



February 8, 2005

City Council and the Redevelopment Agency of the City of Sacramento
Sacramento, California

Honorable Members in Session:

**SUBJECT: MERGED DOWNTOWN REDEVELOPMENT PROJECT,
AMENDMENT NO. 3.**

LOCATION & COUNCIL DISTRICT: Council Districts 1, 3, and 4
Merged Downtown Redevelopment Project Area

CONTACT PERSONS: Melissa Valle, Economic Dev. Project Manager, 808-5864
Laura Sainz, Sr. Economic Dev. Project Manager, 808-2677

FOR COUNCIL MEETING OF: February 22, 2005

RECOMMENDATION:

Staff recommends that the Redevelopment Agency of the City of Sacramento (the "Agency") adopt the attached resolutions, which:

- Find that the current housing element is in compliance with the government code, that the Agency has not had a major violation in the past three years according to the Controller, and that the Agency has not accumulated an excess surplus in its low- and moderate-income housing fund; and
- Certify the Final Environmental Impact Report.

Staff recommends that the City Council adopt the attached City resolution, which:

- Certifies the Final Environmental Impact Report.

SUMMARY:

The Agency is in the process of amending the Redevelopment Plan for the Merged Downtown Redevelopment Project to add ten years to the Project Area (the "Amendment"), as permitted by the recently adopted Senate Bill 211. Pursuant to Section 33333.11 of the California Community Redevelopment Law (the "CRL"), the Agency and the Sacramento City Council (the "City Council") will hold a joint public hearing on the proposed Amendment.

Prior to the actual consideration of the Amendment, the City Council and the Agency each have separate actions to consider. The following proceedings are recommended to take place in the following order:

1. The Agency considers a resolution finding the current housing element is in compliance with the government code, that the Agency has not had a major violation in the past three years according to the State Controller, and that the Agency has not accumulated an excess surplus in its low- and moderate-income housing fund;
2. The City Council and the Agency open the Joint Public Hearing;
3. The Agency considers a resolution certifying the Final Environmental Impact Report (the "FEIR", Attachment 1) prepared in connection with the amendment;
4. The City Council considers a resolution certifying the FEIR prepared in connection with the amendment;

In addition, the Report to City Council for the Merged Downtown Redevelopment Project, Amendment No. 3, is included as Attachment 2.

BACKGROUND:

The Merged Downtown Redevelopment Project (the "Downtown Project") was created in 1986 by merging four individual Project Areas:

1. Capitol Mall Area Project, Project No 2-A (originally adopted in 1955)
2. Capitol Mall Extension Project, Project No. 3 (originally adopted in 1960)
3. Capitol Mall Riverfront Project, Project No. 4 (originally adopted in 1966)
4. Uptown Development Project, Project No. 8 (originally adopted in 1972)

The projects and programs necessary to eliminate blight in the Project Area have not been completed, leaving parts of the Project Area blighted and underutilized. To

address this problem, the City Council and the Agency are considering an amendment to the Redevelopment Plan to extend the time limit of the effectiveness of the Project Area and the time limit on the receipt of tax increment.

Extending these limits would allow the Agency to continue investing in projects and programs that eliminate blight in the Project Area and collect tax increment to pay for needed improvements. There are no other proposed changes related to this Project Area and the boundaries for the Project Area will remain the same.

To accomplish such an amendment, the Agency was required to follow the procedures in Section 33333.10 and 33333.11 of the CRL. The Agency has performed all but the final steps in those procedures. The following describes the remaining actions in more detail, based on the order in which they are to occur at the Joint Public Hearing:

1. The Agency considers a resolution finding that the current housing element is in compliance with the government code, that the Agency has not had a major violation in the past three years according to the State Controller, and that the Agency has not accumulated an excess surplus in its low- and moderate-income housing fund.

- The City of Sacramento has adopted a housing element that the State Department of Housing and Community Development (the "HCD") has determined pursuant to Section 65585 of the Government Code to be in substantial compliance with the requirements of Article 10.6 of Chapter 3 of Division 1 of Title 7 of the Government Code. Evidence for this finding is provided in a letter dated September 9, 2003, from the HCD, which states the Housing Element "adequately responds to the statutory requirements" and that it "complies with State housing law."
- During the three fiscal years prior to the year in which the proposed amendment is adopted, the Agency has not been included in the report sent by the State Controller to the Attorney General pursuant to subdivision (b) of CRL Section 33080.8 as an agency that has a "major violation" pursuant to Section 33080.8. The State Controller's office has confirmed that the Agency has not been included in the report to the Attorney General as an agency with a major violation.
- On November 19, 2004, a letter was sent via certified mail to the HCD requesting confirmation that the Agency has not accumulated an excess surplus in its Low- and Moderate-Income Housing Fund. To date, a response has not been received. According to the CRL, compliance with this requirement shall be deemed confirmed if the HCD does not respond to the written request of the Agency for this determination within 90 days after receipt of the written request

2. *City Council/Agency open Joint Public Hearing*

The City Council and the Agency may now conduct a joint public hearing on the proposed Redevelopment Plan and FEIR and take testimony in favor of and/or in opposition to the proposed Redevelopment Plan. This means that the City Council and the Agency will be formally convened at the same time. At the conclusion of the joint public hearing, the City Council may introduce the ordinance approving the Amendment.

3. *Agency certifies the Final Environmental Impact Report*

The Agency, as the body originating the proposed Amendment, may certify the FEIR prepared for the Amendment.

4. *City Council certifies the Final Environmental Impact Report*

The City Council, as the legislative body, has final authority and discretion over the Amendment. Therefore, it is appropriate that the City Council, as a responsible agency, certify the FEIR after the Agency has done so and prior to introducing the ordinance approving the proposed Amendment. The resolution includes certain findings with respect to the FEIR and the environmental impacts described therein.

On today's, February 22, 2005 City Council consent calendar the City Council approved the publication of the ordinance titles amending the Redevelopment Plan for the Merged Downtown Redevelopment Project Area and continue the item for adoption to March 15, 2005.

Adoption of the City ordinance is scheduled to be held on March 15, 2005 and will take place as a consent item. The City ordinance adopting the amended Redevelopment Plan will become effective thirty (30) days following its second reading.

FINANCIAL CONSIDERATIONS:

Costs associated with this action have already been budgeted for the current fiscal year.

ENVIRONMENTAL CONSIDERATIONS:

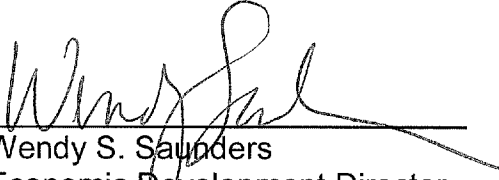
A FEIR has been prepared in connection with this proposed amendment and is provided for City Council and Agency consideration and adoption as stated in the Resolutions accompanying this staff report.

POLICY CONSIDERATIONS:

The actions are consistent with the adopted Implementation Strategy and Action Plan for the Merged Downtown Redevelopment Project Area, and with the strategies outlined in the Economic Development Department Strategy Framework.

ESBD CONSIDERATIONS: None.

Respectfully submitted,


Wendy S. Saunders
Economic Development Director

RECOMMENDATION APPROVED:

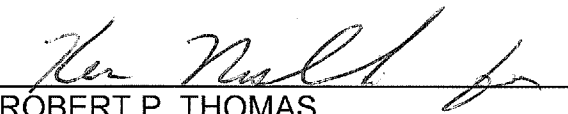

ROBERT P. THOMAS
City Manager

Table of Contents:

1. Attachment 1: FEIR, Page 6
2. Attachment 2: Report to City Council, Page 7
3. Agency Resolution finding the current housing element is in compliance with the government code, that the Agency has not had a major violation in the past three years according to the Controller, and that the Agency has not accumulated an excess surplus in its low- and moderate-income housing fund, Pages 8-9
4. Agency Resolution certifying the EIR and adopting the findings of fact statement of overriding considerations for the Environmental effects of the Merged Downtown Redevelopment Project, Amendment No. 3, Pages 10-73
 - Exhibit A: Agency Findings of Fact and Statement of Overriding Consideration, Pages 13-42
 - Exhibit B: Agency Mitigation Monitoring Plan, Pages 43-73
5. City Council Resolution adopting the findings of fact and statement of overriding considerations for the Environmental effects of the Merged Downtown Redevelopment Project, Amendment No. 3, Pages 74-106
 - Exhibit C: City Council Findings of Fact and Statement of Overriding Consideration, Pages 77-106
 - Exhibit D: City Council Mitigation Monitoring Plan, Pages 107-137

Attachment 1

Merged Downtown Redevelopment Plan Amendment

Final Environment Impact Report

February 3, 2005

Due to the size of this 80-page document,
a copy is on file with the
City of Sacramento's Office of the City Clerk

Attachment 2

Report to City Council for the
Merged Downtown Redevelopment Project,
Amendment No. 3
January 4, 2005

Due to the size of this 144-page document,
a copy is on file with the
City of Sacramento's Office of the City Clerk

RESOLUTION NO. _____

ADOPTED BY THE REDEVELOPMENT AGENCY OF THE CITY OF SACRAMENTO

ON DATE OF _____

**A RESOLUTION OF THE REDEVELOPMENT AGENCY OF THE CITY OF
SACRAMENTO FINDING THE CURRENT HOUSING ELEMENT IS IN COMPLIANCE
WITH THE GOVERNMENT CODE, THE AGENCY HAS NOT HAD A MAJOR
VIOLATION IN THE PAST THREE YEARS ACCORDING TO THE STATE
CONTROLLER, AND THE AGENCY HAS NOT ACCUMULATED AN EXCESS
SURPLUS IN ITS LOW- AND MODERATE-INCOME HOUSING FUND**

WHEREAS, the Redevelopment Agency of the City of Sacramento (the "Agency") has prepared an amendment to the Redevelopment Plan for the Merged Downtown Redevelopment Project (the "Plan Amendment") in compliance with the California Community Redevelopment Law (Health and Safety Code, Sections 33000, *et seq.*); and

WHEREAS, Section 33333.10 (h) of the California Community Redevelopment Law (the "CRL") states that the Agency may not approve the Plan Amendment until certain findings are made; and

WHEREAS, the current Housing Element of the Sacramento General Plan is in substantial compliance with the requirements of Article 10.6 of Chapter 3 of Division 1 of Title 7 of the Government Code; and

WHEREAS, the Agency has not during the past three fiscal years prior to the adoption of the proposed Plan Amendment been included in the report sent by the State Controller to the Attorney General pursuant to subdivision (b) of CRL Section 33080.8 as an agency that has a "major violation" pursuant to Section 33080.8 of the CRL as confirmed in a conversation with and an e-mail from Betty Moya at the State Controller's Office on November 24, 2004 verifying that the Agency is not on the State Controllers list for audit findings; and

WHEREAS, the Department of Housing and Community Development has confirmed the Agency has not accumulated an excess surplus, as defined by Section 33334.12 of the Government Code, in its low- and moderate-income housing fund; as a written request by the Agency and provision of the information requested by the HCD was issued and not responded to within 90 days after receipt of the written request, therefore pursuant to subdivision (h) of CRL Section 33333.10 compliance with this requirement shall be deemed confirmed,

NOW, THEREFORE, be it resolved by the Redevelopment Agency of the City of Sacramento as follows:

Section 1: The Agency finds the current Housing Element to be in conformance with the Government Code. The State Department of Community Development has found that the Housing

FOR CITY CLERK USE ONLY

RESOLUTION NO.: _____

DATE ADOPTED: _____

Element of the Sacramento General Plan is in substantial compliance with the requirements of Article 10.6 of Chapter 3 of Division 1 of Title 7 of the Government Code.

Section 2: The Agency finds it has not during the past three fiscal years prior to the adoption of the proposed Plan Amendment been included in the report sent by the State Controller to the Attorney General pursuant to subdivision (b) of CRL Section 33080.8 as an agency that has a "major violation" pursuant to Section 33080.8 of the CRL.

Section 3: The Agency finds it has not accumulated an "excess surplus", as defined by Section 33334.12 of the Government Code, in its low- and moderate-income housing fund.

Section 4: The Secretary shall certify to the passage and adoption of this resolution, and it shall thereupon take effect and be in force.

ADOPTED, SIGNED AND APPROVED this 22nd day of February, 2005.

ATTEST:

CHAIR

SECRETARY

FOR CITY CLERK USE ONLY

RESOLUTION NO.: _____

DATE ADOPTED: _____

9

RESOLUTION NO. _____

ADOPTED BY THE REDEVELOPMENT AGENCY OF THE CITY OF SACRAMENTO

ON DATE OF _____

CERTIFYING THE ENVIRONMENTAL IMPACT REPORT AND ADOPTING THE FINDINGS OF FACT AND STATEMENT OF OVERRIDING CONSIDERATIONS FOR ENVIRONMENTAL EFFECTS OF THE MERGED DOWNTOWN REDEVELOPMENT PROJECT, AMENDMENT NO. 3.

WHEREAS, a Draft Environmental Impact Report ("DEIR") on the Merged Downtown Redevelopment Project, Amendment No. 3 ("Amendment") has been prepared by the Redevelopment Agency of the City of Sacramento ("Agency") pursuant to the California Environmental Quality Act (Public Resources Code Section 21000 *et. seq.*, herein "CEQA") and the administration guidelines thereunder (14 Cal. Code of Regs. Section 15000 *et. seq.*, hereinafter the "CEQA Guidelines") and local procedures adopted by the Agency pursuant thereto;

WHEREAS, notice to all interested persons and agencies inviting comments on the DEIR has been published in a newspaper of general circulation;

WHEREAS, the Final Environmental Impact Report ("Final EIR") consisting of the Draft EIR, as revised and supplemented, incorporating all comments received and the responses of the Agency thereto was prepared and made part of the Agency's Report to the City Council on the Amendment; and

WHEREAS, notice has been duly given, a joint public hearing has been held by the City of Sacramento and the Agency on February 22, 2005 at 2 p.m. on the Amendment and the Final EIR, and all interested persons present have been heard, and all comments and responses thereto have been considered.

NOW, THEREFORE, BE IT RESOLVED BY THE REDEVELOPMENT AGENCY OF THE CITY OF SACRAMENTO THAT:

Section 1: The statements in the recitals above are true and correct.

Section 2: The Agency hereby certifies and finds that: (i) the Final EIR has been prepared and processed in compliance with CEQA; and (ii) the Final EIR, the Findings and Statement of Overriding Considerations and the Mitigation Monitoring Plan represent the Agency's independent judgment and analysis. The Agency hereby adopts the Findings of Fact and Statement of Overriding Considerations attached hereto as Exhibit A and the Mitigation Monitoring Plan attached hereto as Exhibit B.

FOR CITY CLERK USE ONLY

RESOLUTION NO.: _____

DATE ADOPTED: _____

10

Section 3: The Agency hereby makes the finding that changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effects, as identified in the FEIR, of: 1) Vehicular access to development sites that could block sidewalks, streets, or alleys, 2) potential demand for parking to exceed supply; 3) construction noise at sensitive receptors; 4) exposure of existing or planned land uses to noise that would conflict with local planning guidelines or noise ordinance criteria; 5) construction-induced vibration impacts; 6) loss or degradation of known or undiscovered prehistoric and historic resources; 7) potential alteration of historic resources; 8) effects on existing viewsheds along designated important view corridors; 9) potential redevelopment of previously identified or unidentified contaminated sites; 10) exposure to flood hazard areas; 11) exceedance of Sacramento Regional County Sanitation District capacity; 12) effects on hydrology and levees; 13) potential loss of heritage trees; 14) effects to existing street trees; 15) potential loss of special status riverine species; 16) cumulative demand for fire services; 17) interference with Public Safety Microwave Network and National Weather Service telecommunications; 18) interference with in-building police and fire communications; and 19) interference with the Automated Local Evaluation in Real Time System. The Agency has adopted such changes in the Mitigation Monitoring Plan for the Amendment, as provided in Exhibit B. These findings are supported by substantial evidence in the record of the proceeding(s) before the Agency. Each of these impacts is considered in Exhibit A.

Section 4: As to the significant and unavoidable environmental effects identified in Exhibit A to this resolution, the Agency hereby adopts the following statement of overriding consideration:

The Agency hereby finds that, based on the findings and statement of facts set forth above, and based on the Final EIR and/or other information contained in the record, its actions to carry out the Amendment are supported because the Amendment will:

- (a) Eliminate blighting influences and correct environmental deficiencies in the Merged Downtown Redevelopment Project Area (Project Area), including among others: unsafe or unhealthy buildings; factors that prevent or substantially hinder economically viable use or capacity of buildings or lots; incompatible land uses; subdivided lots of irregular shape and inadequate size for property usefulness; depreciated or stagnant property values or impaired investments; presence of hazardous wastes; abnormally high business vacancies, vacant lots, or abandoned buildings; lack of necessary neighborhood-serving commercial facilities; residential overcrowding; and excess of bars, liquor stores or adult-oriented uses; and, a high crime rate that threatens the public health, safety and welfare;
- (b) Provide increased sales, business license and other fees, taxes, and revenues to the City of Sacramento;
- (c) Increase, preserve, or improve the community's supply of low- and moderate-income housing (inside or outside of the Project Area);
- (d) Strengthen the economic base of the Project Area and the community by installing needed site improvements which will stimulate new industrial and commercial expansion, new employment and economic growth;

FOR CITY CLERK USE ONLY

RESOLUTION NO.: _____

DATE ADOPTED: _____

- (e) Assemble land into parcels suitable for modern, integrated development with improved pedestrian and vehicular circulation in the Project Area;
- (f) Increase retail, industrial and commercial use in the Project Area;
- (g) Provide public improvements and infrastructure to facilitate development;
- (h) Assist with the development of new uses in concert with the community vision for Downtown, Sacramento.

Section 5: The Environmental Coordinator of the Agency is hereby directed to file a Notice of Determination with the County Clerk of Sacramento County pursuant to the provisions of Section 15096(i) of the State CEQA Guidelines.

ATTEST:

CHAIR

SECRETARY

FOR CITY CLERK USE ONLY

RESOLUTION NO.: _____

DATE ADOPTED: _____

**CEQA STATEMENT OF FINDINGS OF FACT
AND
STATEMENT OF OVERRIDING
CONSIDERATIONS**

FOR

**MERGED DOWNTOWN
REDEVELOPMENT PLAN AMENDMENT
SACRAMENTO, CALIFORNIA**

(State Clearinghouse Number 2004082023)

Prepared By:

Gail Ervin Consulting
for the
City of Sacramento
City of Sacramento, Economic Development Department
Downtown Development Group

February 3, 2005

**RESOLUTION OF THE REDEVELOPMENT AGENCY OF THE CITY OF
SACRAMENTO CERTIFYING THE FINAL ENVIRONMENTAL IMPACT
REPORT FOR THE MERGED DOWNTOWN REDEVELOPMENT PLAN
AMENDMENT**

The Redevelopment Agency of the City of Sacramento (Agency) does hereby find, determine, and resolve as follows:

I. CEQA Findings

1. The Agency finds that the Environmental Impact Report for the Merged Downtown Redevelopment Plan Amendment (herein EIR) which consists of the Draft EIR and Final EIR has been completed in accordance with the requirements of the California Environmental Quality Act (CEQA), the State CEQA Guidelines and the Sacramento Local Environmental Procedures.
2. The Agency 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 Agency certifies that the EIR has been presented to it and that the Agency has reviewed it and considered the information contained therein prior to acting on the Project.
4. Pursuant to CEQA Guidelines Section 15093, and in support of its approval of the Merged Downtown Redevelopment Plan Amendment, the Agency hereby adopts the attached Findings of Fact and Statement of Overriding Considerations and a Mitigation Monitoring Program to require all reasonably feasible mitigation measures be implemented.

