origins in the Midtown Neighborhood Preservation Transportation Plan (NPTP), which was approved by the City Council in June 1996. The Midtown NPTP covered the area immediately to the north of the SMART Plan site and included a number of traffic calming measures. One condition of approval for the Midtown NPTP was to "identify potential traffic calming devices for the area bounded by 15th, 29th, L, and Q Streets, with a focus on minimizing any negative effects of the Midtown NPTP" and "bring recommendations to the City Council."

In December 1997, a request for volunteers from the community to serve on a south midtown "stakeholder" committee was distributed. The committee met many times in 1998 and 1999 to identify neighborhood traffic issues and develop potential improvements. In November 1999, the City Council directed staff to follow the NTMP process in identifying problems and developing improvements. The NTMP is an existing Citywide program to develop and implement traffic calming plans for individual neighborhoods. A new SMART plan TCC was formed consisting of the existing "stakeholders" and other interested individuals. The SMART Plan Phase I was developed by the TCC and staff with the goal to reduce speeding and enhance safety. The Phase I plan was presented to the community at public meetings on May 7 and November 28, 2001.

Ballot Results

The NTMP program requires residents and businesses to vote on the Phase I measures. The NTMP program has a goal of 25% for all ballots to be returned. A majority vote (50% plus 1) determines the ballot results. Of the 4,500 ballots mailed, 842 were returned. After adjusting for apartment complexes, the response rate was 24.2% with 625 (63.8%) voting in favor and 355 (36.2%) opposing the plan.

The Phase I Plan

The Phase I plan consists of a variety of traffic control elements strategically placed within the south-midtown area to enhance public safety and reduce speeds. The elements of the plan include: stop signs, pedestrian islands, bulb-outs, high-visibility crosswalks, and one traffic circle. None of these elements would significantly affect roadway capacity.

The project also includes an operational modification to four one-way streets (L, N, P, and Q Streets). These four streets would be converted from three one-way lanes to two one-way lanes. New bike lanes would be placed on these four streets through an amendment to the Sacramento City/County Bikeway Master Plan.

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South Midtown Area Revitalization and Transportation (SMART) Plan (PN: TS86)

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SMART Plan Phase II/Central City Two Way Conversion Study

A potentially related project is the Central City Two Way Conversion (CCTWC) Study. The CCTWC Study is a comprehensive study looking at possible conversion of some downtown streets from one way to two way operations and from 3 lanes one way to 2 lanes one way. On May 20, 2003, the City Council authorized staff to proceed with environmental review of several conversions. Included in the review, for possible conversion from one way to two way operations, are L, N, P & Q Streets. These conversions are consistent with the SMART Plan Phase II, which also identified these potential conversions. Pending environmental review, these conversions could move forward with or without implementation of the Phase I plan. It is anticipated that the environmental review for the CCTWC Study will be completed in Spring 2004 with a decision on which conversions to implement shortly thereafter.

A majority of the participants involved in the development of the SMART Plan have expressed a desire to convert L, N, P & Q Streets from a one way to two way operations. Although these conversions are consistent with the SMART Plan Phase II, these conversions depend on City Council's actions on the CCTWC Study.

FINANCIAL CONSIDERATIONS:

Project Budget Information

Staff estimates that approximately \$680,000 is required to implement the Phase I plan and the current project budget is \$680,000. The estimate breaks down as follows:

- \$330,000 to prepare the environmental documents (both National Environmental Policy Act (NEPA) and California Environmental Quality Act (CEQA) required) and for Design services.
- \$350,000 for construction, inspection and contingencies.

ENVIRONMENTAL CONSIDERATIONS:

An EIR has been prepared to disclose the environmental effects of the proposed project. The EIR evaluated the proposed project and project alternatives for their potential impacts on traffic circulation, air quality, noise, and biological and historic resources. Other environmental issues were dismissed from further consideration by the initial study completed and circulated in September 2002.

Two alternatives to the proposed project were analyzed. These were the "no project" alternative (Alternative A) and the "no capacity reduction" alternative referred to in the EIR as Alternative B. The no project alternative would leave the circulation system in the project area in its current state. The "no capacity reduction" alternative would consist of the proposed project elements except that the number of travel lanes on L, N, P, and Q Streets would not be reduced in number from three to two.

The effects of the proposed project were compared to the effects of the "no project" alternative and the "no capacity reduction" alternative. The "no project" alternative would not result in any significant environmental impacts. Both the proposed project and the "no capacity reduction"

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alternative would have the same or very similar air quality, noise, biological, and historic resource impacts. The "no capacity reduction" alternative is forecast to result in a few more traffic impacts than the proposed project. However, none of the traffic impacts from the proposed project or this alternative would be significant according to the level of service and/or delay thresholds recognized by the City. Noise impacts of both the proposed project and this alternative would be less than significant. Significant air quality impacts would be limited to construction related dust, but these can and will be mitigated with standard dust control techniques. Significant impacts to biological and cultural resources can be characterized as "potential." Mitigation for these potentially significant impacts would be through standard field identification and avoidance techniques.

The Draft EIR (DEIR) was circulated to public agencies through the State Clearinghouse. The project site was posted regarding availability of the Notice of Preparation (NOP). Approximately 1,000 property owners within 500 feet of the project site and other interested parties were mailed notification as to NOP and DEIR availability. Notification was placed in the County and City Clerks' offices as well as the City's official newspaper. The comment period advertised was 45 days. Four public comment letters were received on the DEIR. One of the letters came from the Sacramento Metropolitan Air Quality Management District (SMAQMD) public agency. Responses to these letters have been prepared and included in the Final EIR (FEIR). One letter from the *Newton Booth + Alhambra Triangle Association* arrived eight days after the comment period closed. Because of its late arrival, no specific response was prepared and incorporated into the FEIR. However, their concerns were similar to those raised in other comment letters and so generally appropriate responses can be found in the FEIR.

POLICY CONSIDERATIONS:

This report is consistent with the City's Strategic Plan goal for enhancing and preserving neighborhoods.

ESBD CONSIDERATIONS: No goods or services are being purchased.

Respectfully submitted,



Marty Hanneman
City Traffic Engineer

RECOMMENDATION APPROVED:

Approved:



Thomas V. Lee
Deputy City Manager



ROBERT P. THOMAS
City Manager

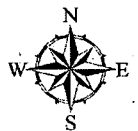
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- 2) Resolution, page 6

South Midtown Area Revitalization and Transportation Plan (SMART)(PN:TS86)



Map Contact: Hamid Khalessi
Date: October 9, 2003

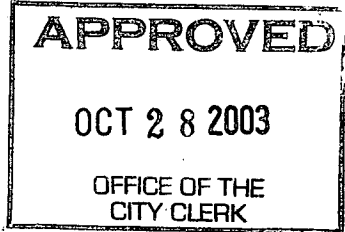


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RESOLUTION NO. 2003-757

ADOPTED BY THE SACRAMENTO CITY COUNCIL

ON DATE OF: _____



**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SACRAMENTO
 CERTIFYING THE FINAL ENVIRONMENTAL IMPACT REPORT
 (SCH#2002092069), MAKING FINDINGS OF FACT, AND ADOPTING THE
 MITIGATION MONITORING PLAN FOR THE PROPOSED SOUTH MIDTOWN
 AREA REVITALIZATION AND TRANSPORTATION (SMART) PLAN PROJECT
 AND APPROVAL OF PROJECT PLAN PHASE 1**

**THE CITY COUNCIL OF THE CITY OF SACRAMENTO DOES HEREBY FIND,
 DETERMINE, AND RESOLVE AS FOLLOWS:**

I. CEQA FINDINGS

1. The City Council finds that the Environmental Impact Report for the South Midtown Area Revitalization and Transportation (SMART) Plan Project (herein EIR) which consists of the Draft EIR, and Final EIR (Response to Comments) and Appendices, has been completed in accordance with the requirements of the California Environmental Quality Act (CEQA), the State CEQA Guidelines and the Sacramento Local Environmental Procedures.
2. The City Council certifies that the EIR was prepared, published, circulated and reviewed in accordance with the requirements of CEQA, the State CEQA Guidelines and the Sacramento Local Environmental Procedures, and constitutes an adequate, accurate, objective and complete Final Environmental Impact Report in accordance with the requirements of CEQA, the State CEQA Guidelines and the Sacramento Local Environmental Procedures.
3. The City Council certifies that the EIR has been presented to it and that the City Council has reviewed it and considered the information contained therein prior to acting on the proposed project.
4. Pursuant to CEQA Guidelines Section 15093, and in support of its approval of the SMART Plan Project, the City Council hereby adopts the attached

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Finding of Fact (Exhibit 1A) and a Mitigation Monitoring Plan (Exhibit 1B) to require all reasonably feasible mitigation measures be implemented.

II. PROCEDURAL FINDINGS

1. The City of Sacramento caused an Environmental Impact Report (EIR) on the Project to be prepared pursuant to the California Environmental Quality Act, Public Resources Code, Section 21000 et seq. (CEQA), the CEQA Guidelines, Code of California Regulations, Title XIV, Section 15000 et seq., and the City of Sacramento environmental guidelines.
2. A Notice of Preparation (NOP) of the Draft EIR was filed with the Office of Planning and Research on September 23, 2002 and was circulated for public comments from September 23, 2002 to October 23, 2002.
3. A Notice of Completion (NOC) and copies of the Draft EIR were distributed to the State Clearinghouse on June 20, 2003 to those public agencies that have jurisdiction by law with respect to the Project and to other interested parties and agencies. The comments of such persons and agencies were sought.
4. An official forty-five (45) day public review period for the Draft EIR was established by the State Clearinghouse. The public review period began on June 20, 2003 and ended on August 4, 2003.
5. A Notice of Availability (NOA) was distributed to all interested groups, organizations, and individuals on June 17, 2003 for the Draft EIR. The Notice of Availability stated that the City of Sacramento had completed the Draft EIR and that copies were available at the City Central Library and at the City of Sacramento, Planning and Building Department, 1231 I Street, Room 300, Sacramento, California 95814. The letter also indicated that the official forty-five (45) day public review period for the Draft EIR would end on August 4, 2003.
6. A public notice was placed in The Daily Recorder on June 19, 2003 which stated that the SMART Plan Project Draft EIR was available for public review and comment.
7. Copies of the NOP were posted on stakes driven into the ground at several locations within the project on September 23, 2002. Those locations include:

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- the southeast corner of 15th and N Streets;
- the northeast corner of 16th and Q Streets;
- the northeast corner of 19th and O Streets;
- the southwest corner of 21st and N Streets;
- the northeast corner of 21st and N Streets;
- the southeast corner of 22nd and L Streets;
- the southwest corner of 26th and L Streets;
- the southwest corner of 28th and N Streets;
- the southeast corner of 28th and O Streets; and
- the northwest corner of 24th and Q Streets.