II. Procedural Findings

1. The Agency 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 of the Draft EIR was filed with the Office of Planning and Research on August 4, 2004.
3. A Notice of Completion (NOC) and copies of the Draft EIR were distributed to the State Clearinghouse on November 5, 2004 to those public agencies which 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 November 5, 2004, and ended on December 20, 2004.
5. A Notice of Availability was distributed to all responsible and trustee agencies and interested groups, organizations, and individuals on November 5, 2004 for the Draft EIR. The Notice of Availability stated that the Redevelopment Agency had completed the Draft EIR and that copies were available at the Downtown Development Group, 1030 15th Street, Suite 250, Sacramento, California 95814. The letter also indicated that the official forty-five day public review period for the Draft EIR would end on December 20, 2004.
6. A public notice was placed in the Sacramento Bee on November 5, 2004, which stated that the Merged Downtown Redevelopment Plan Amendment Draft EIR was available for public review and comment.
7. A public notice was posted with the Sacramento County Clerk/Recorder's Office on November 5, 2004, which stated that the Merged Downtown Redevelopment Plan Amendment Draft EIR was available for public review and comment.
8. Following closure of the public comment period, the Draft EIR was supplemented to incorporate comments received and the Agency's responses to said comments, including additional information included in the Final EIR.
9. 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 Agency makes the following determinations:
 - A. The EIR consists of the Draft EIR and Final EIR.
 - B. The EIR was prepared and completed in compliance with CEQA.
 - C. The EIR has been presented to the Agency which reviewed and considered the information therein prior to acting on the Merged Downtown Redevelopment Plan Amendment proposal.
10. 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:
 - 1) *City of Sacramento General Plan*, City of Sacramento, January 19, 1988.
As amended through April 2000.

- 2) *City of Sacramento Zoning Code*, current through Ordinance 2004-036 and the September, 2004 code update, City of Sacramento, <http://ordlink.com/codes/sacramento/index.htm>.
- 3) *City of Sacramento General Plan Update Draft and Final Environmental Impact Report*, City of Sacramento, Draft EIR dated March 2, 1987, and Final EIR dated September 30, 1987.
- 4) *Guide to Air Quality Assessment in Sacramento County*, Sacramento Metropolitan Air Quality Management District, July 2004.
- 5) *2010 Sacramento City/County Bikeway Master Plan Environmental Impact Report*, County of Sacramento, September 1992.
- 6) *Sacramento Register*, City of Sacramento Listing of Landmarks, Historic Districts, and Contributing Resources. Updated August 2004.
- 7) *Land Use Planning Policy Within the 100-Year Flood Plain in the City and County Of Sacramento, Draft Environmental Impact Report and Addendums*, City of Sacramento, September 18, 1989.
- 8) *Railyards Specific Plan / Richards Blvd Area Plan EIR*, Volumes 1-6, City of Sacramento, 1992-93.
- 9) *Railyards Specific Plan / Richards Blvd Area Plan Draft Supplement EIR*, City of Sacramento, 1994.
- 10) *Mitigation Monitoring Program for the Railyards Specific Plan/Richards Boulevard Area Plan Environmental Impact Report*, City of Sacramento, November 24, 1993.
- 11) *Central City Neighborhood Design Guidelines*, City of Sacramento, September 1999.
- 12) *Cultural and Entertainment District Master Plan*, City of Sacramento, adopted May 1990.
- 13) *R-Street Corridor Plan*, City of Sacramento, December 1996.
- 14) *Sacramento Central City Community Plan*, City of Sacramento, May 15, 1980. As amended through September 2003.
- 15) *Sacramento Central City Housing Strategy*, Sacramento Housing and Redevelopment Agency and Department of Planning and Development, City of Sacramento, May, 1991.
- 16) *Sacramento Riverfront Master Plan*, Cities of Sacramento and West Sacramento, 2003. Accessible from <http://www.cityofsacramento.org/riverfrontmasterplan>.
- 17) *Sacramento Downtown Redevelopment Plan Update, Draft Environmental Impact Report*, Sacramento Housing and Redevelopment Agency, April 1985.

- 18) *City of Sacramento Infill Strategy*, City of Sacramento. Adopted May 14, 2002.
- 19) *Preliminary Report for the Merged Downtown Redevelopment Project, Amendment No. 3*, City of Sacramento Downtown Development Group, October 22, 2004.
- B. The Mitigation Monitoring Plan dated February 3, 2005.
- C. Testimony, documentary evidence and all correspondence submitted or delivered to the Agency in connection with the Agency hearing on this project and associated EIR.
- D. All staff reports, memoranda, maps, letters, minutes of meetings, and other documents relied upon or prepared by Agency 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.

FINDINGS OF FACT AND STATEMENT OF OVERRIDING CONSIDERATIONS REGARDING THE ENVIRONMENTAL IMPACT REPORT FOR THE MERGED DOWNTOWN REDEVELOPMENT PLAN AMENDMENT

The Environmental Impact Report for the Merged Downtown Redevelopment Plan Amendment (Project), 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 alternatives to the project.

The Agency prepared an amendment to the Merged Downtown Redevelopment Plan for the Merged Downtown Redevelopment Project Area. The Redevelopment Plan was created in 1986 by merging four individual Project Areas (Component Areas):

1. Capitol Mall Area Project, Project No 2-A (originally adopted in 1955)
2. Capitol Mall Extension Project, Project No. 3 (originally adopted in 1960)
3. Capitol Mall Riverfront Project, Project No. 4 (originally adopted in 1966)
4. Uptown Development Project, Project No. 8 (originally adopted in 1972)

The proposed project would amend the Redevelopment Plan for the Merged Downtown Redevelopment Area, (the Redevelopment Plan or the Project Area) pursuant to Health and Safety Code Section 33333.10, extending the effectiveness of all four Component Areas and the time for collecting tax increment by 10 years. Extending the time limits as described will also cause secondary changes in the manner the Redevelopment Plan is implemented, including: 1) an increase in contributions to the low- and moderate-income housing fund from 20 percent to 30 percent of gross tax increment revenues; 2) a prohibition in spending tax increment funds in areas that are identified by the proposed Amendment as no longer blighted beginning on the date each component of the Merged Project Area's effectiveness lapses (this does not apply to the Agency's low- and moderate-income housing funds); and 3) the date each component area's effectiveness lapses, the Agency may only expend funds from the low- and moderate-income housing fund on housing units for low- and very low-income households, except that the Agency may spend up to 15 percent of those funds on moderate-income housing units, with the proviso that the number of moderate-income units assisted is no more than the number of extremely low-income units assisted.

As part of the amendment process, the Agency will slightly revise and update the Implementation Plan (2000-2004). Redevelopment actions outlined in the Implementation Plan include assembling parcels and/or assisting developers to upgrade inadequate infrastructure, such as the combined sewer system, hollow sidewalks and seismic retrofits; attract new businesses and retain and improve existing businesses; improve visual/aesthetic appearance with programs such as the Façade Grant Program; implement the Downtown Cultural and Entertainment District Master Plan; provide a clean and safe environment; and improve/upgrade the appearance and safety of downtown area streets, sidewalks and alleys.

The Implementation Plan and the Amendment also specify a number of housing policies, programs, activities, and goals regarding the production of low- and moderate-income housing units, the identification of locations suitable for replacement housing units rehabilitated, developed, or constructed, and the expenditure of tax increment for housing purposes.

All projects and programs previously adopted by the Agency in conjunction with the Redevelopment Plan and subsequent plan amendments and implementation plans will continue to be implemented to address the blight on the properties identified. The proposed Amendment does not change any of the Redevelopment Plan's established purposes or goals. The ongoing redevelopment projects, programs and activities of the Agency, identified in the Redevelopment Plan for the Project Area, include: 1) property owner, tenant and business owner participation; 2) construction, reconstruction, and installation of public improvements and facilities; 3) demolition, clearance and site preparation for the construction of buildings and public improvements; 4) relocation assistance; 5) construction and enhancement of low- and moderate-income housing; 6) property acquisition; 7) property disposition; 8) public and private cooperation; 9) establishment of restrictions and enforcement programs; and 10) other actions as appropriate.

A. Significant Impacts Which Can Be Avoided

FINDING

As authorized by Public Resources Code Section 21081 and Title 14, California Administrative Code Sections 15091, 15092, and 15093, the Agency 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 EIR.

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

- 1) Impact 6.1-3: Vehicular access to development sites could block sidewalks, streets, or alleys.**
(DEIR pages 6.1-26 through 6.1-27).

A. SIGNIFICANT IMPACT

Detailed information on development access design is not available for future projects in the Project Area. Depending on the access design, peak period access to project parking could result in queuing across sidewalks, light rail tracks, and into City streets. In addition, service vehicle access could result in vehicles backing in City streets or blocking alleys. This is considered a significant impact.

B. FACTS IN SUPPORT OF FINDING

The significant effect listed above will be reduced to a less-than-significant level with the implementation of the following mitigation measure:

- 6.1-3a Parking garage entrances shall be designed with adequate entry lanes, queuing space, and revenue control systems to avoid queuing onto City sidewalks with a 95 percent probability during the am peak hour on a typical day.
- 6.1-3b Loading dock access shall be designed to avoid maneuvering on city streets, so as not to interfere with other traffic. If such design is deemed infeasible, a staging area shall

be provided for service vehicles. Vehicles shall back onto the loading dock area under the guidance of traffic control personnel to be stationed at the loading dock area.

2) Impact 6.1-4: *The Amendment could cause the demand for parking to exceed supply*
(DEIR pages 6.1-27 through 6.1-28).

A. POTENTIALLY SIGNIFICANT IMPACT

It is unknown where or how parking will be provided for redevelopment projects, or if it will be sufficient to meet the needs of proposed development. In addition, redevelopment projects are not required to meet minimum parking standards in the Central Business District. Therefore, redevelopment activities in the Project Area would have a potentially significant impact on downtown parking supply.

B. FACTS IN SUPPORT OF FINDING

The potentially significant effect listed above will be reduced to a less-than-significant level with the implementation of the following mitigation measure:

- 6.1-4a New redevelopment projects shall provide parking and/or contribute to area wide parking mitigations to the satisfaction of the Department of Transportation, consistent with the recommendations outlined in the Central City Parking Master Plan.
- 6.1-4b New large commercial projects should implement an aggressive Transportation Systems Management program with a 45% goal to increase alternative modes of transportation and reduce vehicle trips to a project site.

3) Impact 6.3-1: *Construction noise at sensitive receptors*
(DEIR pages 6.3-12 through 6.3-14)

A. SIGNIFICANT IMPACT

During noisy construction periods, background ambient noise levels will be increased by more than 4 dBA and will be clearly perceivable to surrounding individuals. Construction noise could make outdoor dining and conversation in nearby sensitive areas difficult and unpleasant. Because of the potential for construction activities to have an intrusive and disturbing noise effect at nearby sensitive receptor locations, the impact would be significant.

B. FACTS IN SUPPORT OF FINDING

The significant effect listed above will be reduced to a less-than-significant level with the following mitigation measure:

- 6.3-1a Erect a solid plywood construction/noise barrier along the exposed project boundaries. The barrier should not contain any significant gaps at its base or face, except for site access and surveying openings.

- 6.3-1b Construction activities shall comply with the City of Sacramento Noise Ordinance. Pile driving activities shall be coordinated with adjacent land uses in order to minimize potential disturbance of planned activities.
- 6.3-1c Pile holes will be pre-drilled to the maximum feasible depth. This will reduce the number of blows required to seat the pile, and will concentrate the pile driving activity closer to the ground where noise can be attenuated more effectively by the construction/noise barrier.
- 6.3-1d Locate fixed construction equipment such as compressors and generators as far as possible from sensitive receptors. Shroud or shield all impact tools, and muffle or shield all intake and exhaust ports on power construction equipment.
- 6.3-1e Designate a disturbance coordinator and conspicuously post this person's number around the project site and in adjacent public spaces. The disturbance coordinator will receive all public complaints about construction noise disturbances and will be responsible for determining the cause of the complaint, and implement any feasible measures to be taken to alleviate the problem.

4) Impact 6.3-3 *Expose existing or planned land uses to noise that would conflict with local planning guidelines or noise ordinance criteria*
(DEIR page 6.3-15)

A. POTENTIALLY SIGNIFICANT IMPACT

The Noise Element policies call for the analysis of specific projects to determine whether outdoor and indoor levels would comply with the Noise Element standards. However, this requirement is triggered only on discretionary projects, and most single family infill projects would be exempt from City entitlement review. Therefore, actions to encourage residential development in areas with existing and projected ambient noise levels above 60 dB are considered potentially significant.

B. FACTS IN SUPPORT OF FINDING

The potentially significant effect listed above will be reduced to a less-than-significant level with the following mitigation measure:

- 6.3-3 Prior to construction, an applicant shall provide an acoustical analysis that identifies measures to insure interior hotel or dwelling unit noise levels of 45 dBA or less are maintained for future ambient noise levels, and exterior noise levels for balconies would not exceed 60 dB at the balconies. Such measures shall be incorporated into the design of the building in the project's construction documents to the satisfaction of the City Building Division.

5) Impact 6.3-4 *Construction-induced vibration impacts*
(DEIR pages 6.3-16 through 6.3-17)

A. POTENTIALLY SIGNIFICANT IMPACT

Construction vibrations may damage fire sprinklers in surrounding office buildings. This would be a potentially significant impact.

B. FACTS IN SUPPORT OF FINDING

The potentially significant effect listed above will be reduced to a less-than-significant level with the following mitigation measures:

- 6.3-4a Implement mitigation measure 6.3-1c.
- 6.3-4b Provide protective coverings or temporary shoring of on-site or adjacent historic features as necessary, in consultation with the Preservation Director.
- 6.3-4c The pre-existing condition of all buildings within a 50-foot radius will be recorded in order to evaluate damage from construction activities. Fixtures and finishes within a 50-foot radius of construction activities susceptible to damage will be documented (photographically and in writing) prior to construction. All damage will be repaired back to its pre-existing condition.
- 6.3-4d Locate construction staging areas away from adjacent Landmark structures.
- 6.3-4e If fire sprinkler failure failures are reported in surrounding office buildings to the disturbance coordinator, the contractor shall provide monitoring during construction and repairs to sprinkler systems shall be provided.
- 6.3-4f Should damage occur despite the above mitigation measures, construction operations shall be halted and the problem activity shall be identified. A qualified engineer shall establish vibration limits based on soil conditions and the types of buildings in the immediate area. The contractor shall monitor the buildings throughout the remaining construction period and follow all recommendations of the qualified engineer to repair any damage that has occurred to the pre-existing state, and to avoid any further structural damage.

6) Impact 6.4-1: *Loss or degradation of known or undiscovered prehistoric and historic resources*
(DEIR pages 6.4-31 through 6.4-32).

A. SIGNIFICANT IMPACT

Disruption during construction would likely result in the permanent loss of potentially important cultural resource data. Therefore, this is considered a significant impact.

B. FACTS IN SUPPORT OF FINDING

The significant effect listed above will be reduced to a less-than-significant level with the following mitigation measure:

- 6.4-1a The North Central Information Center and the City's Preservation Director shall be consulted to determine if a proposed development project would require archaeological study and/or testing be conducted as part of the site specific environmental review. Recommended study and/or testing shall be completed prior to completion of environmental review.
- 6.4-1b Foremen and key members of major excavation, trenching, and grading for sites preparation shall be instructed to be wary of the possibility of destruction of buried cultural resource materials. They shall be instructed to recognize signs of prehistoric use and their responsibility to report any such finds (or suspected finds) immediately, as specified by measure 6.4.1c below, so damage to such resources may be prevented.
- 6.4-1c Should any cultural resources, such as structural features, unusual amounts of bone or shell, artifacts, human remains, or architectural remains be encountered during any development activities, all work within 20 meters of the find shall be suspended and a qualified archaeologist shall be consulted to develop, if necessary, further mitigation measures to reduce any archaeological impact to a less than significant level before construction continues. Such measures could include (but would not be limited to) researching and identifying the history of the resource(s), mapping the locations, and photographing the resource. In addition, pursuant to Section 5097.98 of the State Public Resources Code, and Section 7050.5 of the State Health and Safety Code, in the event of the discovery of any human remains, all work is to stop and the County Coroner shall be immediately notified. If the remains are determined to be Native American, guidelines of the Native American Heritage Commission shall be adhered to in the treatment and disposition of the remains.

7) Impact 6.4-2: *Potential alteration of historic resources*
(DEIR pages 6.4-32 through 6.4-34)

A. POTENTIALLY SIGNIFICANT IMPACT

Redevelopment activities would involve rehabilitation, adaptive reuse, relocation, demolition of existing structures, and potentially alterations to public infrastructure or parks over the life of the redevelopment plan. If a property subject to relocation, demolition, alteration or rehabilitation were to represent historic resources eligible for listing in the Sacramento Register or California Register, their damage or destruction would represent a significant impact. Therefore, redevelopment activities would have a potentially significant impact on historic resources in the Project Area.

B. FACTS IN SUPPORT OF FINDING

The potentially significant effect listed above will be reduced to a less-than-significant level with the following mitigation measures:

- 6.4-2a As part of any Owner Participation Agreement (OPA), Disposition and Development Agreement (DDA), or other Agency project that would affect any structure or feature over 50 years old that has not been evaluated by the City's Preservation Director, the buildings shall first be evaluated for eligibility for listing in the California Register of Historical Places. This evaluation shall occur through the preparation of State of California DPR 523 forms for each building, and through standard CEQA evaluation.
- 6.4-2b For properties determined to be eligible for listing in the California Register, rehabilitation and reuse of these properties shall be considered over relocation or demolition, and the Secretary's Standards shall be applied to insure that treatments will maintain the authenticity and integrity of historical
- 6.4-2c If demolition of some features cannot be avoided, where those features do not remove the building from eligibility for the California Register, then the feature(s) shall be recorded to Historic American Building Survey/Historic American Engineering Record standards (HABS/HAER) standards prior to their removal. Copies of the HABS/HAER documentation shall be filed with the State Office of Historic Preservation Sacramento Archive and Museum Collection Center (SAMCC), and the Sacramento Room at the Central Branch of the Sacramento County Library. HABS/HAER recordation typically includes the following:
- a. The development of site-specific history and appropriate contextual information regarding the particular resource. In addition to archival research and comparative studies, this task could involve limited oral history collection.
 - b. Accurate mapping of the resources, scaled to indicate size and proportion of the structures.
 - c. Photo documentation of the designated resources, both in still and video formats.
 - d. Recordation by measured architectural drawings, in the case of specifically designed structures of high architectural merit; "as-built" plans of existing structures/foundation ruins will involve field measurements, office scaled plan layout, and plot out of final plan.

8) Impact 6.5-2: *Effects on existing viewsheds along designated important view corridors*

(DEIR pages 6.5-17 through 6.5-18)

A. POTENTIALLY SIGNIFICANT IMPACT

To accommodate the delivery of materials to a construction site, as well as provide an area for a mobile crane, a portion of adjacent streets may sometimes need to be utilized as a loading zone/staging area during construction. This would be a potentially significant impact on protected viewsheds.

B. FACTS IN SUPPORT OF FINDING

The potentially significant effect listed above will be reduced to a less-than-significant level with the following mitigation measures:

- 6.5-2 Project proponents shall identify appropriate construction staging away from protected view corridors, to the satisfaction of the City's Department of Transportation.

9) Impact 6.6-2: *Potential redevelopment of previously identified or unidentified contaminated sites*

(DEIR pages 6.6-18 through 6.5-19)

A. SIGNIFICANT IMPACT

Excavation could damage unidentified underground storage tanks with some remaining petroleum products that could result in the exposure of construction workers and result in associated significant adverse health effects. In addition, construction activity could uncover unknown sites of soil contamination that could result in the exposure of construction workers and result in associated significant adverse health effects. This would be a significant impact.

B. FACTS IN SUPPORT OF FINDING

The significant effect listed above will be reduced to a less-than-significant level with the following mitigation measure:

- 6.6-2a A thorough examination of past property uses shall be required for redevelopment projects involving demolition or reuse of older properties or construction on vacant land, prior to demolition or construction. This examination shall conform to the Phase I Environmental Site Assessment process established by ASTM (American Society for Testing and Materials - E1527-00), and shall include a site reconnaissance, a review of regulatory databases, interviews with persons knowledgeable of the property, and a review of past property uses using appropriate historical sources. A Phase II Environmental Site Assessment shall be conducted if deemed necessary based on the Phase I Environmental Site Assessment results.
- 6.6-2b If discolored soil, vapors, or contaminated groundwater are encountered during construction activities, all work shall cease until a qualified environmental

professional assesses the situation and appropriate action is taken to ensure the safety of workers and the public.