8. A public notice was posted with the Sacramento County Clerk's Office on June 20, 2003.
9. Following closure of the public comment period, a Final EIR was prepared to incorporate comments received on the Draft EIR and the City's responses to said comments.
10. Following notice duly and regularly given as required by law, and all interested parties expressing a desire to comment thereon or object thereto having been heard, the EIR and comments and responses thereto having been considered, the City Council makes the following determinations:
 - A. The EIR consists of the Draft EIR, and Final EIR (Responses to Comments) and appendices.
 - B. The EIR was prepared and completed in compliance with CEQA.
 - C. The EIR has been presented to the City Council which reviewed and considered the information therein prior to acting on the SMART Plan Project proposal, and they find that the EIR reflects the independent judgement and analysis of the City of Sacramento.
11. The following information is incorporated by reference and made part of the record supporting these findings:
 - A. The Draft and Final EIR and all documents relied upon or incorporated by reference including:

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- City of Sacramento General Plan, City of Sacramento, January 1988
- Draft Environmental Impact Report City of Sacramento General Plan Update, City of Sacramento, March 1987
- Findings of Fact and Statement of Overriding Considerations for the Adoption of the Sacramento General Plan Update, City of Sacramento, 1988
- Central City Community Plan, City of Sacramento, 1980
- Midtown Neighborhood Preservation Transportation Plan, City of Sacramento, 1993
- Neighborhood Traffic Management Program, City of Sacramento, Traffic Engineering Program
- Design Review Guidelines Plan, City of Sacramento, 1990
- Zoning Ordinance, City of Sacramento, Revised May 2003
- The 2010 Sacramento City/County Bikeway Master Plan, City of Sacramento, Bicycle Task Force, August 1991

- B. The Mitigation Monitoring Plan dated September 2003.
- C. Testimony, documentary evidence and all correspondence submitted or delivered to the City in connection with the City Council hearing on this project and the associated EIR.
- D. All staff reports, memoranda, maps, letters, minutes of meetings and other documents relied upon or prepared by City staff relating to the project, including but not limited to, City of Sacramento General Plan and the Draft and Final Environmental Impact Report for the City of Sacramento General Plan Update.

III. SMART Plan Project Phase I is approved;
 The Findings of Fact is approved; and
 The Mitigation Monitoring Plan is adopted.

 MAYOR

Attest

 CITY CLERK

Exhibit 1A Findings of Fact
 Exhibit 1B Mitigation Monitoring Plan

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**FINDINGS OF FACT REGARDING THE ENVIRONMENTAL IMPACT REPORT
FOR THE PROPOSED SOUTH MIDTOWN AREA REVITATLIAZATION AND
TRANSPORTATION (SMART) PLAN PROJECT**

The Environmental Impact Report for SMART Plan Project proposal, prepared in compliance with the California Environmental Quality Act, evaluates the potentially significant and significant adverse environmental impacts that could result from adoption of the project or an alternative to the project.

Because the EIR indicates that implementation of the project (or project alternatives) would result in certain adverse impacts, the City is required under CEQA, and the State and City guidelines adopted pursuant thereto, to make certain findings with respect to these impacts. The required findings appear in the following sections of this document. This document lists all identified potentially significant and significant impacts of the project, as identified in the EIR. As noted below, all of the potentially significant and significant impacts could be reduced to a less-than-significant level by mitigation measures identified herein.

A. SIGNIFICANT IMPACTS THAT CAN BE AVOIDED

Finding – As authorized by Public Resources Code Section 21081 and Title 14, California Administrative Code Sections 15091, 15092, and 15093, the City finds that changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant environmental impacts listed, below, as identified in the Initial Study and the EIR. The City further finds that these changes or alterations in the project is within the jurisdiction of the City to require, and that these measures are appropriate and feasible.

These Findings of Fact include mitigation measures that were identified in the SMART Plan Project Initial Study as well as those that were identified in the EIR. The impacts and mitigation measures from the Initial Study are provided first.

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

The City finds that the Mitigation Monitoring Plan for the SMART Plan Project ensures compliance with the adopted mitigation measures by identifying the party or parties with the responsibility for implementing each mitigation measure, providing a mechanism for verifying compliance by tying the implementation of

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each mitigation measure to specific approvals and identifying the party responsible for monitoring the implementation of each mitigation measure.

Impacts Identified in the Initial Study

This section sets forth, by topic and subtopic, as set forth in SMART Plan Project Initial Study, the significant impacts identified in the Initial Study and the mitigation measures and Findings made with respect thereto. For the following impacts, mitigation measures in the SMART Plan Project Initial study are found by the City to mitigate, reduce or avoid potentially significant environmental effects. Such mitigation measures are hereby adopted and incorporated into the Project as a condition of the SMART Plan Project approval.