- 6.6-2c Construction contract documents shall include provisions for the proper handling and disposal of contaminated soil and/or dewatering water (including groundwater and contaminated rainwater) in accordance with federal, state, and local requirements.

10) Impact 6.7-3: Exposure to flood hazard areas
(DEIR page 6.7-20)

A. POTENTIALLY SIGNIFICANT IMPACT

Some projects in Project Area zones A-C could potentially be located in the AE flood hazard zone on the waterward side of the levee, such as restaurants cantilevered over the water. The hydraulic and flooding effects on the Sacramento River cannot be determined until such projects are identified. This is considered a potentially significant impact unless mitigation is incorporated

B. FACTS IN SUPPORT OF FINDING

The potentially significant effect listed above will be reduced to a less-than-significant level with the following mitigation measures:

- 6.7-3 The applicant shall demonstrate that a proposed project would not result in a significant adverse impact on the operation of the Sacramento River Flood Control System, including increases in flood water surface elevations, bank erosion near the river wall or other locations, or operations and maintenance, prior to receiving construction permits.

11) Impact 6.7-4: Exceed Sacramento Regional County Sanitation District capacity
(DEIR pages 6.7-20 through 6.5-21)

A. SIGNIFICANT IMPACT

Individual redevelopment projects would increase sewage flows to the SRCSD, and any increased sewage flows generated by redevelopment projects has the potential to exceed the capacity provided to many of the existing properties under SRCSD's contract with the City. This may cause the wet weather peak flow from the Sump 2 service area to exceed the 60-mgd contained in the current agreement, requiring additional interceptor/ treatment capacity to be provided. This would be a significant impact.

B. FACTS IN SUPPORT OF FINDING

The significant effect listed above will be reduced to a less-than-significant level with the following mitigation measure:

- 6.7-4 Project developers shall pay all required SRCSD Impact Fees for the proposed new development to provide for its fair share cost of the construction of relief interceptor sewer and treatment facilities.

12) Impact 6.7-5: Hydrology and levees

(DEIR page 6.7-21 through 6.7-22)

A. SIGNIFICANT IMPACT

Any redevelopment activity or project that is located on the Sacramento River levee and extends waterward of the ordinary high water mark could impact either the levees and / or the riverbed area between the low water marks and the high water marks, affecting the distribution of flows and velocity of flows in the Sacramento River due to increased hydraulic resistance offered by the piles and the steel support beams, and affecting water surface elevations during floods. Turbulence created by the structures in the water could also potentially increase erosion near the river wall. This would be a significant impact.

B. FACTS IN SUPPORT OF FINDING

The significant effect listed above will be reduced to a less-than-significant level with the following mitigation measure:

- 6.7-5 Redevelopment activities extending waterward of the ordinary high water mark shall address any potential hydrologic impacts, unrelated to flood flows, to River flow in the Project Area, or to adjacent or downstream areas as necessary, to the satisfaction of the Reclamation Board, the State Lands Commission and the Army Corps of Engineers.

13) Impact 6.8-1: Potential loss of heritage trees

(DEIR page 6.8-18 through 6.8-19)

A. SIGNIFICANT IMPACT

The Project Area contains trees that would be regulated under the City of Sacramento Heritage Tree Ordinance. The loss of a heritage tree would be a significant impact.

B. FACTS IN SUPPORT OF FINDING

The significant effect listed above will be reduced to a less-than-significant level with the following mitigation measure:

- 6.8-1a To the extent feasible, existing heritage trees shall be retained and incorporated into proposed development and/or landscaping plans; or,
- 6.8-1b If heritage trees cannot be avoided and will likely be removed, a certified arborist shall conduct a tree survey to identify the diameter at breast height (DBH), height, location, and health of the trees to be removed. This information is required for a permit to remove the trees. Recommendations for tree planting/replacement ratios and appropriate planting sites shall also be included in this report.

14) Impact 6.8-2: *Effects to existing street trees*
(DEIR page 6.8-19 through 6.8-20)

A. SIGNIFICANT IMPACT

Redevelopment projects in furtherance of the Amendment could result in the removal of or significant damage to existing city street trees. Construction around street trees for foundations and construction staging can result in root and canopy loss, which would not only affect the trees' health and aesthetics but also jeopardize their stability in high winds. This would be a significant impact

B. FACTS IN SUPPORT OF FINDING

The significant effect listed above will be reduced to a less-than-significant level with the following mitigation measure:

- 6.8-2a Prior to the issuance of building permits, a project proponent shall provide a final site plan for the project to the City Arborist, which plots existing trees, identifies the size, species types and location of those that are proposed for removal, and identifies utilities to be installed and their proposed location relative to existing street trees. The Arborist shall review the plan and determine which trees, if any, are acceptable for removal (Section 6-1-3c).
- 6.8-2b Existing street trees will be preserved and protected to the maximum extent feasible, as determined by the City Arborist. A tree protection plan will be developed consistent with Chapter 12.64. An ISA Certified Arborist will be retained by the developer and/or construction contractor to monitor the tree protection plan and make weekly inspections of the project site during construction. The arborist will monitor and take any required action to ensure the health of the trees.

15) Impact 6.8-4: *Potential loss of special status riverine species*
(DEIR page 6.8-21 through 6.8-23)

A. POTENTIALLY SIGNIFICANT IMPACT

Construction impacts are associated with the driving of steel piles and dolphins into the riverbed and the placement of additional riprap at specific locations. The in-water placement of such structures would be a potentially significant impact special status species.

B. FACTS IN SUPPORT OF FINDING

The potentially significant effect listed above will be reduced to a less-than-significant level with the following mitigation measures:

- 6.8-4a Project proponents shall consult with the USFWS and the NOAA Fisheries, and all necessary FESA consultations shall be completed prior to project construction.
- 6.8-4b Project proponents shall consult with the CDFG and, if appropriate, obtain a Streambed Alteration Agreement prior to project construction.

- 6.8-4c Project proponents shall consult with the USACE and, if appropriate, obtain a permit or authorization under Section 10 of the Rivers Harbor Act and Section 404 of the Clean Water Act prior to project construction.
- 6.8-4d In order to avoid and minimize impacts on the federally-listed species, all in-water work shall be confined to the period between July 1 and September 15, or as designated on federal and state permits. This in-river construction window represents the common/overlap period of allowable construction windows for these species.
- 6.8-4e Project proponents shall prepare and implement any vegetation removal/replacement/relocation plan in accordance with requirements imposed by the CDFG, USFWS, and the City of Sacramento for riparian habitat.

16) Impact 6.9.1: Cumulative demand for fire services
(DEIR page 6.9-5 through 6.9-6)

A. SIGNIFICANT IMPACT

Redevelopment projects within the Project Area could include office, residential and hotel towers significantly taller than 100 feet, which is above the ability of ladders to provide evacuation in an emergency. This would increase downtown demand for fire protection and emergency services, contributing to a cumulative demand in the Central City for an additional fire station, equipment, and company. This would be a significant impact.

B. FACTS IN SUPPORT OF FINDING

The significant effect listed above will be reduced to a less-than-significant level with the following mitigation measure:

- 6.9-1a The Sacramento City Fire Department shall prepare for a new fire station and company in the Central City, the timing for a new station and company that would ensure adequate response times are maintained downtown, and the fair share cost that should be applied to any new development.
- 6.9-1b A proposed project proponent shall agree to pay the fair share assessment amount identified in a SCFD nexus study and approved by the City Council. This assessment shall be payable to the Sacramento City Fire Department for allocation to a new fire station and company in the Central City.

17) Impact 6.10-2: Interference with Public Safety Microwave Network and National Weather Service telecommunications
(DEIR page 6.10-4).

A. SIGNIFICANT IMPACT

Any high-rise redevelopment project in the Project Area that includes office towers over 200 feet in height within the microwave path may interfere with Network signals. This would be a significant impact for potential high-rise projects in zones I and J.

B. FACTS IN SUPPORT OF FINDING

The significant effect listed above will be reduced to a less-than-significant level with the following mitigation measure:

- 6.10-2 The project sponsor shall consult with the California Department of General Services, Telecommunications Division, to determine if a proposed structure over 200 feet in height in zone I or J may interfere with the microwave path. Mitigation measures shall be developed and incorporated into the project design to the satisfaction of the Telecommunications Division.

18) Impact 6.10-3: *Interference with in-building police and fire communications*
(DEIR page 6.10-4 through 6.10-5)

A. SIGNIFICANT IMPACT

Redevelopment projects could be developed with one sub-grade level that could prevent public safety radio signals from being received in or sent from the lower level. This impact would occur as a result of a building structure itself interfering with the radio signals. This would be a significant impact.

B. FACTS IN SUPPORT OF FINDING

The significant effect listed above will be reduced to a less-than-significant level with the following mitigation measure:

- 6.10-3 A proposed project's sponsor shall work with the City's Communication Section to determine if in-building radio amplification is needed to provide the minimum signal levels required for PS radio communications. If amplification is needed, the project sponsor shall install a Radio Re-radiation System tuned to the SRRCS public safety radio band. The lower levels of the building shall have a BDA radio system to work with the existing SRRCS public safety radio band, an 800 MHz PS trunked radio system. The system shall receive outbound traffic from the PS system via a rooftop antenna, amplify it, and rebroadcast it through a distributed antenna system in the lower levels of the building. The BDA shall also receive PS radio signals from the lower floors of the building, amplify them, and rebroadcast them through the rooftop antenna back to the PS radio system. The rooftop antenna shall be directional in nature and have a line of sight path to the PS antenna on top of the Sacramento County Jail. Since there are a large number of radio signals in the downtown area, the system shall be broadband enough to pass signals from 821 to 824 MHz and signals from 866 through 869 MHz. Band pass filters shall block all other signals. Floors above the first level shall have adequate PS radio coverage without additional amplification. Each radio system must be custom designed for the structure requiring radio coverage.

19) Impact 6.10-4: *Interference with the Automated Local Evaluation in Real Time System*
(DEIR page 6.10-6)

A. POTENTIALLY SIGNIFICANT IMPACT

Any new buildings in the downtown area that exceed an elevation of 102 feet mean sea level (msl) could interfere with rain gage, stream gage, and weather station radio signals transmissions (Johnson, 2004). This would render a portion of the County's ALERT system inoperable, making it impossible to obtain gage readings during storm events and interfere with the County's ability to predict potential flood locations. This would be a potentially significant impact.

B. FACTS IN SUPPORT OF FINDING

The potentially significant effect listed above will be reduced to a less-than-significant level with the following mitigation measures:

- 6.10-4 A proposed project's sponsor shall solve any radio reception problems as required by the County Department of Water Resources, such as adding repeaters or directional antennas, in a manner consistent with the Sacramento Urban Design Plan. The facilities may be included with other necessary communication equipment.

B. *Significant Impacts Which Cannot Be Avoided*

FINDING

The Agency finds that, where feasible, the changes or alterations have been required in, or incorporated into, the Project which reduce the significant environmental impacts listed below as identified in the EIR. However, specific economic, social, or other considerations make infeasible mitigation measures or project alternatives to reduce the following impacts to a less-than-significant level. This finding is supported by evidence in the record of the proceeding before the Agency including the Draft and Final EIR prepared for this project and the General Plan for the City of Sacramento and the associated EIR. All available, reasonably feasible mitigation measures identified in the EIR are employed to reduce the magnitude of the impacts, even if the reduction is not to a less-than-significant level. Also incorporated into this section are the findings and facts stated in Section C that reject the Project Alternatives for failure or infeasibility to mitigate the potential effect and achieve the basic objectives of the project.

20) Impact 6.1-1: *Cumulative traffic increases in the Central City*
(DEIR pages 6.1-24 through 6.1-25 and FEIR pages 21-23)

A. SIGNIFICANT IMPACT

The City of Sacramento adopted a Findings of Fact and Statement of Overriding Considerations for the Adoption of the Sacramento General Plan Update for cumulative traffic impacts to the Central City. The proposed Merged Downtown Redevelopment Plan Amendment falls within the scope of the SGPU Program EIR and the findings adopted for the City's General Plan Update. However, because of the changes in underlying development assumptions, it is

anticipated that development encouraged by redevelopment may result in significant impacts over and above those previously analyzed in the SGPU EIR.

B. FACTS IN SUPPORT OF FINDING

The following mitigation measure is required to reduce the intensity of impacts for the Project:

- 6.1-1 The City monitors roadway conditions and determines when improvements are warranted per City standards and criteria, and includes such improvements in their Capital Improvements Program as appropriate. As site specific development proposals are identified and submitted to the City for permits, the City has procedures and requirements in place to analyze operational impacts and imposed mitigation measures as required, for both the local street system and freeway interchanges. No other mitigation measures are available at the programmatic level.

21) Impact 6.2-1: Short-term construction increases in regional criteria pollutants (DEIR pages 6.1-25 through 6.1-26)

A. POTENTIALLY SIGNIFICANT IMPACT

The SMAQMD provides a list of development types that typically trigger their significance criteria. Based on the potential development levels identified for the Project Area zones over the life of the Amendment, the types and sizes of development in the Project Area could exceed the construction screening criteria. Therefore, short-term increases in regional criteria pollutants would be potentially significant.

B. FACTS IN SUPPORT OF FINDING

The following mitigation measure is required to reduce the intensity of impacts for the Project:

- 6.2-1a The Agency, when lead agency under CEQA, shall contact the SMAQMD early in the CEQA process to confirm whether construction emissions screening may be used for a given project.
- 6.2-1b All redevelopment projects which are within 10% of the values indicated shall analyze potential construction emissions prior to project approvals, as determined by SMAQMD, including a potential health risk analysis for diesel exhaust particulate matter.
- 6.2-1c The Agency shall work with SMAQMD to customize a construction mitigation program appropriate for the project.

22) Impact 6.2-2: Project specific operational increases in regional criteria pollutants. (DEIR pages 6.2-15 through 6.2-16 and FEIR pages 15 through 17).

A. POTENTIALLY SIGNIFICANT IMPACT

The SMAQMD provides a list of development types that typically trigger their NOX screening criteria. These include apartment developments of 1,070 or more units, office buildings of

841,000 sf., or hotels over 1,100 rooms. Although no individual zone has identified any potential residential developments of this size, it is probable that office or hotel uses of this size could be developed. Therefore, implementation of the Amendment would result in a *potentially significant impact* on operational emissions.

B. FACTS IN SUPPORT OF FINDING

The following mitigation measure is required to reduce the intensity of impacts for the Project:

- 6.2-2 All redevelopment projects which are determined to be potentially significant using the recommended SMAQMD methodologies of estimating emissions from operational activities shall work with SMAQMD to customize an operational mitigation plan appropriate for the project. Said plan will accompany the project through the Lead Agency's approval process.

23) Impact 6.2-6: *Shadow conditions from project area redevelopment* (DEIR page 6.2-18)

A. POTENTIALLY SIGNIFICANT IMPACT

There is the potential for high-rise redevelopment projects in zones B, F, G, I, K, O and Q to result in shading of residential units or public space such as Cesar E. Chavez Plaza. This is a potentially significant impact.

B. FACTS IN SUPPORT OF FINDING

The following mitigation measure is required to reduce the intensity of impacts for the Project:

- 6.2-6 All high-rise redevelopment projects adjacent to residential and/or public outdoor spaces to the east and north shall conduct a shadow analysis to determine the length and duration of shadow effects on adjacent properties. Mitigation measures for significant shading impacts shall be incorporated to the extent feasible.

24) Impact 6.2-7: *Wind effects from project area redevelopment* (DEIR page 6.2-19)

A. SIGNIFICANT IMPACT

Implementation of the Amendment could result the construction of tall buildings in the Project Area; depending the height, location relative to other tall buildings, and design and construction materials, wind speeds at pedestrian levels could exceed the comfort level criterion for pedestrians, and cause discomfort and difficulties if adjacent to outdoor café uses and public uses. Wind speeds during storm events could also exceed the hazard criterion at both street level, and on the accessible roofs of adjacent buildings, such as parking garages. This would be a significant impact.

B. FACTS IN SUPPORT OF FINDING

The following mitigation measure is required to reduce the intensity of impacts for the Project:

- 6.2-7a A wind tunnel analysis shall be conducted on all redevelopment projects that are more than five stories taller than the surrounding buildings and trees.
- 6.2-7b Building designs shall implement the recommendations of the Urban Design Plan, and avoid tall flat surfaces square to strong winds. Landscaping that includes a dense planting of both short and tall trees within the public spaces around the project buildings shall be provided to reduce pedestrian level wind effects.

25) Impact 6.4-3: *Potential removal or destruction of historic resources*
 (DEIR pages 6.4-34 through 6.4-35 and FEIR pages 28 and 32)

A. SIGNIFICANT IMPACT

Redevelopment activities could involve the demolition or moving of existing structures or the removal or significant alteration of site and infrastructure features over the life of the redevelopment plan. If a property building subject to demolition, movement, or significant alteration were to represent historic resources eligible for listing in the Sacramento Register or California Register, their damage or destruction would represent a significant impact.

B. FACTS IN SUPPORT OF FINDING

The following mitigation measure is required to reduce the intensity of impacts for the Project, but will not reduce impacts to less than significant:

- 6.4-3a As part of any Owner Participation Agreement (OPA), Disposition and Development Agreement (DDA), or other Agency activity that would adversely affect any resource eligible for listing in the California Register of Historical Resources, the Agency shall work with the City Preservation Director to determine an appropriate mitigation fee to cover the cost of preserving other historic resources in the Project Area. The mitigation fee may consist of a contribution to a City Preservation Fund managed by Sacramento Heritage, as established by the City Council as a grant provider for historic buildings, if there are no feasible means of preserving the necessary character defining features of the resource.
- 6.4-3b The resource shall be recorded to Historic American Building Survey/Historic American Engineering Record standards (HABS/HAER) standards prior to their removal. Copies of the HABS/HAER documentation shall be filed with the State Office of Historical Preservation, Sacramento Archive and Museum Collection Center (SAMCC), and the Sacramento Room at the Central Branch of the Sacramento County Library. HABS/HAER recordation typically includes the following:
 - a. The development of site-specific history and appropriate contextual information regarding the particular resource. In addition to archival research

and comparative studies, this task could involve limited oral history collection.

- b. Accurate mapping of the resources, scaled to indicate size and proportion of the structures.
- c. Photo documentation of the designated resources, both in still and video formats.
- d. Recordation by measured architectural drawings, in the case of specifically designed structures of high architectural merit; "as-built" plans of existing structures/foundation ruins will involve field measurements, office scaled plan layout, and plot out of final plan.

26) Impact 6.4-4: *Cumulative loss of cultural resources*
(DEIR page 6.4-35)

A. POTENTIALLY SIGNIFICANT IMPACT

Archaeological resources could be unearthed and damaged or destroyed, and historic resources could be significantly altered or destroyed as part of Agency projects. Their removal, destruction, or significant alteration from their place of origin would destroy their value as a resource. Any loss of cultural resources associated with redevelopment projects would contribute to a region-wide impact that cannot be remedied, and would be a potentially significant and unavoidable impact.

B. FACTS IN SUPPORT OF FINDING

The following mitigation measure is required to reduce the intensity of impacts for the Project, but will not reduce impacts to less than significant:

6.4-4 Implement Mitigation Measures 6.4-1, 6.4-2, and 6.4-3.

27) Impact 6.7-1: *Substantial sewage and/or stormwater increases of combined sewer system flows*
(DEIR page 6.7-17 through 6.7-18)

A. SIGNIFICANT IMPACT

Development permitted under the General Plan and encouraged by redevelopment activities could result in a significant impact on the capacity of the Combined Sewer System (CSS).