1) Impacts 15 b, c, d: Cultural Resources

a. Significant Impact

The project site is not located in a Primary Impact Area for cultural resources as defined by the Sacramento General Plan Update (General Plan Update, page V-5). Project construction, which includes minor excavation for the pedestrian islands, bulb-outs, and traffic circle, is unlikely to unearth significant artifacts. The likelihood of damaging or destroying paleontological resources within the construction area is minimal. Shallow soils at the site have already been highly disturbed by existing roadways and infrastructure, and the project would not involve deep excavations that could encounter such resources, if they exist at depth. Nonetheless, there could be subsurface resources present. This would be a ***potentially significant impact***.

b. Facts in Support of Finding

The following mitigation measure from SMART Plan Project Initial Study would ensure that impacts to cultural resources are less than significant:

1. In the event of the discovery of buried archeological or historic deposits, project activities in the vicinity of the find shall be temporarily halted and a qualified archeologist consulted to assess the resource and provide proper management recommendations. Possible management recommendations for important resources could include resource avoidance or data recovery excavations. If human remains are found, the Sacramento County Coroner's Office shall be contacted immediately. The coroner shall contact the Native

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American Heritage Commission, which shall notify the appropriate descendant. (Draft EIR, Appendix A, page 47)

Impacts Identified in the EIR

In the findings that follow, the City identifies the impacts and mitigation measures identified in the SMART Plan EIR associated with development of the Proposed Project.

2) Impact 6.6-1: Effects on historic resources.

a. Potentially Significant Impact

Construction for the Proposed Project would occur at or near street intersections, solely within the street right-of-way. Historic resources identified through the historic resources survey do not appear to be located in any of the proposed construction areas. Although none of the project improvements would directly affect the physical characteristics of the identified historic structures, it is possible that damage could occur to the historic street features that may be immediately adjacent to the construction areas. This would be a ***potentially significant impact***.

b. Facts in Support of Finding

The following mitigation measure from the SMART Plan Project Draft EIR would ensure that impacts to cultural resources are less than significant:

1. The locations of the historic street features in the cultural resources study area shall be disclosed in the construction contract. Construction crews shall be made aware of historic street features locations, and these features shall be flagged or fenced off as to prevent accidental damage or removal. (Draft EIR, page 6.6-15)

3) Impact 6.6-2: Effects on historic resources. (Cumulative)

a. Potentially Significant Impact

As urban development increases throughout the region, historic sites and structures could be affected as new office, commercial or

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residential development occurs throughout Sacramento. However, the Midtown area of Sacramento is a well-developed neighborhood that already includes several types of uses. The project area is completely built out. None of the proposed improvements in the Central City Two Way Conversion or the Citywide Angle Parking program would affect the physical characteristics of the identified historic resources. As future projects are implemented throughout the City, historic sites could be damaged or destroyed. Even if the cultural resources are adequately recorded, removal and/or destruction from their place of origin and reduces their value as resources. This would be a ***potentially significant impact***.

b. Facts in Support of Finding

The following mitigation measure from the SMART Plan Project Draft EIR would ensure that impacts to cultural resources are less than significant:

1. Implement Mitigation Measure 6.6-1. (Draft EIR, page 6.6-16)

The locations of the historic street features in the cultural resources study area shall be disclosed in the construction contract. Construction crews shall be made aware of historic street features locations, and these features shall be flagged or fenced off as to prevent accidental damage or removal.

4) Impact 6.7-1: Effects on street trees and heritage trees.

a. Potentially Significant Impact

Installation of the project elements would take place within the existing streets right-of-way. Trees within the project vicinity are typically located in the planter strip between the street and sidewalks. Due to the location of the street trees it is highly unlikely that there would be any direct effect to City trees as a result of project element implementation. However, a Regional Transit bus stop would be removed as part of the Proposed Project. A valley oak is located 18 feet away from the bus sign post that would be removed. The extent of the work to remove the pole would be limited to a few feet of the existing sign and would not affect the tree that is 18 feet away. However, accidental damage could occur to the tree as a result of the movement or operation of equipment that

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would remove the bus sign. This would be a ***potentially significant impact***.

b. Facts in Support of Finding

The following mitigation measure from the SMART Plan Project Draft EIR would ensure that impacts to street trees and heritage trees are less than significant:

1. If project construction occurs outside of the existing streets right-of-way, the City shall prepare and submit a detailed tree protection/removal, replanting and replacement plan to the City tree supervisor for review and approval prior to project construction. The tree protection/removal plan shall be developed by a qualified biologist or certified arborist. Elements that shall be included in the tree protection/removal plan include:
 - a) Final designs shall avoid street trees and Heritage trees where feasible. A survey shall be done prior to final designs and submitted to City tree supervisor.
 - b) Retained trees shall be protected from construction activity pursuant to a tree protection plan approved by the City tree supervisor.
 - c) The number, location, species types, and size of all trees to be removed, relocated and/or replace. Relocated trees should be as close to the project site as feasible.
 - d) Planning techniques, necessary maintenance regime, success criteria, and a monitoring program. (Draft EIR, page 6.7-6)

B. SIGNIFICANT IMPACTS THAT CANNOT BE AVOIDED

Finding – The City finds that the changes or alterations that have been required in, or incorporated into, the Project would reduce the significant environmental impacts listed in the EIR and Initial Study. No significant impacts that could not be avoided have been identified for the Proposed Project. This finding is supported by evidence in the record of proceedings before the City, including the Draft and

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Final EIR prepared for this project. Also incorporated into this section are the findings and facts stated in Section III that reject the No Project Alternative and project alternatives as infeasible or for failure to achieve the basic objectives of the project or because those alternatives offer no substantial environmental advantages over the Proposed Project.

III. REJECTION OF ALTERNATIVES

CEQA mandates that every EIR evaluate a no-project alternative, plus a range of alternatives to the project or its location. Alternatives provide a basis of comparison to the project in terms of beneficial, significant, and unavoidable impacts. This comparative analysis is used to consider reasonable feasible options for minimizing environmental consequences of a project. For the reasons documented in the EIR and summarized below, the City finds that approval and implementation of the project as approved is appropriate, and rejects each one and any combination of project alternatives. The evidence supporting these findings is presented in Sections 6.2 through 6.7 of the EIR.

1. Alternative A: No Project Alternative

The No Project Alternative (Alternative A) is required by CEQA. The No Project Alternative would maintain existing conditions. The No Project Alternative would not construct the proposed improvements. The project site would remain as it is currently, with no further street modifications.

Findings

1. Specific economic, social, or other considerations make infeasible the No Project Alternative identified in the EIR and described above in that:
 - a) Alternative A would not meet the goal of the Central City Community Plan to provide additional bike lanes in the Central City.
 - b) Alternative A would not meet the objectives of the Midtown Neighborhood Preservation Transportation Plan or the Neighborhood Traffic Management Program to provide traffic calming measures in the project area. The NPTP sets goals to reduce traffic

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volumes, reduce travel speeds, and improve traffic and public safety.

2. The No Project Alternative identified in the EIR and described above would not have substantial environmental benefits when compared to the Proposed Project in that:

c) Alternative A would not meet any of the goals and objectives of the Proposed Project because Alternative A would not construct features that would improve safety or reduce speeds, disturbances, and traffic volumes on residential streets. It also would not improve driver behavior, concentration, and awareness. As stated in Impact 6.5-2 of the DEIR, Alternative A would not increase the safety of pedestrians or bicyclists.

2. Alternative B: No Capacity Reduction Alternative

The No Capacity Reduction Alternative (Alternative AB) would construct all of the project elements except for reducing four streets from three lane one-way streets to two lane one-way streets. The remainder of the elements would be identical to the Proposed Project.

Findings

1. The No Capacity Reduction Alternative identified in the EIR and described above would not have substantial environmental benefits when compared to the Proposed Project in that:

a) The Proposed Project would result in no significant and unavoidable impacts on the environment.

b) The No Capacity Reduction Alternative would slightly increase impacts to transportation and circulation patterns, when compared to the Proposed Project, by increasing the average delay at four intersections during the am peak hour and six intersections during the pm peak hour.

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IV. STATEMENT OF OVERRIDING CONSIDERATIONS

Under CEQA, the City must balance the benefits of the Project against its unavoidable environmental risks in determining whether to approve the Project. If the benefits of a Project outweigh the unavoidable adverse effects, those effects may be considered "acceptable" (CEQA Guidelines Section 15093(a)). However, CEQA requires the City to support, in writing, specific reasons for considering a Project acceptable when significant impacts are unavoidable. Such reasons must be based on substantial evidence in the EIR or elsewhere in the administrative record (CEQA Guidelines Section 15093(b)). Those reasons are provided below as the "Statement of Overriding Considerations."

The Proposed Project would result in no unavoidable adverse effects. Therefore, the City is not required by CEQA to adopt a Statement of Overriding Considerations for the SMART Plan Project.

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**South Midtown Area Revitalization and Transportation
(SMART) Plan Project**

**Mitigation Monitoring Plan
(SCH #2002092069)**

Prepared for:

City of Sacramento

Prepared by:

EIP Associates

September 2003

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RESOLUTION NO.: _____

DATE ADOPTED: _____

**CITY OF SACRAMENTO
MITIGATION MONITORING PLAN**

This Mitigation Monitoring Plan (MMP) has been required by and prepared for the City of Sacramento Planning and Building Department, 1231 I Street, Room 300, Sacramento, CA 95814, pursuant to CEQA Guidelines section 15097.

Project Description

Project Name/File Number: South Midtown Area Revitalization
and Transportation Plan Project/File # TS43

City of Sacramento Contact Person: Brad Shirhall
City of Sacramento, Planning
and Building Department
1231 I Street, Room 300
Sacramento, California 95814
(916) 264-7483

Applicant: City of Sacramento
Public Works Department
Marty Hanneman, Project Manager

Address: 1000 I Street, Suite 170
Sacramento, CA 95814

Project Location

The Proposed Project would be located in the southern portion of the Midtown area of the City of Sacramento. The project area is bounded by L Street to the north, Q Street to the south, 29th Street to the east, and 15th Street to the west. The project area is designated high density residential, community/neighborhood commercial and offices, heavy commercial or warehouse, public offices, regional commercial and offices, and parks, recreation, open space under the City of Sacramento General Plan. The site is surrounded by high density residential, community/neighborhood commercial and offices, heavy commercial or warehouse, regional commercial and offices, public offices, transportation and utilities, and park, recreation open space. All of the project elements would be constructed within the existing road rights-of-way.

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Project Description

The Proposed Project would consist of a variety of strategically placed traffic control elements, in the existing rights-of-way within the south-Midtown area (15th to 29th Street and L to Q Street). Proposed improvements at specific intersections are listed below. These improvements include over 150 high-visibility crosswalks, 42 bulb outs, 15 pedestrian islands, four all-way stops, and one traffic circle. None of these intersection elements would adversely affect roadway capacity, but construction of the project elements could require the removal of up to 81 parking spaces.