B. FACTS IN SUPPORT OF FINDING

The following mitigation measure is required to reduce the intensity of impacts for the Project:

6.7-1 If mitigation of system-wide impacts to less-than-significant levels cannot be accomplished by the mitigation plan for an Agency engendered project, the project sponsor shall enter into a Mitigation Agreement with the City, which shall be

approved by the City of Sacramento Department of Utilities prior to the issuance of building permits. Such an agreement would include, but is not limited to the following:

- a. Agreement to pay any and all associated CSS impact fees based on a development's fair share of cost to implement the CSS improvement projects.
- b. Waiver of all rights to protest future fees, assessment districts, Mello Roos districts, etc.
- c. Consent to all conditions by any lien holder.

If mitigation of impacts is not practical, improvements to the CSS would not occur until after the proposed project is constructed, resulting in unmitigated substantial additions to the CSS for an unknown period of time. This impact would therefore be potentially significant and unavoidable.

C. REJECTION OF ALTERNATIVES

CEQA mandates that every EIR evaluate a no-project alternative. Alternatives provide a basis of comparison to the Project in terms of beneficial, significant, and unavoidable impacts. This comparative analysis is used to determine the most feasible for implementation. The alternatives studied in the EIR are infeasible based upon the following specific economic, social, or other considerations.

1. No Project Alternative (DEIR pages 4.0-2 to 4.0-3)

Section 15126(d)(2) of the State CEQA Guidelines requires that a “no project alternative” be evaluated in comparison to the Proposed Project. The No Project Alternative is defined in this section as the continuation of the existing condition of the project site.

Without City Council action and funding for revitalization, development in the Project Area would be expected to occur at a slower rate than would be the case with the implementation of the Redevelopment Plan. Commercial and residential infill development is currently stagnant in some portions of the Project Area, such as in areas along K Street, because commercial lots are of inadequate size with multiple owners, and land values are too high to support the construction of housing or small infill development, or the upgrading of aging infrastructure. Under the No Project alternative, Agency powers to assemble suitable sites for development and / or provide other assistance would not be available, thus integrated modern projects with greater community benefits would be less likely to be implemented in the remaining blighted areas. The amount of development could be substantially smaller and consist of less varied uses reflective solely of the market demand at a given time. Significant blighted parts of the Project Area, such as several blocks of K Street and L Street, would remain marginal with inadequate infrastructure, low lease rates, and vacant and blighted parcels. Quality of development would be poor, blight would persist, property values would remain depressed, crime rates high, and infrastructure and downtown housing would continue to deteriorate.

Under this alternative, the deteriorated housing; blighted, vacant, underutilized, and marginal commercial uses; vacant properties; and inadequate infrastructure would be expected to remain in the Project Area for a longer period of time. During that time, these uses may continue to decline and adversely affect adjacent uses. Less quality affordable housing would be provided without the availability of set-aside redevelopment funds. Less attention to identifying contaminated sites prior to reuse could result in human exposure to hazardous materials. The continuation of these conditions would maintain an undesirable environment for the development of new uses, preventing or substantially delaying the revitalization of the Project Area. The Downtown Sacramento area would likely remain underutilized in conflict with the City’s and region’s goals to promote infill development and reduce demand for development on the urban fringe.

FINDING

Specific economic, social, or other considerations make infeasible the No Project Alternative identified in the EIR and described above in that:

- a) The No Project Alternative would fail to resolve conditions of blight in the Project Area.
- b) The No Project Alternative would not promote the City's General Plan policies related to promoting the rehabilitation and revitalization of existing commercial centers, and the preservation of existing housing stock.
- c) The No Project Alternative would not achieve the basic goals and objectives of the Project, including housing, social, environmental, and economic goals for the Project Area.
- d) Significant effects of the Project are acceptable when balanced against this Alternative and the facts set forth in the Statement of Overriding Considerations.

2. *Alternative A: Increase the Limit / No SB 211 Amendment (DEIR pages 4.0-3 to 4.0-5)*

Under this alternative, the tax increment limit for the Project Area would increase, which is currently set at \$520 million. However, the 10 year extension for both extending the date the Redevelopment Plan would be effective and the time to receive tax increment would not be increased as allowed by SB 211.

This would be an option if there was insufficient blight to make the SB 211 findings. However, given the level of blight that can be documented, and the costs for the programs and projects that are needed to eliminate that blight, this option would not provide the Agency with sufficient time or resources to complete the redevelopment of the Project Area. Without the 10 year extension to Plan Effectiveness, the Agency would only have until 2011 to complete all Project Area activities. This would not provide enough time to complete all projects and programs that are needed to alleviate blight.

FINDING

Specific economic, social, or other considerations make infeasible Alternative A as identified in the Final EIR and described above in that:

- a) This alternative would be less effective than the Project in resolving conditions of blight in the Project Area.
- b) This alternative would be less effective than the Project in promoting the City's General Plan policies related to promoting the rehabilitation and revitalization of existing commercial centers, and the preservation of existing housing stock.
- c) This Alternative would be less effective than the Project in achieving the basic goals and objectives of the Project, including housing, social, environmental, and economic goals for the Project Area.
- d) With less resources and only five years to implement projects to eliminate barriers to development, this Alternative could restrict the development potential of the Project Area and limit the scope and scale of economic growth and downtown housing development.

- e) Commercial uses; vacant properties; and inadequate infrastructure would be expected to remain in the Project Area for a longer period of time—during that time, these uses may continue to decline and adversely affect adjacent uses; less quality affordable housing would be provided due to a lower level of set-aside redevelopment funds; and less attention to identifying contaminated sites prior to reuse could result in human exposure to hazardous materials.
- f) Significant effects of the Project are acceptable when balanced against this Alternative and the facts set forth in the Statement of Overriding Considerations.

3. *Alternative B: Extend the Plan per SB 211 / No Increase in Tax Increment Limit (DEIR pages 4.0-7 to 4.0-7)*

Under this alternative, the Agency would not increase the tax increment limit for the Project Area. The 10 year extensions under SB 211 would be implemented.

The Agency has already obligated the current \$520 million tax increment limit, thus if the limit is not increased, then the Agency would not have additional resources to use in the elimination of blight. The only advantage that this alternative would provide to the Agency would be to extend the time period over which the Agency could use its current eminent domain authority. Without the SB 211 amendment, that authority would effectively expire in 2011, when the effectiveness of the Redevelopment Plan would end. With the SB 211 extension, the Agency would be able to use eminent domain authority for a longer period of time. Amendments to the Agency's eminent domain authority are not part of the plan amendment.

FINDING

Specific economic, social, or other considerations make infeasible the Alternative B identified in the EIR and described above in that:

Specific economic, social, or other considerations make infeasible Alternative A as identified in the Final EIR and described above in that:

- a) The Agency would not have additional resources to use in the elimination of blight, thus this alternative would be less effective than the Project in resolving conditions of blight in the Project Area.
- b) This alternative would be less effective than the Project in promoting the City's General Plan policies related to promoting the rehabilitation and revitalization of existing commercial centers, and the preservation of existing housing stock.
- c) This Alternative would be less effective than the Project in achieving the basic goals and objectives of the Project, including housing, social, environmental, and economic goals for the Project Area.
- d) With less resources and only five years to implement projects to eliminate barriers to development, this Alternative could restrict the development potential of the Project Area and limit the scope and scale of economic growth and downtown housing development.

- e) Under this alternative, the deteriorated housing; blighted, vacant, underutilized, and marginal commercial uses; vacant properties; and inadequate infrastructure would be expected to remain in the Project Area for a longer period of time. During that time, these uses may continue to decline and adversely affect adjacent uses; no additional quality affordable housing would be provided through set-aside redevelopment funds; and there would be less attention to identifying contaminated sites prior to reuse could result in human exposure to hazardous materials.
- f) The Downtown Sacramento area would likely remain underutilized in conflict with the City's and region's goals to promote infill development and reduce demand for development on the urban fringe.
- g) Significant effects of the Project are acceptable when balanced against this Alternative and the facts set forth in the Statement of Overriding Considerations.

D. STATEMENT OF OVERRIDING CONSIDERATIONS

Notwithstanding disclosure of the significant impacts and the accompanying mitigation, the Agency has determined pursuant to Section 15093 of the CEQA Guidelines that the benefits of the project as revised outweigh the adverse impacts, and the Project shall be approved.

With reference to the above findings and in recognition of those facts which are included in the record, the Agency has determined that the Project would contribute to environmental impacts which are considered significant and adverse, as disclosed in the EIR prepared for the Project.

The Agency specifically finds, and therefore makes this Statement of Overriding Considerations, that as a part of the process of obtaining project approval all significant effects on the environment with implementation of the Project have been eliminated or substantially lessened where feasible. Furthermore, the Agency has determined that any remaining significant effects on the environment found to be unavoidable are acceptable due to the overriding considerations described below:

1. Eliminate blighting influences and correct environmental deficiencies in the Merged Downtown Redevelopment Project Area (Project Area), including among others: unsafe or unhealthy buildings; factors that prevent or substantially hinder economically viable use or capacity of buildings or lots; incompatible land uses; subdivided lots of irregular shape and inadequate size for property usefulness; depreciated or stagnant property values or impaired investments; presence of hazardous wastes; abnormally high business vacancies, vacant lots, or abandoned buildings; lack of necessary neighborhood-serving commercial facilities; residential overcrowding; and excess of bars, liquor stores or adult-oriented uses; and, a high crime rate that threatens the public health, safety and welfare;
2. Provide increased sales, business license and other fees, taxes, and revenues to the City of Sacramento;
3. Increase, preserve, or improve the community's supply of low- and moderate-income housing (inside or outside of the Project Area);
4. Strengthen the economic base of the Project Area and the community by installing needed site improvements which will stimulate new industrial and commercial expansion, new employment and economic growth;
5. Assemble land into parcels suitable for modern, integrated development with improved pedestrian and vehicular circulation in the Project Area;
6. Increase retail, industrial and commercial use in the Project Area;
7. Provide public improvements and infrastructure to facilitate development; and
8. Assist with the development of new uses in concert with the community vision for Downtown, Sacramento.



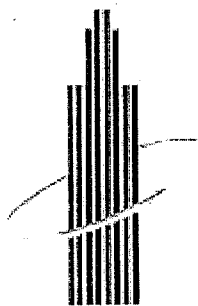
MITIGATION MONITORING PLAN MERGED DOWNTOWN REDEVELOPMENT PLAN AMENDMENT

SACRAMENTO, CALIFORNIA

State Clearinghouse Number: 2004072068

Prepared By
Gail Ervin Consulting

For the
Redevelopment Agency of the
City of Sacramento
Economic Development Department
Downtown Development Group



Downtown Development Group

February 3, 2004

43

MITIGATION MONITORING PLAN

MERGED DOWNTOWN REDEVELOPMENT PLAN AMENDMENT

The California Environment Quality Act (CEQA) as amended by Chapter 1232 (California 1988: implementing AB 3180, 1988) provides that a decision making body “shall adopt a reporting or monitoring program for the changes to the project which it has adopted or made a condition of approval in order to mitigate or avoid significant effects on the environment.”

The purpose of this mitigation monitoring and reporting plan is to ensure compliance with and effectiveness of the mitigation measures set forth in the certified Final Environmental Impact Report (FEIR) for the Merged Downtown Redevelopment Plan Amendment. This Mitigation Monitoring Plan (MMP) identifies the impact as it relates back to the FEIR, what the mitigation is, the monitoring or reporting action for the mitigation measure, the responsible party for the action, the timing of the monitoring or reporting action, and how the action will be verified.

In the case of the mitigation measures for the Amendment, all measures apply to future projects that have not yet been identified or defined. The Redevelopment Agency will be responsible for applying these measures to all future redevelopment projects, and for maintaining records of compliance with this program for the Redevelopment Agency. The Downtown Development Group will be responsible maintaining records of compliance with this program for the City of Sacramento and the Redevelopment Agency. All records shall be maintained in the Merged Downtown Redevelopment Plan Amendment Mitigation Monitoring Plan file at the Downtown Development Group offices, 1030 15th Street, Suite 250, Sacramento, CA 95814.

6.1 TRAFFIC

Impact 6.1-3: *Vehicular access to development sites could block sidewalks, streets, or alleys.*

Mitigation:

- 6.1-3a Parking garage entrances shall be designed with adequate entry lanes, queuing space, and revenue control systems to avoid queuing onto City sidewalks with a 95 percent probability during the am peak hour on a typical day.
- 6.1-3b Loading dock access shall be designed to avoid maneuvering on city streets, so as not to interfere with other traffic. If such design is deemed infeasible, a staging area shall be provided for service vehicles. Vehicles shall back onto the loading dock area under the guidance of traffic control personnel to be stationed at the loading dock area.

MITIGATION PROCEDURE		VERIFICATION PROCEDURE
For redevelopment projects with a parking garage, a parking, safety and traffic control plan shall be submitted to and approved by the City Traffic Engineer prior to issuance of an occupancy permit. This plan shall be subject to monitoring and refinement by the Transportation Division. The Building Division will include the conditions in the project's construction permits. Compliance with all city conditions and mitigation measures will be required in any OPA/DDA.		Applicant shall submit copy of the plans identifying compliance with these measures to the Project Manager. Include copy of the safety and traffic control plan, OPA/DDA and construction conditions in MMP file. Submit verification of compliance to the Building Division.
Checked by:	Date:	Checked by:
Comments:		Date:

Impact 6.1-4: The Amendment could cause the demand for parking to exceed supply**Mitigation:**

- 6.1-4a New redevelopment projects shall provide parking and/or contribute to area wide parking mitigations to the satisfaction of the Department of Transportation, consistent with the recommendations outlined in the Central City Parking Master Plan.
- 6.1-4b New large commercial projects should implement an aggressive Transportation Systems Management program with a 45% goal to increase alternative modes of transportation and reduce vehicle trips to a project site.

MITIGATION PROCEDURE		VERIFICATION PROCEDURE
Agency RFP's shall require redevelopment project proposals to identify project consistency with the Central City Parking Master Plan requirements. Large projects shall include proposed measures for minimizing vehicle trips through aggressive TSM measures.		Consistency of proposed projects with the Parking Master Plan requirements and TSM requirements shall be evaluated in the project specific CEQA document, and any additional mitigation measures adopted with project approval and included as a condition of a project's OPA/DDA.
Checked by:	Date:	Checked by:
Comments:		Date:

4.2 AIR QUALITY

Impact 6.2-1: Short-term construction increases in regional criteria pollutants

Mitigation:

- 6.2-1a The Agency, when lead agency under CEQA, shall contact the SMAQMD early in the CEQA process to confirm whether construction emissions screening may be used for a given project.
- 6.2-1b All redevelopment projects which are within 10% of the values indicated shall analyze potential construction emissions prior to project approvals, as determined by SMAQMD, including a potential health risk analysis for diesel exhaust particulate matter.
- 6.2-1c The Agency shall work with SMAQMD to customize a construction mitigation program appropriate for the project.

MITIGATION PROCEDURE		VERIFICATION PROCEDURE
City and Agency staff will coordinate with the SMAQMD to develop mitigation measures on a case by case basis, as appropriate. The City Building Division shall be provided with a copy of contract requirements that include the conditions for the contractor for each redevelopment project. Compliance with all city conditions and mitigation measures will be required in any OPA/DDA.		The Building Division shall verify compliance during construction, prior to issuing occupancy permits. Agency project coordinator shall include a copy of construction conditions in the project file.
Checked by:	Date:	Checked by:
Comments:		Date:

Impact 6.2-2: Project specific operational increases in regional criteria pollutants.**Mitigation:**

- 6.2-2 All redevelopment projects which are determined to be potentially significant using the recommended SMAQMD methodologies of estimating emissions from operational activities shall work with SMAQMD to customize an operational mitigation plan appropriate for the project. Said plan will accompany the project through the Lead Agency's approval process.

MITIGATION PROCEDURE		VERIFICATION PROCEDURE
City and Agency staff will coordinate with the SMAQMD to develop mitigation measures on a case by case basis, as appropriate. Identified measures will be incorporated into the project design where feasible. The City Building Division shall be provided with a copy of contract requirements that include the conditions for the contractor for each redevelopment project. Compliance with all city conditions and mitigation measures will be required in any OPA/DDA.		The Building Division shall verify compliance during construction, prior to issuing occupancy permits. Agency project coordinator shall include a copy of construction conditions in the project file.
Checked by:	Date:	Checked by:
Comments:		Date:

Impact 6.2-6: Shadow conditions from project area redevelopment**Mitigation:**

- 6.2-6 All high-rise redevelopment projects adjacent to residential and/or public outdoor spaces to the east and north shall conduct a shadow analysis to determine the length and duration of shadow effects on adjacent properties. Mitigation measures for significant shading impacts shall be incorporated to the extent feasible.

MITIGATION PROCEDURE		VERIFICATION PROCEDURE
Agency RFPs for development shall note the concern regarding shadowing of public spaces, and request proposals identify how project design will avoid or lessen potential impacts. CEQA review shall include a project specific analysis of shadow impacts on adjacent properties, and appropriate mitigation where feasible. Compliance with all city conditions and mitigation measures will be required in any OPA/DDA.		A Redevelopment Mitigation checklist will be included in each project file, and each applicable measure incorporated prior to subsequent CEQA approvals. The Building Division shall verify compliance during construction, prior to issuing occupancy permits. Agency project coordinator shall include a copy of project plans and conditions in the project file showing compliance.
Checked by:	Date:	Checked by:
Comments:		Date:

Impact 6.2-7: Wind effects from project area redevelopment**Mitigation:**

- 6.2-7a A wind tunnel analysis shall be conducted on all redevelopment projects that are more than five stories taller than the surrounding buildings and trees.
- 6.2-7b Building designs shall implement the recommendations of the Urban Design Plan, and avoid tall flat surfaces square to strong winds. Landscaping that includes a dense planting of both short and tall trees within the public spaces around the project buildings shall be provided to reduce pedestrian level wind effects.

MITIGATION PROCEDURE		VERIFICATION PROCEDURE
Project specific CEQA review will identify the applicability of the mitigation measure to a project. Where applicable, results of the wind analysis and feasible mitigation measures shall be incorporated into the project design. Compliance with all city conditions and mitigation measures will be required in any OPA/DDA.		A Redevelopment Mitigation checklist will be included in each project file, and each applicable measure incorporated prior to subsequent CEQA approvals. The Building Division shall verify compliance during construction, prior to issuing occupancy permits. Agency project coordinator shall include a copy of project plans and conditions in the project file showing compliance.
Checked by:	Date:	Checked by:
Comments:		Date:

4.3 NOISE & VIBRATION

Impact 6.3-1: Construction noise at sensitive receptors

Mitigation:

- 6.3-1a Erect a solid plywood construction/noise barrier along the exposed project boundaries. The barrier should not contain any significant gaps at its base or face, except for site access and surveying openings.
- 6.3-1b Construction activities shall comply with the City of Sacramento Noise Ordinance. Pile driving activities shall be coordinated with adjacent land uses in order to minimize potential disturbance of planned activities.
- 6.3-1c Pile holes will be pre-drilled to the maximum feasible depth. This will reduce the number of blows required to seat the pile, and will concentrate the pile driving activity closer to the ground where noise can be attenuated more effectively by the construction/noise barrier.
- 6.3-1d Locate fixed construction equipment such as compressors and generators as far as possible from sensitive receptors. Shroud or shield all impact tools, and muffle or shield all intake and exhaust ports on power construction equipment.
- 6.3-1e Designate a disturbance coordinator and conspicuously post this person's number around the project site and in adjacent public spaces. The disturbance coordinator will receive all public complaints about construction noise disturbances and will be responsible for determining the cause of the complaint, and implement any feasible measures to be taken to alleviate the problem.