The project also would include an operational modification to four one-way streets (L, N, P, and Q Streets). These four streets would be reduced from three one-way lanes to two one-way lanes. This modification would decrease the vehicular capacity of the roads by reducing the number of vehicle travel lanes. The 48-foot wide roads would be configured to include 7-foot parking and 6-foot bike/travel lanes on each side of the road and two 11-foot vehicle travel lanes. New bike lanes would be placed on these four streets through an amendment to the Sacramento City/County Bikeway Master Plan.

Specific improvements include:

- L Street between 15th and 29th Streets
 - High visibility crosswalks at 18th, 20th, 22nd, 23rd, 24th, 25th, 26th, and 27th Streets
 - Bulb-outs at 15th and 28th Street
- Capitol Avenue between 16th and 29th Streets
 - High visibility crosswalks at 18th, 20th, 22nd, 24th, 25th, and 26th Streets
 - Bulb-outs at 28th Street
 - Traffic circle on 25th Street
 - Pedestrian islands at 18th, 20th, 22nd, 24th, 26th, and 28th Streets
- N Street between 16th and 29th Streets
 - High visibility crosswalks at 17th, 18th, 20th, 22nd, 24th, and 26th Streets
 - Bulb-outs at 15th and 28th Street
- O Street between 15th and 29th Streets
 - High visibility crosswalks at 17th, 18th, 20th, 22nd, 24th, and 26th Streets
 - Bulb-outs at 15th and 28th Street
 - All-way stops at 17th, 18th, and 24th Streets

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Pedestrian islands at 15th, 16th, 18th, 20th, 22nd, 24th, 26th, and 28th Streets

- P Street between 15th and 29th Streets
 - High visibility crosswalks at 15th, 16th, 17th, 18th, 20th, 22nd, 24th, 26th, and 27th Streets
 - Bulb-outs at 15th and 28th Street
- Q Street between 15th and 29th Streets
 - High visibility crosswalks at 16th, 18th, 20th, 22nd, 24th, 26th, and 27th Streets
 - Bulb-outs at 15th and 28th Street
 - All-way stop at 26th Street
- 15th Street between L and Q Streets
 - High visibility crosswalks at Capitol Avenue and at P Street
- 16th Street between L and Q Streets
 - High visibility crosswalks at Capitol Avenue and at L, N, O, P, and Q Streets
- 17th Street between L and Q Streets
 - High visibility crosswalks at Capitol Avenue and at P Street
- 18th Street between L and Q Streets
 - High visibility crosswalks at Capitol Avenue and at L, N, O, P, and Q Streets
- 19th Street between L and Q Streets
 - Bulb-outs at Capitol Avenue and at L, N, O, P, and Q Streets
 - High visibility crosswalks at Capitol Avenue and at P Street
- 20th Street between L and Q Streets
 - High visibility crosswalks at Capitol Avenue and at L, N, O, P, and Q Streets
- 21st Street between L and Q Streets
 - Bulb-outs at Capitol Avenue and at L, N, O, P, and Q Streets
 - High visibility crosswalks at Capitol Avenue and at P Street
- 22nd Street between L and Q Streets
 - High visibility crosswalks at Capitol Avenue and at L, N, O, P, and Q Streets
- 23rd Street between L and Q Streets
 - High visibility crosswalks at Capitol Avenue and at P Street
- 24th Street between L and Q Streets
 - High visibility crosswalks at Capitol Avenue and at L, N, O, P, and Q Streets
- 25th Street between L and Q Streets
 - High visibility crosswalks at Capitol Avenue and at P Street
- 26th Street between L and Q Streets

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- High visibility crosswalks at Capitol Avenue and at L, N, O, P, and Q Streets
- 27th Street between L and Q Streets
 - High visibility crosswalks at Capitol Avenue and at P and Q Streets
- 28th Street between L and Q Streets
 - High visibility crosswalks at Capitol Avenue and at L, N, O, P, and Q Streets

The Proposed Project would also include the removal of one Regional Transit bus stop at the southeast corner of the Capitol Avenue/25th Street intersection.

Mitigation Monitoring Plan

Introduction

The California Environmental Quality Act (CEQA) requires review of any project that could have significant adverse effects on the environment. In 1988, CEQA was amended to require reporting on and monitoring of mitigation measures adopted as part of the environmental review process. This Mitigation Monitoring Plan (MMP) is designed to aid the City of Sacramento in its implementation and monitoring of measures adopted from the SMART Plan EIR.

Mitigation Measures

The mitigation measures are taken from the SMART Plan EIR, and the Initial Study included as Appendix A of the EIR, and are assigned the same number they had in the Initial Study and EIR. The MMP describes the actions that must take place to implement each mitigation measure, the timing of those actions, and the entities responsible for implementing and monitoring the actions.

MMP Components

The components of each monitoring form are addressed briefly, below.

Mitigation Measure: All mitigation measures that were identified in the SMART Plan EIR are presented, and numbered accordingly. The mitigation measures from the EIR are presented by topic (e.g., Noise). The mitigation measures from the Initial Study are identified by topic and number.

Monitoring Program: For every mitigation measure, one or more action is described. Mitigation Measures are the center of the MMP. They describe the steps that need to be taken to implement the measure. In some cases, the criteria

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for determining whether a measure has been successfully implemented are also described. Where Mitigation Measures are particularly detailed, the action may refer back to the measure.