MITIGATION PROCEDURE		VERIFICATION PROCEDURE
Project specific CEQA review will identify the applicability of the mitigation measure to a project. Where applicable, the City of Sacramento will include the construction noise conditions in the project's construction permits. Compliance with all city conditions and mitigation measures will be required in any OPA/DDA.		The Building Division shall verify compliance during construction, prior to issuing occupancy permits. Applicant shall submit copy of construction conditions to the Agency Project Manager.
Checked by:	Date:	Checked by:
Comments:		Date:

Impact 6.3-3: Expose existing or planned land uses to noise that would conflict with local planning guidelines or noise ordinance criteria.

Mitigation:

- 6.3-3 Prior to construction, an applicant shall provide an acoustical analysis that identifies measures to insure interior hotel or dwelling unit noise levels of 45 dBA or less are maintained for future ambient noise levels, and exterior noise levels for balconies would not exceed 60 dB at the balconies. Such measures shall be incorporated into the design of the building in the project's construction documents to the satisfaction of the City Building Division.

MITIGATION PROCEDURE		VERIFICATION PROCEDURE
Project specific CEQA review will identify the applicability of the mitigation measure to a project. Where applicable, the City of Sacramento will include the noise conditions in the project's construction permits. Compliance with all city conditions and mitigation measures will be required in any OPA/DDA.		The Building Division shall verify compliance during construction, prior to issuing occupancy permits. Applicant shall submit copy of construction conditions to the Agency Project Manager.
Checked by:	Date:	Checked by:
Comments:		Date:

Impact 6.3-4: Construction-induced vibration impacts**Mitigation:**

- 6.3-4a Implement mitigation measure 6.3-1c.
- 6.3-4b Provide protective coverings or temporary shoring of on-site or adjacent historic features as necessary, in consultation with the Preservation Director.
- 6.3-4c The pre-existing condition of all buildings within a 50-foot radius will be recorded in order to evaluate damage from construction activities. Fixtures and finishes within a 50-foot radius of construction activities susceptible to damage will be documented (photographically and in writing) prior to construction. All damage will be repaired back to its pre-existing condition.
- 6.3-4d Locate construction staging areas away from adjacent Landmark structures.
- 6.3-4e If fire sprinkler failures are reported in surrounding office buildings to the disturbance coordinator, the contractor shall provide monitoring during construction and repairs to sprinkler systems shall be provided.
- 6.3-4f Should damage occur despite the above mitigation measures, construction operations shall be halted and the problem activity shall be identified. A qualified engineer shall establish vibration limits based on soil conditions and the types of buildings in the immediate area. The contractor shall monitor the buildings throughout the remaining construction period and follow all recommendations of the qualified engineer to repair any damage that has occurred to the pre-existing state, and to avoid any further structural damage.

MITIGATION PROCEDURE		VERIFICATION PROCEDURE
The applicant shall provide verification to the Building Division that the pre-existing condition of sensitive buildings has been assessed and recorded prior to the issuance of construction permits. The Building Division will include conditions in the project's construction permits. Compliance with all city conditions and mitigation measures will be required in any OPA/DDA.		The Building Division shall verify compliance during construction, prior to issuing occupancy permits. Applicant shall submit copy of construction conditions to the Agency Project Manager.
Checked by:	Date:	Checked by:
Comments:		Date:

4.4 CULTURAL RESOURCES

Impact 6.4-1: Loss or degradation of known or undiscovered prehistoric and historic resources

Mitigation:

- 6.4-1a The North Central Information Center and the City's Preservation Director shall be consulted to determine if a proposed development project would require archaeological study and/or testing be conducted as part of the site specific environmental review. Recommended study and/or testing shall be completed prior to completion of environmental review.
- 6.4-1b Foremen and key members of major excavation, trenching, and grading for sites preparation shall be instructed to be wary of the possibility of destruction of buried cultural resource materials. They shall be instructed to recognize signs of prehistoric use and their responsibility to report any such finds (or suspected finds) immediately, as specified by measure 6.4.1c below, so damage to such resources may be prevented.
- 6.4-1c Should any cultural resources, such as structural features, unusual amounts of bone or shell, artifacts, human remains, or architectural remains be encountered during any development activities, all work within 20 meters of the find shall be suspended and a qualified archaeologist shall be consulted to develop, if necessary, further mitigation measures to reduce any archaeological impact to a less than significant level before construction continues. Such measures could include (but would not be limited to) researching and identifying the history of the resource(s), mapping the locations, and photographing the resource. In addition, pursuant to Section 5097.98 of the State Public Resources Code, and Section 7050.5 of the State Health and Safety Code, in the event of the discovery of any human remains, all work is to stop and the County Coroner shall be immediately

MITIGATION PROCEDURE		VERIFICATION PROCEDURE
Project specific CEQA review will identify the applicability of the mitigation measure to a project. Where applicable, the City of Sacramento will include the conditions in the project's construction permits. Compliance with all city conditions and mitigation measures will be required in any OPA/DDA.		The Building Division shall verify compliance during construction, prior to issuing occupancy permits. Applicant shall submit copy of construction conditions to the Agency Project Manager.
Checked by:	Date:	Checked by:
Comments:		Date:

notified. If the remains are determined to be Native American, guidelines of the Native American Heritage Commission shall be adhered to in the treatment and disposition of the remains.

Impact 6.4-2: Potential alteration of historic resources**Mitigation:**

- 6.4-2a As part of any Owner Participation Agreement (OPA), Disposition and Development Agreement (DDA), or other Agency project that would affect any structure or feature over 50 years old that has not been evaluated by the City's Preservation Director, the buildings shall first be evaluated for eligibility for listing in the California Register of Historical Places. This evaluation shall occur through the preparation of State of California DPR 523 forms for each building, and through standard CEQA evaluation.
- 6.4-2b For properties determined to be eligible for listing in the California Register, rehabilitation and reuse of these properties shall be considered over relocation or demolition, and the Secretary's Standards shall be applied to insure that treatments will maintain the authenticity and integrity of historical buildings.
- 6.4-2c If demolition of some features cannot be avoided, where those features do not remove the building from eligibility for the California Register, then the feature(s) shall be recorded to Historic American Building Survey/Historic American Engineering Record standards (HABS/HAER) standards prior to their removal. Copies of the HABS/HAER documentation shall be filed with the State Office of Historic Preservation Sacramento Archive and Museum Collection Center (SAMCC), and the Sacramento Room at the Central Branch of the Sacramento County Library. HABS/HAER recordation typically includes the following:
- The development of site-specific history and appropriate contextual information regarding the particular resource. In addition to archival research and comparative studies, this task could involve limited oral history collection.

MITIGATION PROCEDURE		VERIFICATION PROCEDURE
Project specific CEQA review will identify the applicability of the mitigation measure to a project. Where applicable, the City of Sacramento will include the conditions in the project's construction permits. Compliance with all city conditions and mitigation measures will be required in any OPA/DDA.		The Building Division shall verify compliance during construction, prior to issuing occupancy permits. Applicant shall submit copy of construction conditions to the Agency Project Manager.
Checked by:	Date:	Checked by:
Comments:		Date:

- b. Accurate mapping of the resources, scaled to indicate size and proportion of the structures.
- c. Photo documentation of the designated resources, both in still and video formats.
- d. Recordation by measured architectural drawings, in the case of specifically designed structures of high architectural merit; "as-built" plans of existing structures/foundation ruins will involve field measurements, office scaled plan layout, and plot out of final plan.

Impact 6.4-3: Potential removal or destruction of historic resources**Mitigation:**

- 6.4-3a As part of any Owner Participation Agreement, Development and Disposition Agreement, or other Agency activity that would adversely affect any resource eligible for listing in the California Register of Historical Resources, the Agency shall work with the City Preservation Director to determine an appropriate mitigation fee to cover the cost of preserving other historic resources in the Project Area. The mitigation fee may consist of a contribution to a City Preservation Fund managed by Sacramento Heritage, as established by the City Council as a grant provider for historic buildings, if there are no feasible means of preserving the necessary character defining features of the resource.
- 6.4-3b The resource shall be recorded to Historic American Building Survey/Historic American Engineering Record standards (HABS/HAER) standards prior to their removal. Copies of the HABS/HAER documentation shall be filed with the State Office of Historical Preservation, Sacramento Archive and Museum Collection Center (SAMCC), and the Sacramento Room at the Central Branch of the

MITIGATION PROCEDURE		VERIFICATION PROCEDURE
<p>The Preservation Director will work with the Design Review and Preservation Board to develop a mitigation fee structure. Final designs shall be approved by the Design Review and Preservation Board. The HABS shall be completed and conveyed to the Agency Project Manager, the City Preservation Director and the Sacramento Archives and Museum Collection Center (SAMCC). Verification of submittal shall be provided to the Building Division prior to issuance of the demolition permit. An agreement shall be developed, prior to issuance of the Certificate of Occupancy, between the property owners, the Preservation Director and the Director of SAMCC as to the disposition (interpretation, display, donation, or surplusing) of findings or artifacts from the site, whether on-site, at SAMCC or at some other location. All requirements shall be included in any OPA/DDA or other project agreement.</p>		<p>Any applicable fees shall be identified prior to subsequent CEQA certification. The applicant shall submit verification that the HABS was conveyed to the Preservation Director, SAMCC, and the Agency Project Manager prior to demolition of identified historic resources. The resource disposition agreement shall be filed with the Agency Project Manager prior to project occupancy.</p>
Checked by:	Date:	Checked by:
Comments:		Date:

Sacramento County Library. HABS/HAER recordation typically includes the following:

- a. The development of site-specific history and appropriate contextual information regarding the particular resource. In addition to archival research and comparative studies, this task could involve limited oral history collection.
- b. Accurate mapping of the resources, scaled to indicate size and proportion of the structures.
- c. Photo documentation of the designated resources, both in still and video formats.
- d. Recordation by measured architectural drawings, in the case of specifically designed structures of high architectural merit; "as-built" plans of existing structures/foundation ruins will involve field measurements, office scaled plan layout, and plot out of final plan.

4.5 AESTHETICS

Impact 6.5-2: Effects on existing viewsheds along designated important view corridors

Mitigation:

- 6.5-2 Project proponents shall identify appropriate construction staging away from protected view corridors, to the satisfaction of the City's Department of Transportation.

MITIGATION PROCEDURE		VERIFICATION PROCEDURE
A construction traffic management plan shall be prepared by the applicant to the satisfaction of the City Traffic Engineer and submitted for review and approval prior to issuance of building permits. Compliance with all city conditions and mitigation measures will be required in any OPA/DDA.		Applicant shall submit copy of the construction traffic management plan to the Agency Project Manager. Include copy of construction traffic management plan, OPA/DDA and construction conditions in MMP file. Submit verification of compliance to the Building Division.
Checked by:	Date:	Checked by:
Comments:		Date:

4.6 HAZARDS & HAZARDOUS MATERIALS

Impact 6.6-2: Potential redevelopment of previously identified or unidentified contaminated sites

Mitigation:

- 6.6-2a A thorough examination of past property uses shall be required for redevelopment projects involving demolition or reuse of older properties or construction on vacant land, prior to demolition or construction. This examination shall conform to the Phase I Environmental Site Assessment process established by ASTM (American Society for Testing and Materials - E1527-00), and shall include a site reconnaissance, a review of regulatory databases, interviews with persons knowledgeable of the property, and a review of past property uses using appropriate historical sources. A Phase II Environmental Site Assessment shall be conducted if deemed necessary based on the Phase I Environmental Site Assessment results.
- 6.6-2b If discolored soil, vapors, or contaminated groundwater are encountered during construction activities, all work shall cease until a qualified environmental professional assesses the situation and appropriate action is taken to ensure the safety of workers and the public.
- 6.6-2c Construction contract documents shall include provisions for the proper handling and disposal of contaminated soil and/or dewatering water (including groundwater and contaminated rainwater) in accordance with federal, state, and local requirements.

MITIGATION PROCEDURE		VERIFICATION PROCEDURE
The Agency shall require a Phase I Environmental Site Assessment process established by ASTM (E1527-00) be conducted for all new construction and demolition projects in the Project Area, and submitted for consideration in the subsequent CEQA review process.		A Phase I ESA shall remain on file in the project file, and the report noted in the project's entitlement application. Building Division shall verify compliance with proper handling provisions during construction, prior to issuing occupancy permits. Applicant shall submit copy of construction conditions to the Agency Project Manager.
Checked by:	Date:	Checked by:
Comments:		Date:

4.7 HYDROLOGY

Impact 6.7-1: Substantial sewage and/or stormwater increases of combined sewer system flows

Mitigation:

- 6.7-1 If mitigation of system-wide impacts to less-than-significant levels cannot be accomplished by the mitigation plan for an Agency engendered project, the project sponsor shall enter into a Mitigation Agreement with the City, which shall be approved by the City of Sacramento Department of Utilities prior to the issuance of building permits. Such an agreement would include, but is not limited to the following:
- Agreement to pay any and all associated CSS impact fees based on a development's fair share of cost to implement the CSS improvement projects.
 - Waiver of all rights to protest future fees, assessment districts, Mello Roos districts, etc.
 - Consent to all conditions by any lien holder.

MITIGATION PROCEDURE		VERIFICATION PROCEDURE
The applicant shall work with the Department of Utilities to mitigate impacts to the CSS. If mitigation of impacts is not practical as determined by Utilities, the applicant shall pay a mitigation fee as determined by Utilities. Compliance with all city conditions and mitigation measures will be required in any OPA/DDA.		Utilities shall provide verification of payment of fees to the Building Division, prior to issuing occupancy permits. Applicant shall submit copy of fee verification to the Agency Project Manager.
Checked by:	Date:	Checked by:
Comments:		Date:

Impact 6.7-3: Exposure to flood hazard areas**Mitigation:**

- 6.7-3 The applicant shall demonstrate that a proposed project would not result in a significant adverse impact on the operation of the Sacramento River Flood Control System, including increases in flood water surface elevations, bank erosion near the river wall or other locations, or operations and maintenance, prior to receiving construction permits.

MITIGATION PROCEDURE		VERIFICATION PROCEDURE
A project's hydraulic and flooding effects on the Sacramento River shall be determined during subsequent CEQA review. Mitigation measures shall be developed in coordination with the appropriate state and federal agencies, and incorporated into the project's design and construction conditions. Compliance with all city conditions and mitigation measures will be required in any OPA/DDA.		The Building Division shall verify compliance during construction, prior to issuing occupancy permits. Applicant shall submit copy of construction conditions to the Agency Project Manager.
Checked by:	Date:	Checked by:
Comments:		Date:

Impact 6.7-4: Exceed Sacramento Regional County Sanitation District capacity**Mitigation:**

- 6.7-4 Project developers shall pay all required SRCSD Impact Fees for the proposed new development to provide for its fair share cost of the construction of relief interceptor sewer and treatment facilities.

MITIGATION PROCEDURE		VERIFICATION PROCEDURE
The applicant shall provide verification of payment of fees to the Agency Project Manager. Compliance with all city conditions and mitigation measures will be required in any OPA/DDA.		The Building Division shall verify fee payment with the City Utilities Department prior to issuing occupancy permits. Applicant shall submit copy of construction conditions to the Agency Project Manager.
Checked by:	Date:	Checked by:
Comments:		Date:

Impact 6.7-5: Hydrology and levees**Mitigation:**

- 6.7-5 Redevelopment activities extending waterward of the ordinary high water mark shall address any potential hydrologic impacts, unrelated to flood flows, to River flow in the Project Area, or to adjacent or downstream areas as necessary, to the satisfaction of the Reclamation Board, the State Lands Commission and the Army Corps of Engineers.

MITIGATION PROCEDURE		VERIFICATION PROCEDURE
A project's hydraulic and flooding effects on the Sacramento River shall be determined during subsequent CEQA review. Mitigation measures shall be developed in coordination with the appropriate state and federal agencies, and incorporated into the project's design and construction conditions. Compliance with all city conditions and mitigation measures will be required in any OPA/DDA.		The Building Division shall verify compliance during construction, prior to issuing occupancy permits. Applicant shall submit copy of construction conditions to the Agency Project Manager.
Checked by:	Date:	Checked by:
Comments:		Date:

4.8 BIOLOGY

Impact 6.8-1: Potential loss of heritage trees

Mitigation:

- 6.8-1a To the extent feasible, existing heritage trees shall be retained and incorporated into proposed development and/or landscaping plans; or,
- 6.8-1b If heritage trees cannot be avoided and will likely be removed, a certified arborist shall conduct a tree survey to identify the diameter at breast height (DBH), height, location, and health of the trees to be removed. This information is required for a permit to remove the trees. Recommendations for tree planting/replacement ratios and appropriate planting sites shall also be included in this report.

MITIGATION PROCEDURE		VERIFICATION PROCEDURE
All Agency new construction projects that could affect heritage trees, including capital improvement projects, shall provide landscape plans that identify the spacing and appropriate species for approval by the City Arborist prior to the issuance of construction permits. Compliance with all city conditions and mitigation measures will be required in any OPA/DDA.		Building Division shall verify approval by the City Arborist prior to issuing building permits.
Checked by:	Date:	Checked by:
Comments:		Date:

Impact 6.8-2: Effects to existing street trees**Mitigation:**

- 6.8-2a Prior to the issuance of building permits, a project proponent shall provide a final site plan for the project to the City Arborist, which plots existing trees, identifies the size, species types and location of those that are proposed for removal, and identifies utilities to be installed and their proposed location relative to existing street trees. The Arborist shall review the plan and determine which trees, if any, are acceptable for removal (Section 6-1-3c).
- 6.8-2b Existing street trees will be preserved and protected to the maximum extent feasible, as determined by the City Arborist. A tree protection plan will be developed consistent with Chapter 12.64. An ISA Certified Arborist will be retained by the developer and/or construction contractor to monitor the tree protection plan and make weekly inspections of the project site during construction. The arborist will monitor and take any required action to ensure the health of the trees.

MITIGATION PROCEDURE		VERIFICATION PROCEDURE
The City Design Review staff shall include conditions in the project's final design approvals, and forward to the Building Division. Compliance with all city conditions and mitigation measures shall be required in any OPA/DDA. Applicant shall submit copy of approved final designs to the Agency Project Manager.		The Building Division shall verify compliance during construction, prior to issuing occupancy permits. Applicant shall submit copy of construction conditions to the Agency Project Manager.
Checked by:	Date:	Checked by:
Comments:		Date:

Impact 6.8-4: Potential loss of special status riverine species**Mitigation:**

- 6.8-4a Project proponents shall consult with the USFWS and the NOAA Fisheries, and all necessary FESA consultations shall be completed prior to project construction.
- 6.8-4b Project proponents shall consult with the CDFG and, if appropriate, obtain a Streambed Alteration Agreement prior to project construction.
- 6.8-4c Project proponents shall consult with the USACE and, if appropriate, obtain a permit or authorization under Section 10 of the Rivers Harbor Act and Section 404 of the Clean Water Act prior to project construction.
- 6.8-4d In order to avoid and minimize impacts on the federally-listed species, all in-water work shall be confined to the period between July 1 and September 15, or as designated on federal and state permits. This in-river construction window represents the common/overlap period of allowable construction windows for these species.
- 6.8-4e Project proponents shall prepare and implement any vegetation removal/replacement/relocation plan in accordance with requirements imposed by the CDFG, USFWS, and the City of Sacramento for riparian habitat.

MITIGATION PROCEDURE		VERIFICATION PROCEDURE
The applicant shall consult with all necessary agencies and develop appropriate mitigation, prior to completion of any subsequent CEQA review. The Building Division will include conditions in the project's construction permits. Compliance with all city conditions and mitigation measures will be required in any OPA/DDA.		The Building Division shall verify compliance during construction, prior to issuing occupancy permits. Applicant shall submit copy of construction conditions to the Agency Project Manager.
Checked by:	Date:	Checked by:
Comments:		Date:

4.9 FIRE SERVICES

Impact 6.9-1: Cumulative demand for fire services

Mitigation:

- 6.9-1a The Sacramento City Fire Department shall prepare a nexus report to identify the Department's need for a new fire station and company in the Central City, the timing for a new station and company that would ensure adequate response times are maintained downtown, and the fair share cost that should be applied to any new development.
- 6.9-1b A proposed project proponent shall agree to pay the fair share assessment amount identified in a SCFD nexus study and approved by the City Council. This assessment shall be payable to the Sacramento City Fire Department for allocation to a new fire station and company in the Central City.

MITIGATION PROCEDURE		VERIFICATION PROCEDURE
The fire department shall provide a resolution from the City Council ordering payment of fair share assessments and implementing regulations. Developer shall provide verification of payment of fees to the Agency Project Manager. Compliance with all city conditions and mitigation measures will be required in any OPA/DDA.		Include copy of fire assessment regulations and copy of receipt of assessment in MMP file. Include copy of OPA/DDA and construction conditions in MMP file.
Checked by:	Date:	Checked by:
Comments:		Date:

4.10 COMMUNICATIONS SERVICES

Impact 6.10-2: Interference with Public Safety Microwave Network and National Weather Service telecommunications

Mitigation:

- 6.10-2 The project sponsor shall consult with the California Department of General Services, Telecommunications Division, to determine if a proposed structure over 200 feet in height in zone I or J may interfere with the microwave path. Mitigation measures shall be developed and incorporated into the project design to the satisfaction of the Telecommunications Division.

MITIGATION PROCEDURE		VERIFICATION PROCEDURE
Prior to issuance of an occupancy permit, provide verification from the California Department of General Services, Telecommunications Division that any required installed system is adequate. Compliance with all conditions and mitigation measures will be required in any OPA/DDA.		Applicant shall submit copy of State verification to the Agency Project Manager. Include with copy of OPA/DDA in MMP file.
Checked by:	Date:	Checked by:
Comments:		Date:

Impact 6.10-3: Interference with in-building police and fire communications**Mitigation:**

- 6.10-3 A proposed project's sponsor shall work with the City's Communication Section to determine if in-building radio amplification is needed to provide the minimum signal levels required for PS radio communications. If amplification is needed, the project sponsor shall install a Radio Re-radiation System tuned to the SRRCS public safety radio band. The lower levels of the building shall have a BDA radio system to work with the existing SRRCS public safety radio band, an 800 MHz PS trunked radio system. The system shall receive outbound traffic from the PS system via a rooftop antenna, amplify it, and rebroadcast it through a distributed antenna system in the lower levels of the building. The BDA shall also receive PS radio signals from the lower floors of the building, amplify them, and rebroadcast them through the rooftop antenna back to the PS radio system. The rooftop antenna shall be directional in nature and have a line of sight path to the PS antenna on top of the Sacramento County Jail. Since there are a large number of radio signals in the downtown area, the system shall be broadband enough to pass signals from 821 to 824 MHz and signals from 866 through 869 MHz. Band pass filters shall block all other signals. Floors above the first level shall have adequate PS radio coverage without additional amplification. Each radio system must be custom designed for the structure requiring radio coverage.

MITIGATION PROCEDURE		VERIFICATION PROCEDURE
Prior to issuance of an occupancy permit, provide verification from the City Communications Division that any required installed system is adequate. Compliance with all conditions and mitigation measures will be required in any OPA/DDA.		Applicant shall submit copy of CCD verification to the Agency Project Manager. Include with copy of OPA/DDA in MMP file.
Checked by:	Date:	Checked by:
Comments:		Date:

Impact 6.10-4: Interference with the Automated Local Evaluation in Real Time System**Mitigation:**

- 6.10-4 A proposed project's sponsor shall solve any radio reception problems as required by the County Department of Water Resources, such as adding repeaters or directional antennas, in a manner consistent with the Sacramento Urban Design Plan. The facilities may be included with other necessary communication equipment.

MITIGATION PROCEDURE		VERIFICATION PROCEDURE
Prior to issuance of an occupancy permit, provide verification from the County Communications Division that any required installed system is adequate. Compliance with all conditions and mitigation measures will be required in any OPA/DDA.		Applicant shall submit copy of CCD verification to the Agency Project Manager. Include with copy of OPA/DDA in MMP file.
Checked by:	Date:	Checked by:
Comments:		Date:

RESOLUTION NO. _____

ADOPTED BY THE CITY COUNCIL OF THE CITY OF SACRAMENTO

ON DATE OF _____

ADOPTING THE FINDINGS OF FACT AND STATEMENT OF OVERRIDING CONSIDERATIONS FOR ENVIRONMENTAL EFFECTS OF THE MERGED DOWNTOWN REDEVELOPMENT PROJECT, AMENDMENT NO. 3.

WHEREAS, a Draft Environmental Impact Report ("DEIR") on the Merged Downtown Redevelopment Project, Amendment No. 3 (the "Amendment") has been prepared by the Redevelopment Agency of the City of Sacramento ("Agency"), as Lead Agency, pursuant to the California Environmental Quality Act (Public Resources Code Section 21000 *et. seq.*, herein "CEQA") and the administration guidelines thereunder (14 Cal. Code of Regs. Section 15000 *et. seq.*, hereinafter the "CEQA Guidelines") and local procedures adopted by the Agency pursuant thereto;

WHEREAS, notice to all interested persons and agencies inviting comments on the DEIR has been published in a newspaper of general circulation;

WHEREAS, the Final Environmental Impact Report ("Final EIR") consisting of the Draft EIR, as revised and supplemented, incorporating all comments received and the responses of the Agency thereto was prepared and made part of the Agency's Report to the City Council on the Amendment; and

WHEREAS, notice has been duly given, a joint public hearing has been held by the City of Sacramento ("City") and the Agency on February 22, 2005 at 2 p.m. on the Amendment and the Final EIR, and all interested persons present have been heard, and all comments and responses thereto have been considered.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SACRAMENTO THAT:

Section 1: The statements in the recitals above are true and correct.

Section 2: The City, as a Responsible Agency under CEQA, hereby certifies that the City Council has reviewed and considered the information contained in the Final EIR as prepared by the Agency. The City hereby adopts the Findings of Fact and Statement of Overriding Considerations attached hereto as Exhibit C and the Mitigation Monitoring Plan attached hereto as Exhibit D.

Section 3: The City Council hereby makes the finding that changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effects, as identified in the FEIR, of: 1) Vehicular access to development sites that could block sidewalks, streets, or alleys, 2) potential demand for parking to exceed supply; 3) construction noise at sensitive receptors; 4) exposure of existing or planned land uses to noise that would conflict

FOR CITY CLERK USE ONLY

RESOLUTION NO.: _____

DATE ADOPTED: _____

74

with local planning guidelines or noise ordinance criteria; 5) construction-induced vibration impacts; 6) loss or degradation of known or undiscovered prehistoric and historic resources; 7) potential alteration of historic resources; 8) effects on existing viewsheds along designated important view corridors; 9) potential redevelopment of previously identified or unidentified contaminated sites; 10) exposure to flood hazard areas; 11) exceedance of Sacramento Regional County Sanitation District capacity; 12) effects on hydrology and levees; 13) potential loss of heritage trees; 14) effects to existing street trees; 15) potential loss of special status riverine species; 16) cumulative demand for fire services; 17) interference with Public Safety Microwave Network and National Weather Service telecommunications; 18) interference with in-building police and fire communications; and 19) interference with the Automated Local Evaluation in Real Time System. The City Council has adopted such changes in the Mitigation Monitoring Plan for the Amendment, as provided in Exhibit D. These findings are supported by substantial evidence in the record of the proceeding(s) before the Council. Each of these impacts is considered in Exhibit C.

Section 4: As to the significant and unavoidable environmental effects identified in Exhibit C to this resolution, the Council hereby adopts the following statement of overriding consideration:

The Council hereby finds that, based on the findings and statement of facts set forth above, and based on the Final EIR and/or other information contained in the record, its actions to approve the Amendment are supported because the Amendment will:

- (a) Eliminate blighting influences and correct environmental deficiencies in the Merged Downtown Redevelopment Project Area (Project Area), including among others: unsafe or unhealthy buildings; factors that prevent or substantially hinder economically viable use or capacity of buildings or lots; incompatible land uses; subdivided lots of irregular shape and inadequate size for property usefulness; depreciated or stagnant property values or impaired investments; presence of hazardous wastes; abnormally high business vacancies, vacant lots, or abandoned buildings; lack of necessary neighborhood-serving commercial facilities; residential overcrowding; and excess of bars, liquor stores or adult-oriented uses; and, a high crime rate that threatens the public health, safety and welfare;
- (b) Provide increased sales, business license and other fees, taxes, and revenues to the City of Sacramento;
- (c) Increase, preserve, or improve the community's supply of low- and moderate-income housing (inside or outside of the Project Area);
- (d) Strengthen the economic base of the Project Area and the community by installing needed site improvements which will stimulate new industrial and commercial expansion, new employment and economic growth;
- (e) Assemble land into parcels suitable for modern, integrated development with improved pedestrian and vehicular circulation in the Project Area;
- (f) Increase retail, industrial and commercial use in the Project Area;
- (g) Provide public improvements and infrastructure to facilitate development;
- (h) Assist with the development of new uses in concert with the community vision for Downtown, Sacramento.

FOR CITY CLERK USE ONLY

RESOLUTION NO.: _____

DATE ADOPTED: _____

75

Section 5: The Environmental Coordinator of the City is hereby directed to file a Notice of Determination with the County Clerk of Sacramento County pursuant to the provisions of Section 15096(i) of the State CEQA Guidelines.

ATTEST:

MAYOR

CITY CLERK

FOR CITY CLERK USE ONLY

RESOLUTION NO.: _____

DATE ADOPTED: _____

76

**CEQA STATEMENT OF FINDINGS OF FACT
AND
STATEMENT OF OVERRIDING
CONSIDERATIONS**

FOR

**MERGED DOWNTOWN
REDEVELOPMENT PLAN AMENDMENT
SACRAMENTO, CALIFORNIA**

(State Clearinghouse Number 2004082023)

Prepared By:

Gail Ervin Consulting
for the
City of Sacramento
City of Sacramento, Economic Development Department
Downtown Development Group

February 3, 2005

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SACRAMENTO
ACCEPTING THE FINAL ENVIRONMENTAL IMPACT REPORT FOR THE
MERGED DOWNTOWN REDEVELOPMENT PLAN AMENDMENT**

The City Council of the City of Sacramento (Council) does hereby find, determine, and resolve as follows:

I. CEQA Findings

1. The Council finds that the Environmental Impact Report for the Merged Downtown Redevelopment Plan Amendment (herein EIR) which consists of the Draft EIR and Final EIR has been completed in accordance with the requirements of the California Environmental Quality Act (CEQA), the State CEQA Guidelines and the Sacramento Local Environmental Procedures.
2. The Council acknowledges 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 Council acknowledges that the EIR has been presented to it and that the Council has reviewed it and considered the information contained therein prior to acting on the Project.
4. Pursuant to CEQA Guidelines Section 15093, and in support of its approval of the Merged Downtown Redevelopment Plan Amendment, the Council hereby adopts the attached Findings of Fact and Statement of Overriding Considerations and a Mitigation Monitoring Program to require all reasonably feasible mitigation measures be implemented.

II. Procedural Findings

1. The Redevelopment Agency of the City of Sacramento (Agency) 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 of the Draft EIR was filed with the Office of Planning and Research on August 4, 2004.
3. A Notice of Completion (NOC) and copies of the Draft EIR were distributed to the State Clearinghouse on November 5, 2004 to those public agencies which 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 November 5, 2004, and ended on December 20, 2004.
5. A Notice of Availability was distributed to all responsible and trustee agencies and interested groups, organizations, and individuals on November 5, 2004 for the Draft EIR. The Notice of Availability stated that the Redevelopment Agency had completed the Draft EIR and that copies were available at the Downtown Development Group, 1030 15th Street, Suite 250, Sacramento, California 95814. The letter also indicated that the official forty-five day public review period for the Draft EIR would end on December 20, 2004.
6. A public notice was placed in the Sacramento Bee on November 5, 2004, which stated that the Merged Downtown Redevelopment Plan Amendment Draft EIR was available for public review and comment.
7. A public notice was posted with the Sacramento County Clerk/Recorder's Office on November 5, 2004, which stated that the Merged Downtown Redevelopment Plan Amendment Draft EIR was available for public review and comment.
8. Following closure of the public comment period, the Draft EIR was supplemented to incorporate comments received and the Agency's responses to said comments, including additional information included in the Final EIR.
9. 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 Council makes the following determinations:
 - A. The EIR consists of the Draft EIR and Final EIR.
 - B. The EIR was prepared and completed in compliance with CEQA.
 - C. The EIR has been presented to the Council which reviewed and considered the information therein prior to acting on the Merged Downtown Redevelopment Plan Amendment proposal.
10. 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:
 - 1) *City of Sacramento General Plan*, City of Sacramento, January 19, 1988. As amended through April 2000.

- 2) *City of Sacramento Zoning Code*, current through Ordinance 2004-036 and the September, 2004 code update, City of Sacramento, <http://ordlink.com/codes/sacramento/index.htm>.
- 3) *City of Sacramento General Plan Update Draft and Final Environmental Impact Report*, City of Sacramento, Draft EIR dated March 2, 1987, and Final EIR dated September 30, 1987.
- 4) *Guide to Air Quality Assessment in Sacramento County*, Sacramento Metropolitan Air Quality Management District, July 2004.
- 5) *2010 Sacramento City/County Bikeway Master Plan Environmental Impact Report*, County of Sacramento, September 1992.
- 6) *Sacramento Register*, City of Sacramento Listing of Landmarks, Historic Districts, and Contributing Resources. Updated August 2004.
- 7) *Land Use Planning Policy Within the 100-Year Flood Plain in the City and County Of Sacramento, Draft Environmental Impact Report and Addendums*, City of Sacramento, September 18, 1989.
- 8) *Railyards Specific Plan / Richards Blvd Area Plan EIR*, Volumes 1-6, City of Sacramento, 1992-93.
- 9) *Railyards Specific Plan / Richards Blvd Area Plan Draft Supplement EIR*, City of Sacramento, 1994.
- 10) *Mitigation Monitoring Program for the Railyards Specific Plan/Richards Boulevard Area Plan Environmental Impact Report*, City of Sacramento, November 24, 1993.
- 11) *Central City Neighborhood Design Guidelines*, City of Sacramento, September 1999.
- 12) *Cultural and Entertainment District Master Plan*, City of Sacramento, adopted May 1990.
- 13) *R-Street Corridor Plan*, City of Sacramento, December 1996.
- 14) *Sacramento Central City Community Plan*, City of Sacramento, May 15, 1980. As amended through September 2003.
- 15) *Sacramento Central City Housing Strategy*, Sacramento Housing and Redevelopment Agency and Department of Planning and Development, City of Sacramento, May, 1991.
- 16) *Sacramento Riverfront Master Plan*, Cities of Sacramento and West Sacramento, 2003. Accessible from <http://www.cityofsacramento.org/riverfrontmasterplan>.
- 17) *Sacramento Downtown Redevelopment Plan Update, Draft Environmental Impact Report*, Sacramento Housing and Redevelopment Agency, April 1985.

- 18) *City of Sacramento Infill Strategy*, City of Sacramento. Adopted May 14, 2002.
- 19) *Preliminary Report for the Merged Downtown Redevelopment Project, Amendment No. 3*, City of Sacramento Downtown Development Group, October 22, 2004.
- B. The Mitigation Monitoring Plan dated February 3, 2005.
- C. Testimony, documentary evidence and all correspondence submitted or delivered to the Council in connection with the Council hearing on this project and associated EIR.
- D. All staff reports, memoranda, maps, letters, minutes of meetings, and other documents relied upon or prepared by Agency and 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.

FINDINGS OF FACT AND STATEMENT OF OVERRIDING CONSIDERATIONS REGARDING THE ENVIRONMENTAL IMPACT REPORT FOR THE MERGED DOWNTOWN REDEVELOPMENT PLAN AMENDMENT

The Environmental Impact Report for the Merged Downtown Redevelopment Plan Amendment (Project), 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 alternatives to the project.

The Agency prepared an amendment to the Merged Downtown Redevelopment Plan for the Merged Downtown Redevelopment Project Area. The Redevelopment Plan was created in 1986 by merging four individual Project Areas (Component Areas):

Capitol Mall Area Project, Project No 2-A (originally adopted in 1955)

Capitol Mall Extension Project, Project No. 3 (originally adopted in 1960)

Capitol Mall Riverfront Project, Project No. 4 (originally adopted in 1966)

Uptown Development Project, Project No. 8 (originally adopted in 1972)

The proposed project would amend the Redevelopment Plan for the Merged Downtown Redevelopment Area, (the Redevelopment Plan or the Project Area) pursuant to Health and Safety Code Section 33333.10, extending the effectiveness of all four Component Areas and the time for collecting tax increment by 10 years. Extending the time limits as described will also cause secondary changes in the manner the Redevelopment Plan is implemented, including: 1) an increase in contributions to the low- and moderate-income housing fund from 20 percent to 30 percent of gross tax increment revenues; 2) a prohibition in spending tax increment funds in areas that are identified by the proposed Amendment as no longer blighted beginning on the date each component of the Merged Project Area's effectiveness lapses (this does not apply to the Agency's low- and moderate-income housing funds); and 3) the date each component area's effectiveness lapses, the Agency may only expend funds from the low- and moderate-income housing fund on housing units for low- and very low-income households, except that the Agency may spend up to 15 percent of those funds on moderate-income housing units, with the proviso that the number of moderate-income units assisted is no more than the number of extremely low-income units assisted.

As part of the amendment process, the Agency will slightly revise and update the Implementation Plan (2000-2004). Redevelopment actions outlined in the Implementation Plan include assembling parcels and/or assisting developers to upgrade inadequate infrastructure, such as the combined sewer system, hollow sidewalks and seismic retrofits; attract new businesses and retain and improve existing businesses; improve visual/aesthetic appearance with programs such as the Façade Grant Program; implement the Downtown Cultural and Entertainment District Master Plan; provide a clean and safe environment; and improve/upgrade the appearance and safety of downtown area streets, sidewalks and alleys.

The Implementation Plan and the Amendment also specify a number of housing policies, programs, activities, and goals regarding the production of low- and moderate-income housing units, the identification of locations suitable for replacement housing units rehabilitated, developed, or constructed, and the expenditure of tax increment for housing purposes.

All projects and programs previously adopted by the Agency in conjunction with the Redevelopment Plan and subsequent plan amendments and implementation plans will continue to be implemented to address the blight on the properties identified. The proposed Amendment does not change any of the Redevelopment Plan's established purposes or goals. The ongoing redevelopment projects, programs and activities of the Agency, identified in the Redevelopment Plan for the Project Area, include: 1) property owner, tenant and business owner participation; 2) construction, reconstruction, and installation of public improvements and facilities; 3) demolition, clearance and site preparation for the construction of buildings and public improvements; 4) relocation assistance; 5) construction and enhancement of low- and moderate-income housing; 6) property acquisition; 7) property disposition; 8) public and private cooperation; 9) establishment of restrictions and enforcement programs; and 10) other actions as appropriate.

A. Significant Impacts Which Can Be Avoided

FINDING

As authorized by Public Resources Code Section 21081 and Title 14, California Administrative Code Sections 15091, 15092, and 15093, the Council 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 EIR.

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

1) Impact 6.1-3: Vehicular access to development sites could block sidewalks, streets, or alleys.

(DEIR pages 6.1-26 through 6.1-27).

A. SIGNIFICANT IMPACT

Detailed information on development access design is not available for future projects in the Project Area. Depending on the access design, peak period access to project parking could result in queuing across sidewalks, light rail tracks, and into City streets. In addition, service vehicle access could result in vehicles backing in City streets or blocking alleys. This is considered a significant impact.

B. FACTS IN SUPPORT OF FINDING

The significant effect listed above will be reduced to a less-than-significant level with the implementation of the following mitigation measure:

- 6.1-3a Parking garage entrances shall be designed with adequate entry lanes, queuing space, and revenue control systems to avoid queuing onto City sidewalks with a 95 percent probability during the am peak hour on a typical day.

- 6.1-3b Loading dock access shall be designed to avoid maneuvering on city streets, so as not to interfere with other traffic. If such design is deemed infeasible, a staging area shall be provided for service vehicles. Vehicles shall back onto the loading dock area under the guidance of traffic control personnel to be stationed at the loading dock area.