Timing: Each action must take place prior to the time at which a threshold could be exceeded. Implementation of the action must occur prior to or during some part of approval, project design or construction or on an ongoing basis. The timing for each measure is identified.

Parties Responsible for Implementing Measure: This item identifies the entity that will undertake the required action.

Entity Responsible for Ensuring Compliance: The City of Sacramento is responsible for ensuring that most mitigation measures are successfully implemented. Within the City, a number of departments and divisions will have responsibility for monitoring some aspect of the overall project. Occasionally, monitoring parties outside the City are identified. These parties are referred to as "Responsible Agencies" by CEQA.

Verification of Compliance: This section provides confirmation that a measure has been implemented, with space for the signature, title, and department of the individual who is verifying compliance. A space is also provided for notes.

Where more than one action is required in the monitoring program, each item is numbered, and the timing and responsible parties are numbered accordingly.

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INITIAL STUDY SECTION 15 - CULTURAL RESOURCES

Mitigation Measure 1

Mitigation Measure:

In the event of the discovery of buried archaeological or historic deposits, project activities in the vicinity of the find shall be temporarily halted and a qualified archaeologist consulted to assess the resource and provide proper management recommendations. Possible management recommendations for important resources could include resource avoidance or data recovery excavations. If human remains are found, the Sacramento County Coroner's Office shall be contacted immediately. The coroner shall contact the Native American Heritage Commission, which shall notify the appropriate descendant.

Monitoring Program:

If an archeological deposit or human remains are discovered, construction shall cease and the discovery shall be evaluated by a qualified archeologist or the County Coroner, as applicable, per Mitigation Measure 1.

Timing:

During initial preparation/grading and construction.

Parties Responsible for Implementing Measure:

Project developer/contractor.

Entities Responsible for Ensuring Compliance:

City of Sacramento, Public Works Department.

Verification of Compliance:

The required monitoring of Mitigation Measure 1 has been performed and the measure was found to be successfully implemented:

Notes: _____
Title: _____
Agency/Department: _____

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6.3 AIR QUALITY

Mitigation Measure 6.3-1

Mitigation Measure:

- a) Water all exposed soil with adequate frequency to keep soil moist at all times.
- b) Enclose cover or water twice daily all soil piles.
- c) Maintain at least two feet of freeboard on all haul trucks.

Monitoring Program:

- 1. Prepare and submit construction dust mitigation plans, per Mitigation Measure 6.3-1.
- 2. Verify through a site inspection that construction activities comply with construction dust mitigation plans

Timing:

- 1. Prior to issuance of grading permit.
- 2. During construction.

Parties Responsible for Implementing Measure:

- 1. City of Sacramento, Public Works Department.
- 2. City of Sacramento, Public Works Department.

Entities Responsible for Ensuring Compliance:

- 1. City of Sacramento, Public Works Department
- 2. City of Sacramento, Public Works Department.

Verification of Compliance:

The required monitoring of Mitigation Measure 6.3-1 has been performed and the measure was found to be successfully implemented:

Notes: _____
Title: _____
Agency/Department: _____

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6.6 CULTURAL RESOURCES

Mitigation Measure 6.6-1

Mitigation Measure:

The locations of the historic street features in the cultural resources study area shall be disclosed in the construction contract. Construction crews shall be made aware of historic street features locations; and these features shall be flagged or fenced off as to prevent accidental damage or removal.

Monitoring Program:

- 1. Construction plans shall include and clearly label the locations of historic street features.
- 2. The street features shall be flagged or fenced off during construction, per Mitigation Measure 6.6-1.

Timing:

- 1. Prior to project construction.
- 2. During project construction.

Parties Responsible for Implementing Measure:

- 1. Project developer/contractor.
- 2. Project developer/contractor.

Entities Responsible for Ensuring Compliance:

- 1. City of Sacramento, Public Works Department.
- 2. City of Sacramento, Public Works Department.

Verification of Compliance:

The required monitoring of Mitigation Measure 6.6-1 has been performed and the measure was found to be successfully implemented:

Notes: _____
 Title: _____
 Agency/Department: _____

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6.6 CULTURAL RESOURCES

Mitigation Measure 6.6-2

Mitigation Measure:

Implement Mitigation Measure 6.6-1.

Monitoring Program:

See Mitigation Measure 6.6-1

Timing:

See Mitigation Measure 6.6-1

Parties Responsible for Implementing Measure:

See Mitigation Measure 6.6-1

Entities Responsible for Ensuring Compliance:

See Mitigation Measure 6.6-1

Verification of Compliance:

The required monitoring of Mitigation Measure 6.6-2 has been performed and the measure was found to be successfully implemented:

Notes: _____

Title: _____

Agency/Department: _____

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6.7 BIOLOGICAL RESOURCES

Mitigation Measure 6.7-1

Mitigation Measure:

If project construction or construction activity occurs outside of the existing streets rights-of-way, the City shall prepare and submit a detailed tree protection/removal, replanting and replacement plan to the City tree supervisor for review and approval prior to project construction. The tree protection/removal plan shall be developed by a qualified biologist or certified arborist. Elements that shall be included in the tree protection/removal plan include:

- (a) Final designs shall avoid street trees and Heritage trees where feasible. A survey shall be done prior to final designs and submitted to City tree supervisor.
- (b) Retained trees shall be protected from construction activity pursuant to a tree protection plan approved by the City tree supervisor.
- (c) The number, location, species types, and size of all trees to be removed, relocated and/or replaced. Relocated trees should be as close to the project site as feasible.
- (d) Planting techniques, necessary maintenance regime, success criteria, and a monitoring program.