2) Impact 6.1-4: *The Amendment could cause the demand for parking to exceed supply*
(DEIR pages 6.1-27 through 6.1-28).

A. POTENTIALLY SIGNIFICANT IMPACT

It is unknown where or how parking will be provided for redevelopment projects, or if it will be sufficient to meet the needs of proposed development. In addition, redevelopment projects are not required to meet minimum parking standards in the Central Business District. Therefore, redevelopment activities in the Project Area would have a potentially significant impact on downtown parking supply.

B. FACTS IN SUPPORT OF FINDING

The potentially significant effect listed above will be reduced to a less-than-significant level with the implementation of the following mitigation measure:

- 6.1-4a New redevelopment projects shall provide parking and/or contribute to area wide parking mitigations to the satisfaction of the Department of Transportation, consistent with the recommendations outlined in the Central City Parking Master Plan.
- 6.1-4b New large commercial projects should implement an aggressive Transportation Systems Management program with a 45% goal to increase alternative modes of transportation and reduce vehicle trips to a project site.

3) Impact 6.3-1: *Construction noise at sensitive receptors*
(DEIR pages 6.3-12 through 6.3-14)

A. SIGNIFICANT IMPACT

During noisy construction periods, background ambient noise levels will be increased by more than 4 dBA and will be clearly perceivable to surrounding individuals. Construction noise could make outdoor dining and conversation in nearby sensitive areas difficult and unpleasant. Because of the potential for construction activities to have an intrusive and disturbing noise effect at nearby sensitive receptor locations, the impact would be significant.

B. FACTS IN SUPPORT OF FINDING

The significant effect listed above will be reduced to a less-than-significant level with the following mitigation measure:

- 6.3-1a Erect a solid plywood construction/noise barrier along the exposed project boundaries. The barrier should not contain any significant gaps at its base or face, except for site access and surveying openings.
- 6.3-1b Construction activities shall comply with the City of Sacramento Noise Ordinance. Pile driving activities shall be coordinated with adjacent land uses in order to minimize potential disturbance of planned activities.
- 6.3-1c Pile holes will be pre-drilled to the maximum feasible depth. This will reduce the number of blows required to seat the pile, and will concentrate the pile driving activity closer to the ground where noise can be attenuated more effectively by the construction/noise barrier.
- 6.3-1d Locate fixed construction equipment such as compressors and generators as far as possible from sensitive receptors. Shroud or shield all impact tools, and muffle or shield all intake and exhaust ports on power construction equipment.
- 6.3-1e Designate a disturbance coordinator and conspicuously post this person's number around the project site and in adjacent public spaces. The disturbance coordinator will receive all public complaints about construction noise disturbances and will be responsible for determining the cause of the complaint, and implement any feasible measures to be taken to alleviate the problem.

4) Impact 6.3-3 *Expose existing or planned land uses to noise that would conflict with local planning guidelines or noise ordinance criteria*
(DEIR page 6.3-15)

A. POTENTIALLY SIGNIFICANT IMPACT

The Noise Element policies call for the analysis of specific projects to determine whether outdoor and indoor levels would comply with the Noise Element standards. However, this requirement is triggered only on discretionary projects, and most single family infill projects would be exempt from City entitlement review. Therefore, actions to encourage residential development in areas with existing and projected ambient noise levels above 60 dB are considered potentially significant.

B. FACTS IN SUPPORT OF FINDING

The potentially significant effect listed above will be reduced to a less-than-significant level with the following mitigation measure:

- 6.3-3 Prior to construction, an applicant shall provide an acoustical analysis that identifies measures to insure interior hotel or dwelling unit noise levels of 45 dBA or less are maintained for future ambient noise levels, and exterior noise levels for balconies would not exceed 60 dB at the balconies. Such measures shall be incorporated into the design of the building in the project's construction documents to the satisfaction of the City Building Division.

5) Impact 6.3-4 Construction-induced vibration impacts
(DEIR pages 6.3-16 through 6.3-17)

A. POTENTIALLY SIGNIFICANT IMPACT

Construction vibrations may damage fire sprinklers in surrounding office buildings. This would be a potentially significant impact.

B. FACTS IN SUPPORT OF FINDING

The potentially significant effect listed above will be reduced to a less-than-significant level with the following mitigation measures:

- 6.3-4a Implement mitigation measure 6.3-1c.
- 6.3-4b Provide protective coverings or temporary shoring of on-site or adjacent historic features as necessary, in consultation with the Preservation Director.
- 6.3-4c The pre-existing condition of all buildings within a 50-foot radius will be recorded in order to evaluate damage from construction activities. Fixtures and finishes within a 50-foot radius of construction activities susceptible to damage will be documented (photographically and in writing) prior to construction. All damage will be repaired back to its pre-existing condition.
- 6.3-4d Locate construction staging areas away from adjacent Landmark structures.
- 6.3-4e If fire sprinkler failure failures are reported in surrounding office buildings to the disturbance coordinator, the contractor shall provide monitoring during construction and repairs to sprinkler systems shall be provided.
- 6.3-4f Should damage occur despite the above mitigation measures, construction operations shall be halted and the problem activity shall be identified. A qualified engineer shall establish vibration limits based on soil conditions and the types of buildings in the immediate area. The contractor shall monitor the buildings throughout the remaining construction period and follow all recommendations of the qualified engineer to repair any damage that has occurred to the pre-existing state, and to avoid any further structural damage.

6) Impact 6.4-1: Loss or degradation of known or undiscovered prehistoric and historic resources
(DEIR pages 6.4-31 through 6.4-32).

A. SIGNIFICANT IMPACT

Disruption during construction would likely result in the permanent loss of potentially important cultural resource data. Therefore, this is considered a significant impact.

B. FACTS IN SUPPORT OF FINDING

The significant effect listed above will be reduced to a less-than-significant level with the following mitigation measure:

- 6.4-1a The North Central Information Center and the City's Preservation Director shall be consulted to determine if a proposed development project would require archaeological study and/or testing be conducted as part of the site specific environmental review. Recommended study and/or testing shall be completed prior to completion of environmental review.
- 6.4-1b Foremen and key members of major excavation, trenching, and grading for sites preparation shall be instructed to be wary of the possibility of destruction of buried cultural resource materials. They shall be instructed to recognize signs of prehistoric use and their responsibility to report any such finds (or suspected finds) immediately, as specified by measure 6.4.1c below, so damage to such resources may be prevented.
- 6.4-1c Should any cultural resources, such as structural features, unusual amounts of bone or shell, artifacts, human remains, or architectural remains be encountered during any development activities, all work within 20 meters of the find shall be suspended and a qualified archaeologist shall be consulted to develop, if necessary, further mitigation measures to reduce any archaeological impact to a less than significant level before construction continues. Such measures could include (but would not be limited to) researching and identifying the history of the resource(s), mapping the locations, and photographing the resource. In addition, pursuant to Section 5097.98 of the State Public Resources Code, and Section 7050.5 of the State Health and Safety Code, in the event of the discovery of any human remains, all work is to stop and the County Coroner shall be immediately notified. If the remains are determined to be Native American, guidelines of the Native American Heritage Commission shall be adhered to in the treatment and disposition of the remains.

7) Impact 6.4-2: *Potential alteration of historic resources*
(DEIR pages 6.4-32 through 6.4-34)

A. POTENTIALLY SIGNIFICANT IMPACT

Redevelopment activities would involve rehabilitation, adaptive reuse, relocation, demolition of existing structures, and potentially alterations to public infrastructure or parks over the life of the redevelopment plan. If a property subject to relocation, demolition, alteration or rehabilitation were to represent historic resources eligible for listing in the Sacramento Register or California Register, their damage or destruction would represent a significant impact. Therefore, redevelopment activities would have a potentially significant impact on historic resources in the Project Area.

B. FACTS IN SUPPORT OF FINDING

The potentially significant effect listed above will be reduced to a less-than-significant level with the following mitigation measures:

- 6.4-2a As part of any Owner Participation Agreement (OPA), Disposition and Development Agreement (DDA), or other Agency project that would affect any structure or feature over 50 years old that has not been evaluated by the City's Preservation Director, the buildings shall first be evaluated for eligibility for listing in the California Register of Historical Places. This evaluation shall occur through the preparation of State of California DPR 523 forms for each building, and through standard CEQA evaluation.
- 6.4-2b For properties determined to be eligible for listing in the California Register, rehabilitation and reuse of these properties shall be considered over relocation or demolition, and the Secretary's Standards shall be applied to insure that treatments will maintain the authenticity and integrity of historical
- 6.4-2c If demolition of some features cannot be avoided, where those features do not remove the building from eligibility for the California Register, then the feature(s) shall be recorded to Historic American Building Survey/Historic American Engineering Record standards (HABS/HAER) standards prior to their removal. Copies of the HABS/HAER documentation shall be filed with the State Office of Historic Preservation Sacramento Archive and Museum Collection Center (SAMCC), and the Sacramento Room at the Central Branch of the Sacramento County Library. HABS/HAER recordation typically includes the following:
- a. The development of site-specific history and appropriate contextual information regarding the particular resource. In addition to archival research and comparative studies, this task could involve limited oral history collection.
 - b. Accurate mapping of the resources, scaled to indicate size and proportion of the structures.
 - c. Photo documentation of the designated resources, both in still and video formats.
 - d. Recordation by measured architectural drawings, in the case of specifically designed structures of high architectural merit; "as-built" plans of existing structures/foundation ruins will involve field measurements, office scaled plan layout, and plot out of final plan.

8) Impact 6.5-2: *Effects on existing viewsheds along designated important view corridors*

(DEIR pages 6.5-17 through 6.5-18)

A. POTENTIALLY SIGNIFICANT IMPACT

To accommodate the delivery of materials to a construction site, as well as provide an area for a mobile crane, a portion of adjacent streets may sometimes need to be utilized as a loading zone/staging area during construction. This would be a potentially significant impact on protected viewsheds.

B. FACTS IN SUPPORT OF FINDING

The potentially significant effect listed above will be reduced to a less-than-significant level with the following mitigation measures:

- 6.5-2 Project proponents shall identify appropriate construction staging away from protected view corridors, to the satisfaction of the City's Department of Transportation.

9) Impact 6.6-2: *Potential redevelopment of previously identified or unidentified contaminated sites*

(DEIR pages 6.6-18 through 6.5-19)

A. SIGNIFICANT IMPACT

Excavation could damage unidentified underground storage tanks with some remaining petroleum products that could result in the exposure of construction workers and result in associated significant adverse health effects. In addition, construction activity could uncover unknown sites of soil contamination that could result in the exposure of construction workers and result in associated significant adverse health effects. This would be a significant impact.

B. FACTS IN SUPPORT OF FINDING

The significant effect listed above will be reduced to a less-than-significant level with the following mitigation measure:

- 6.6-2a A thorough examination of past property uses shall be required for redevelopment projects involving demolition or reuse of older properties or construction on vacant land, prior to demolition or construction. This examination shall conform to the Phase I Environmental Site Assessment process established by ASTM (American Society for Testing and Materials - E1527-00), and shall include a site reconnaissance, a review of regulatory databases, interviews with persons knowledgeable of the property, and a review of past property uses using appropriate historical sources. A Phase II Environmental Site Assessment shall be conducted if deemed necessary based on the Phase I Environmental Site Assessment results.

- 6.6-2b If discolored soil, vapors, or contaminated groundwater are encountered during construction activities, all work shall cease until a qualified environmental professional assesses the situation and appropriate action is taken to ensure the safety of workers and the public.
- 6.6-2c Construction contract documents shall include provisions for the proper handling and disposal of contaminated soil and/or dewatering water (including groundwater and contaminated rainwater) in accordance with federal, state, and local requirements.

10) Impact 6.7-3: *Exposure to flood hazard areas*
(DEIR page 6.7-20)

A. POTENTIALLY SIGNIFICANT IMPACT

Some projects in Project Area zones A-C could potentially be located in the AE flood hazard zone on the waterward side of the levee, such as restaurants cantilevered over the water. The hydraulic and flooding effects on the Sacramento River cannot be determined until such projects are identified. This is considered a potentially significant impact unless mitigation is incorporated

B. FACTS IN SUPPORT OF FINDING

The potentially significant effect listed above will be reduced to a less-than-significant level with the following mitigation measures:

- 6.7-3 The applicant shall demonstrate that a proposed project would not result in a significant adverse impact on the operation of the Sacramento River Flood Control System, including increases in flood water surface elevations, bank erosion near the river wall or other locations, or operations and maintenance, prior to receiving construction permits.

11) Impact 6.7-4: *Exceed Sacramento Regional County Sanitation District capacity*
(DEIR pages 6.7-20 through 6.5-21)

A. SIGNIFICANT IMPACT

Individual redevelopment projects would increase sewage flows to the SRCSD, and any increased sewage flows generated by redevelopment projects has the potential to exceed the capacity provided to many of the existing properties under SRCSD's contract with the City. This may cause the wet weather peak flow from the Sump 2 service area to exceed the 60-mgd contained in the current agreement, requiring additional interceptor/ treatment capacity to be provided. This would be a significant impact.

B. FACTS IN SUPPORT OF FINDING

The significant effect listed above will be reduced to a less-than-significant level with the following mitigation measure:

- 6.7-4 Project developers shall pay all required SRCSD Impact Fees for the proposed new development to provide for its fair share cost of the construction of relief interceptor sewer and treatment facilities.

12) Impact 6.7-5: Hydrology and levees
(DEIR page 6.7-21 through 6.7-22)

A. SIGNIFICANT IMPACT

Any redevelopment activity or project that is located on the Sacramento River levee and extends waterward of the ordinary high water mark could impact either the levees and / or the riverbed area between the low water marks and the high water marks, affecting the distribution of flows and velocity of flows in the Sacramento River due to increased hydraulic resistance offered by the piles and the steel support beams, and affecting water surface elevations during floods. Turbulence created by the structures in the water could also potentially increase erosion near the river wall. This would be a significant impact.

B. FACTS IN SUPPORT OF FINDING

The significant effect listed above will be reduced to a less-than-significant level with the following mitigation measure:

- 6.7-5 Redevelopment activities extending waterward of the ordinary high water mark shall address any potential hydrologic impacts, unrelated to flood flows, to River flow in the Project Area, or to adjacent or downstream areas as necessary, to the satisfaction of the Reclamation Board, the State Lands Commission and the Army Corps of Engineers.

13) Impact 6.8-1: Potential loss of heritage trees
(DEIR page 6.8-18 through 6.8-19)

A. SIGNIFICANT IMPACT

The Project Area contains trees that would be regulated under the City of Sacramento Heritage Tree Ordinance. The loss of a heritage tree would be a significant impact.

B. FACTS IN SUPPORT OF FINDING

The significant effect listed above will be reduced to a less-than-significant level with the following mitigation measure:

- 6.8-1a To the extent feasible, existing heritage trees shall be retained and incorporated into proposed development and/or landscaping plans; or,
- 6.8-1b If heritage trees cannot be avoided and will likely be removed, a certified arborist shall conduct a tree survey to identify the diameter at breast height (DBH), height, location, and health of the trees to be removed. This information is required for a

permit to remove the trees. Recommendations for tree planting/replacement ratios and appropriate planting sites shall also be included in this report.

14) Impact 6.8-2: *Effects to existing street trees*
(DEIR page 6.8-19 through 6.8-20)

A. SIGNIFICANT IMPACT

Redevelopment projects in furtherance of the Amendment could result in the removal of or significant damage to existing city street trees. Construction around street trees for foundations and construction staging can result in root and canopy loss, which would not only affect the trees' health and aesthetics but also jeopardize their stability in high winds. This would be a significant impact

B. FACTS IN SUPPORT OF FINDING

The significant effect listed above will be reduced to a less-than-significant level with the following mitigation measure:

- 6.8-2a Prior to the issuance of building permits, a project proponent shall provide a final site plan for the project to the City Arborist, which plots existing trees, identifies the size, species types and location of those that are proposed for removal, and identifies utilities to be installed and their proposed location relative to existing street trees. The Arborist shall review the plan and determine which trees, if any, are acceptable for removal (Section 6-1-3c).
- 6.8-2b Existing street trees will be preserved and protected to the maximum extent feasible, as determined by the City Arborist. A tree protection plan will be developed consistent with Chapter 12.64. An ISA Certified Arborist will be retained by the developer and/or construction contractor to monitor the tree protection plan and make weekly inspections of the project site during construction. The arborist will monitor and take any required action to ensure the health of the trees.

15) Impact 6.8-4: *Potential loss of special status riverine species*
(DEIR page 6.8-21 through 6.8-23)

A. POTENTIALLY SIGNIFICANT IMPACT

Construction impacts are associated with the driving of steel piles and dolphins into the riverbed and the placement of additional riprap at specific locations. The in-water placement of such structures would be a potentially significant impact special status species.

B. FACTS IN SUPPORT OF FINDING

The potentially significant effect listed above will be reduced to a less-than-significant level with the following mitigation measures:

- 6.8-4a Project proponents shall consult with the USFWS and the NOAA Fisheries, and all necessary FESA consultations shall be completed prior to project construction.
- 6.8-4b Project proponents shall consult with the CDFG and, if appropriate, obtain a Streambed Alteration Agreement prior to project construction.
- 6.8-4c Project proponents shall consult with the USACE and, if appropriate, obtain a permit or authorization under Section 10 of the Rivers Harbor Act and Section 404 of the Clean Water Act prior to project construction.
- 6.8-4d In order to avoid and minimize impacts on the federally-listed species, all in-water work shall be confined to the period between July 1 and September 15, or as designated on federal and state permits. This in-river construction window represents the common/overlap period of allowable construction windows for these species.
- 6.8-4e Project proponents shall prepare and implement any vegetation removal/replacement/relocation plan in accordance with requirements imposed by the CDFG, USFWS, and the City of Sacramento for riparian habitat.

16) Impact 6.9.1: *Cumulative demand for fire services*
(DEIR page 6.9-5 through 6.9-6)

A. SIGNIFICANT IMPACT

Redevelopment projects within the Project Area could include office, residential and hotel towers significantly taller than 100 feet, which is above the ability of ladders to provide evacuation in an emergency. This would increase downtown demand for fire protection and emergency services, contributing to a cumulative demand in the Central City for an additional fire station, equipment, and company. This would be a significant impact.

B. FACTS IN SUPPORT OF FINDING

The significant effect listed above will be reduced to a less-than-significant level with the following mitigation measure:

- 6.9-1a The Sacramento City Fire Department shall prepare for a new fire station and company in the Central City, the timing for a new station and company that would ensure adequate response times are maintained downtown, and the fair share cost that should be applied to any new development.
- 6.9-1b A proposed project proponent shall agree to pay the fair share assessment amount identified in a SCFD nexus study and approved by the City Council. This assessment

shall be payable to the Sacramento City Fire Department for allocation to a new fire station and company in the Central City.

17) Impact 6.10-2: *Interference with Public Safety Microwave Network and National Weather Service telecommunications*
(DEIR page 6.10-4).

A. SIGNIFICANT IMPACT

Any high-rise redevelopment project in the Project Area that includes office towers over 200 feet in height within the microwave path may interfere with Network signals. This would be a significant impact for potential high-rise projects in zones I and J.

B. FACTS IN SUPPORT OF FINDING

The significant effect listed above will be reduced to a less-than-significant level with the following mitigation measure:

- 6.10-2 The project sponsor shall consult with the California Department of General Services, Telecommunications Division, to determine if a proposed structure over 200 feet in height in zone I or J may interfere with the microwave path. Mitigation measures shall be developed and incorporated into the project design to the satisfaction of the Telecommunications Division.

18) Impact 6.10-3: *Interference with in-building police and fire communications*
(DEIR page 6.10-4 through 6.10-5)

A. SIGNIFICANT IMPACT

Redevelopment projects could be developed with one sub-grade level that could prevent public safety radio signals from being received in or sent from the lower level. This impact would occur as a result of a building structure itself interfering with the radio signals. This would be a significant impact.