Monitoring Program:

If project construction occurs outside of the existing streets rights-of-way, submit a detailed tree protection/removal, replanting, and replacement plan to the City Arborist, per Mitigation Measure 6.7-1.

Timing:

Prior to final project design.

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Parties Responsible for Implementing Measure:

City, project contractor.

Entities Responsible for Ensuring Compliance:

City of Sacramento, Department of Public Works.

Verification of Compliance:

The required monitoring of Mitigation Measure 6.7-1 has been performed and the measure was found to be successfully implemented:

No: _____

Title: _____

Agency/Department: _____

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**SOUTH MIDTOWN AREA REVITALIZATION AND TRANSPORTATION (SMART) PLAN PROJECT
MITIGATION MONITORING PLAN**

Impact	Mitigation Measure	Action	Implementing Party	Timing	Monitoring Party
INITIAL STUDY – 15. CULTURAL RESOURCES					
Project construction could result in change in significance of a historical resource.	1. In the event of the discovery of buried archaeological or historic deposits, project activities in the vicinity of the find shall be temporarily halted and a qualified archaeologist consulted to assess the resource and provide proper management recommendations. Possible management recommendations for important resources could include resource avoidance or data recovery excavations. If human remains are found, the Sacramento County Coroner’s Office shall be contacted immediately. The coroner shall contact the Native American Heritage Commission, which shall notify the appropriate descendant.	If an archeological deposit or human remains are discovered, construction shall cease and the discovery shall be evaluated by a qualified archeologist or the County Coroner, as applicable, per Mitigation Measure 1.	Project developer/contractor.	During initial preparation/grading and construction.	City of Sacramento, Public Works Department.
EIR – 6.3 AIR QUALITY					
Project construction could result in PM ₁₀ emissions.	6.6-1 a) Water all exposed soil with adequate frequency to keep soil moist at all times. b) Enclose cover or water twice daily all soil piles. c) Maintain at least two feet of freeboard on all haul trucks.	1. Prepare and submit construction dust mitigation plans, per Mitigation Measure 6.3-1. 2. Verify through a site inspection that construction activities comply with construction dust mitigation plans.	1. City of Sacramento, Public Works Department.	1. Prior to issuance of grading permit. 2. During project construction.	1. City of Sacramento, Public Works Department.

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**SOUTH MIDTOWN AREA REVITALIZATION AND TRANSPORTATION (SMART) PLAN PROJECT
MITIGATION MONITORING PLAN**

Impact	Mitigation Measure	Action	Implementing Party	Timing	Monitoring Party
EIR – 6.6 CULTURAL RESOURCES					
Project construction could result in change in significance of a historical resource.	6.6-1 The locations of the historic street features in the cultural resources study area shall be disclosed in the construction contract. Construction crews shall be made aware of historic street features locations, and these features shall be flagged or fenced off as to prevent accidental damage or removal.	1. Construction plans shall include, and clearly label the locations of historic street features. 2. The street features shall be flagged or fenced off during construction, per Mitigation Measure 6.6-1.	1. Project developer/contractor. 2. Project developer/contractor.	1. Prior to project construction. 2. During project construction.	1. City of Sacramento, Public Works Department. 2. City of Sacramento, Public Works Department.
Project construction could result in change in significance of a historical resource.	6.6-2 See Mitigation Measure 6.6-1.	See Mitigation Measure 6.6-1.	See Mitigation Measure 6.6-1.	See Mitigation Measure 6.6-1.	See Mitigation Measure 6.6-1.

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**SOUTH MIDTOWN AREA REVITALIZATION AND TRANSPORTATION (SMART) PLAN PROJECT
MITIGATION MONITORING PLAN**

Impact	Mitigation Measure	Action	Implementing Party	Timing	Monitoring Party
EIR – 6.7 BIOLOGICAL RESOURCES					
<p>Project construction could adversely affect existing street trees and heritage trees.</p>	<p>6.7-1 If project construction or construction activity occurs outside of the existing streets rights-of-way, the City shall prepare and submit a detailed tree protection/removal, replanting and replacement plan to the City tree supervisor for review and approval prior to project construction. The tree protection/removal plan shall be developed by a qualified biologist or certified arborist. Elements that shall be included in the tree protection/removal plan include:</p> <ul style="list-style-type: none"> (a) Final designs shall avoid street trees and Heritage trees where feasible. A survey shall be done prior to final designs and submitted to City tree supervisor. (b) Retained trees shall be protected from construction activity pursuant to a tree protection plan approved by the City tree supervisor. (c) The number, location, species types, and size of all trees to be removed, relocated and/or replaced. Relocated trees should be as close to the project site as feasible. (d) Planting techniques, necessary maintenance regime, success criteria, and a monitoring program. 	<p>If project construction occurs outside of the existing streets rights-of-way, submit a detailed tree protection/removal, replanting, and replacement plan to the City Arborist, per Mitigation Measure 6.7-1.</p>	<p>City, project contractor.</p>	<p>Prior to final project design.</p>	<p>City of Sacramento, Department of Public Works.</p>

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