B. FACTS IN SUPPORT OF FINDING

The significant effect listed above will be reduced to a less-than-significant level with the following mitigation measure:

- 6.10-3 A proposed project's sponsor shall work with the City's Communication Section to determine if in-building radio amplification is needed to provide the minimum signal levels required for PS radio communications. If amplification is needed, the project sponsor shall install a Radio Re-radiation System tuned to the SRRCS public safety radio band. The lower levels of the building shall have a BDA radio system to work with the existing SRRCS public safety radio band, an 800 MHz PS trunked radio system. The system shall receive outbound traffic from the PS system via a rooftop antenna, amplify it, and rebroadcast it through a distributed antenna system in the

lower levels of the building. The BDA shall also receive PS radio signals from the lower floors of the building, amplify them, and rebroadcast them through the rooftop antenna back to the PS radio system. The rooftop antenna shall be directional in nature and have a line of sight path to the PS antenna on top of the Sacramento County Jail. Since there are a large number of radio signals in the downtown area, the system shall be broadband enough to pass signals from 821 to 824 MHz and signals from 866 through 869 MHz. Band pass filters shall block all other signals. Floors above the first level shall have adequate PS radio coverage without additional amplification. Each radio system must be custom designed for the structure requiring radio coverage.

19) Impact 6.10-4: *Interference with the Automated Local Evaluation in Real Time System*
(DEIR page 6.10-6)

A. POTENTIALLY SIGNIFICANT IMPACT

Any new buildings in the downtown area that exceed an elevation of 102 feet mean sea level (msl) could interfere with rain gage, stream gage, and weather station radio signals transmissions (Johnson, 2004). This would render a portion of the County's ALERT system inoperable, making it impossible to obtain gage readings during storm events and interfere with the County's ability to predict potential flood locations. This would be a potentially significant impact.

B. FACTS IN SUPPORT OF FINDING

The potentially significant effect listed above will be reduced to a less-than-significant level with the following mitigation measures:

- 6.10-4 A proposed project's sponsor shall solve any radio reception problems as required by the County Department of Water Resources, such as adding repeaters or directional antennas, in a manner consistent with the Sacramento Urban Design Plan. The facilities may be included with other necessary communication equipment.

B. *Significant Impacts Which Cannot Be Avoided*

FINDING

The Council finds that, where feasible, the changes or alterations have been required in, or incorporated into, the Project which reduce the significant environmental impacts listed below as identified in the EIR. However, specific economic, social, or other considerations make infeasible mitigation measures or project alternatives to reduce the following impacts to a less-than-significant level. This finding is supported by evidence in the record of the proceeding before the Council including the Draft and Final EIR prepared for this project and the General Plan for the City of Sacramento and the associated EIR. All available, reasonably feasible mitigation measures identified in the EIR are employed to reduce the magnitude of the impacts, even if the reduction is not to a less-than-significant level. Also incorporated into this section are

the findings and facts stated in Section C that reject the Project Alternatives for failure or infeasibility to mitigate the potential effect and achieve the basic objectives of the project.

20) Impact 6.1-1: Cumulative traffic increases in the Central City

(DEIR pages 6.1-24 through 6.1-25 and FEIR pages 21-23)

A. SIGNIFICANT IMPACT

The City of Sacramento adopted a Findings of Fact and Statement of Overriding Considerations for the Adoption of the Sacramento General Plan Update for cumulative traffic impacts to the Central City. The proposed Merged Downtown Redevelopment Plan Amendment falls within the scope of the SGPU Program EIR and the findings adopted for the City's General Plan Update. However, because of the changes in underlying development assumptions, it is anticipated that development encouraged by redevelopment may result in significant impacts over and above those previously analyzed in the SGPU EIR.

B. FACTS IN SUPPORT OF FINDING

The following mitigation measure is required to reduce the intensity of impacts for the Project:

- 6.1-1 The City monitors roadway conditions and determines when improvements are warranted per City standards and criteria, and includes such improvements in their Capital Improvements Program as appropriate. As site specific development proposals are identified and submitted to the City for permits, the City has procedures and requirements in place to analyze operational impacts and imposed mitigation measures as required, for both the local street system and freeway interchanges. No other mitigation measures are available at the programmatic level.

21) Impact 6.2-1: Short-term construction increases in regional criteria pollutants

(DEIR pages 6.1-25 through 6.1-26)

A. POTENTIALLY SIGNIFICANT IMPACT

The SMAQMD provides a list of development types that typically trigger their significance criteria. Based on the potential development levels identified for the Project Area zones over the life of the Amendment, the types and sizes of development in the Project Area could exceed the construction screening criteria. Therefore, short-term increases in regional criteria pollutants would be potentially significant.

B. FACTS IN SUPPORT OF FINDING

The following mitigation measure is required to reduce the intensity of impacts for the Project:

- 6.2-1a The Agency, when lead agency under CEQA, shall contact the SMAQMD early in the CEQA process to confirm whether construction emissions screening may be used for a given project.

- 6.2-1b All redevelopment projects which are within 10% of the values indicated shall analyze potential construction emissions prior to project approvals, as determined by SMAQMD, including a potential health risk analysis for diesel exhaust particulate matter.
- 6.2-1c The Agency shall work with SMAQMD to customize a construction mitigation program appropriate for the project.

22) Impact 6.2-2: *Project specific operational increases in regional criteria pollutants.*
(DEIR pages 6.2-15 through 6.2-16 and FEIR pages 15 through 17).

A. POTENTIALLY SIGNIFICANT IMPACT

The SMAQMD provides a list of development types that typically trigger their NOX screening criteria. These include apartment developments of 1,070 or more units, office buildings of 841,000 sf., or hotels over 1,100 rooms. Although no individual zone has identified any potential residential developments of this size, it is probable that office or hotel uses of this size could be developed. Therefore, implementation of the Amendment would result in a *potentially significant impact* on operational emissions.

B. FACTS IN SUPPORT OF FINDING

The following mitigation measure is required to reduce the intensity of impacts for the Project:

- 6.2-2 All redevelopment projects which are determined to be potentially significant using the recommended SMAQMD methodologies of estimating emissions from operational activities shall work with SMAQMD to customize an operational mitigation plan appropriate for the project. Said plan will accompany the project through the Lead Agency's approval process.

23) Impact 6.2-6: *Shadow conditions from project area redevelopment*
(DEIR page 6.2-18)

A. POTENTIALLY SIGNIFICANT IMPACT

There is the potential for high-rise redevelopment projects in zones B, F, G, I, K, O and Q to result in shading of residential units or public space such as Cesar E. Chavez Plaza. This is a potentially significant impact.

B. FACTS IN SUPPORT OF FINDING

The following mitigation measure is required to reduce the intensity of impacts for the Project:

- 6.2-6 All high-rise redevelopment projects adjacent to residential and/or public outdoor spaces to the east and north shall conduct a shadow analysis to determine the length and duration of shadow effects on adjacent properties. Mitigation measures for significant shading impacts shall be incorporated to the extent feasible.

24) Impact 6.2-7: *Wind effects from project area redevelopment*
(DEIR page 6.2-19)

A. SIGNIFICANT IMPACT

Implementation of the Amendment could result the construction of tall buildings in the Project Area; depending the height, location relative to other tall buildings, and design and construction materials, wind speeds at pedestrian levels could exceed the comfort level criterion for pedestrians, and cause discomfort and difficulties if adjacent to outdoor café uses and public uses. Wind speeds during storm events could also exceed the hazard criterion at both street level, and on the accessible roofs of adjacent buildings, such as parking garages. This would be a significant impact.

B. FACTS IN SUPPORT OF FINDING

The following mitigation measure is required to reduce the intensity of impacts for the Project:

- 6.2-7a A wind tunnel analysis shall be conducted on all redevelopment projects that are more than five stories taller than the surrounding buildings and trees.
- 6.2-7b Building designs shall implement the recommendations of the Urban Design Plan, and avoid tall flat surfaces square to strong winds. Landscaping that includes a dense planting of both short and tall trees within the public spaces around the project buildings shall be provided to reduce pedestrian level wind effects.

25) Impact 6.4-3: *Potential removal or destruction of historic resources*
(DEIR pages 6.4-34 through 6.4-35 and FEIR pages 28 and 32)

A. SIGNIFICANT IMPACT

Redevelopment activities could involve the demolition or moving of existing structures or the removal or significant alteration of site and infrastructure features over the life of the redevelopment plan. If a property building subject to demolition, movement, or significant alteration were to represent historic resources eligible for listing in the Sacramento Register or California Register, their damage or destruction would represent a significant impact.

B. FACTS IN SUPPORT OF FINDING

The following mitigation measure is required to reduce the intensity of impacts for the Project, but will not reduce impacts to less than significant:

- 6.4-3a As part of any Owner Participation Agreement (OPA), Disposition and Development Agreement (DDA), or other Agency activity that would adversely affect any resource eligible for listing in the California Register of Historical Resources, the Agency shall work with the City Preservation Director to determine an appropriate mitigation fee to cover the cost of preserving other historic resources in the Project Area. The mitigation fee may consist of a contribution to a City Preservation Fund managed by

Sacramento Heritage, as established by the City Council as a grant provider for historic buildings, if there are no feasible means of preserving the necessary character defining features of the resource.

6.4-3b The resource shall be recorded to Historic American Building Survey/Historic American Engineering Record standards (HABS/HAER) standards prior to their removal. Copies of the HABS/HAER documentation shall be filed with the State Office of Historical Preservation, Sacramento Archive and Museum Collection Center (SAMCC), and the Sacramento Room at the Central Branch of the Sacramento County Library. HABS/HAER recordation typically includes the following:

- a. The development of site-specific history and appropriate contextual information regarding the particular resource. In addition to archival research and comparative studies, this task could involve limited oral history collection.
- b. Accurate mapping of the resources, scaled to indicate size and proportion of the structures.
- c. Photo documentation of the designated resources, both in still and video formats.
- d. Recordation by measured architectural drawings, in the case of specifically designed structures of high architectural merit; "as-built" plans of existing structures/foundation ruins will involve field measurements, office scaled plan layout, and plot out of final plan.

26) Impact 6.4-4: Cumulative loss of cultural resources
(DEIR page 6.4-35)

A. POTENTIALLY SIGNIFICANT IMPACT

Archaeological resources could be unearthed and damaged or destroyed, and historic resources could be significantly altered or destroyed as part of Agency projects. Their removal, destruction, or significant alteration from their place of origin would destroy their value as a resource. Any loss of cultural resources associated with redevelopment projects would contribute to a region-wide impact that cannot be remedied, and would be a potentially significant and unavoidable impact.

B. FACTS IN SUPPORT OF FINDING

The following mitigation measure is required to reduce the intensity of impacts for the Project, but will not reduce impacts to less than significant:

6.4-4 Implement Mitigation Measures 6.4-1, 6.4-2, and 6.4-3.

27) Impact 6.7-1: Substantial sewage and/or stormwater increases of combined sewer system flows

(DEIR page 6.7-17 through 6.7-18)

A. SIGNIFICANT IMPACT

Development permitted under the General Plan and encouraged by redevelopment activities could result in a significant impact on the capacity of the Combined Sewer System (CSS).

B. FACTS IN SUPPORT OF FINDING

The following mitigation measure is required to reduce the intensity of impacts for the Project:

6.7-1 If mitigation of system-wide impacts to less-than-significant levels cannot be accomplished by the mitigation plan for an Agency engendered project, the project sponsor shall enter into a Mitigation Agreement with the City, which shall be approved by the City of Sacramento Department of Utilities prior to the issuance of building permits. Such an agreement would include, but is not limited to the following:

- a. Agreement to pay any and all associated CSS impact fees based on a development's fair share of cost to implement the CSS improvement projects.
- b. Waiver of all rights to protest future fees, assessment districts, Mello Roos districts, etc.
- c. Consent to all conditions by any lien holder.

If mitigation of impacts is not practical, improvements to the CSS would not occur until after the proposed project is constructed, resulting in unmitigated substantial additions to the CSS for an unknown period of time. This impact would therefore be potentially significant and unavoidable.

C. REJECTION OF ALTERNATIVES

CEQA mandates that every EIR evaluate a no-project alternative. Alternatives provide a basis of comparison to the Project in terms of beneficial, significant, and unavoidable impacts. This comparative analysis is used to determine the most feasible for implementation. The alternatives studied in the EIR are infeasible based upon the following specific economic, social, or other considerations.

1. No Project Alternative (DEIR pages 4.0-2 to 4.0-3)

Section 15126(d)(2) of the State CEQA Guidelines requires that a “no project alternative” be evaluated in comparison to the Proposed Project. The No Project Alternative is defined in this section as the continuation of the existing condition of the project site.

Without City Council action and funding for revitalization, development in the Project Area would be expected to occur at a slower rate than would be the case with the implementation of the Redevelopment Plan. Commercial and residential infill development is currently stagnant in some portions of the Project Area, such as in areas along K Street, because commercial lots are of inadequate size with multiple owners, and land values are too high to support the construction of housing or small infill development, or the upgrading of aging infrastructure. Under the No Project alternative, Agency powers to assemble suitable sites for development and / or provide other assistance would not be available, thus integrated modern projects with greater community benefits would be less likely to be implemented in the remaining blighted areas. The amount of development could be substantially smaller and consist of less varied uses reflective solely of the market demand at a given time. Significant blighted parts of the Project Area, such as several blocks of K Street and L Street, would remain marginal with inadequate infrastructure, low lease rates, and vacant and blighted parcels. Quality of development would be poor, blight would persist, property values would remain depressed, crime rates high, and infrastructure and downtown housing would continue to deteriorate.

Under this alternative, the deteriorated housing; blighted, vacant, underutilized, and marginal commercial uses; vacant properties; and inadequate infrastructure would be expected to remain in the Project Area for a longer period of time. During that time, these uses may continue to decline and adversely affect adjacent uses. Less quality affordable housing would be provided without the availability of set-aside redevelopment funds. Less attention to identifying contaminated sites prior to reuse could result in human exposure to hazardous materials. The continuation of these conditions would maintain an undesirable environment for the development of new uses, preventing or substantially delaying the revitalization of the Project Area. The Downtown Sacramento area would likely remain underutilized in conflict with the City’s and region’s goals to promote infill development and reduce demand for development on the urban fringe.

FINDING

Specific economic, social, or other considerations make infeasible the No Project Alternative identified in the EIR and described above in that:

The No Project Alternative would fail to resolve conditions of blight in the Project Area.

The No Project Alternative would not promote the City's General Plan policies related to promoting the rehabilitation and revitalization of existing commercial centers, and the preservation of existing housing stock.

The No Project Alternative would not achieve the basic goals and objectives of the Project, including housing, social, environmental, and economic goals for the Project Area.

Significant effects of the Project are acceptable when balanced against this Alternative and the facts set forth in the Statement of Overriding Considerations.

2. *Alternative A: Increase the Limit / No SB 211 Amendment* (DEIR pages 4.0-3 to 4.0-5)

Under this alternative, the tax increment limit for the Project Area would increase, which is currently set at \$520 million. However, the 10 year extension for both extending the date the Redevelopment Plan would be effective and the time to receive tax increment would not be increased as allowed by SB 211.

This would be an option if there was insufficient blight to make the SB 211 findings. However, given the level of blight that can be documented, and the costs for the programs and projects that are needed to eliminate that blight, this option would not provide the Agency with sufficient time or resources to complete the redevelopment of the Project Area. Without the 10 year extension to Plan Effectiveness, the Agency would only have until 2011 to complete all Project Area activities. This would not provide enough time to complete all projects and programs that are needed to alleviate blight.

FINDING

Specific economic, social, or other considerations make infeasible Alternative A as identified in the Final EIR and described above in that:

This alternative would be less effective than the Project in resolving conditions of blight in the Project Area.

This alternative would be less effective than the Project in promoting the City's General Plan policies related to promoting the rehabilitation and revitalization of existing commercial centers, and the preservation of existing housing stock.

This Alternative would be less effective than the Project in achieving the basic goals and objectives of the Project, including housing, social, environmental, and economic goals for the Project Area.

With less resources and only five years to implement projects to eliminate barriers to development, this Alternative could restrict the development potential of the Project Area and limit the scope and scale of economic growth and downtown housing development.

Commercial uses; vacant properties; and inadequate infrastructure would be expected to remain in the Project Area for a longer period of time—during that time, these uses may continue to decline and adversely affect adjacent uses; less quality affordable housing would be provided due

to a lower level of set-aside redevelopment funds; and less attention to identifying contaminated sites prior to reuse could result in human exposure to hazardous materials.

Significant effects of the Project are acceptable when balanced against this Alternative and the facts set forth in the Statement of Overriding Considerations.

3. *Alternative B: Extend the Plan per SB 211 / No Increase in Tax Increment Limit* (DEIR pages 4.0-7 to 4.0-7)

Under this alternative, the Agency would not increase the tax increment limit for the Project Area. The 10 year extensions under SB 211 would be implemented.

The Agency has already obligated the current \$520 million tax increment limit, thus if the limit is not increased, then the Agency would not have additional resources to use in the elimination of blight. The only advantage that this alternative would provide to the Agency would be to extend the time period over which the Agency could use its current eminent domain authority. Without the SB 211 amendment, that authority would effectively expire in 2011, when the effectiveness of the Redevelopment Plan would end. With the SB 211 extension, the Agency would be able to use eminent domain authority for a longer period of time. Amendments to the Agency's eminent domain authority are not part of the plan amendment.

FINDING

Specific economic, social, or other considerations make infeasible the Alternative B identified in the EIR and described above in that:

Specific economic, social, or other considerations make infeasible Alternative A as identified in the Final EIR and described above in that:

The Council would not have additional resources to use in the elimination of blight, thus this alternative would be less effective than the Project in resolving conditions of blight in the Project Area.

This alternative would be less effective than the Project in promoting the City's General Plan policies related to promoting the rehabilitation and revitalization of existing commercial centers, and the preservation of existing housing stock.

This Alternative would be less effective than the Project in achieving the basic goals and objectives of the Project, including housing, social, environmental, and economic goals for the Project Area.

With less resources and only five years to implement projects to eliminate barriers to development, this Alternative could restrict the development potential of the Project Area and limit the scope and scale of economic growth and downtown housing development.

Under this alternative, the deteriorated housing; blighted, vacant, underutilized, and marginal commercial uses; vacant properties; and inadequate infrastructure would be expected to remain in the Project Area for a longer period of time. During that time, these uses may continue to decline and adversely affect adjacent uses; no additional quality affordable housing would be provided through set-aside redevelopment funds; and there would be less attention to identifying contaminated sites prior to reuse could result in human exposure to hazardous materials.

Rejection of Alternatives

The Downtown Sacramento area would likely remain underutilized in conflict with the City's and region's goals to promote infill development and reduce demand for development on the urban fringe.

Significant effects of the Project are acceptable when balanced against this Alternative and the facts set forth in the Statement of Overriding Considerations.

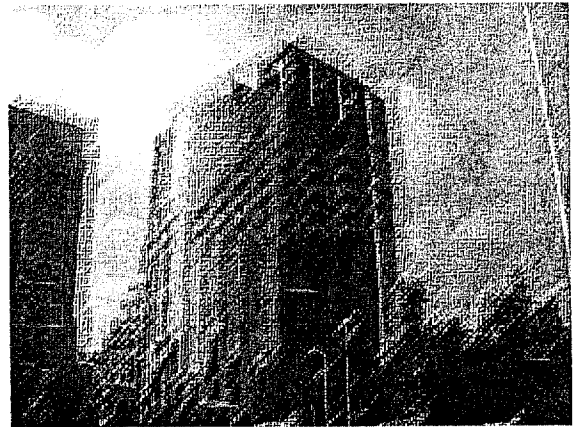
D. STATEMENT OF OVERRIDING CONSIDERATIONS

Notwithstanding disclosure of the significant impacts and the accompanying mitigation, the Council has determined pursuant to Section 15093 of the CEQA Guidelines that the benefits of the project as revised outweigh the adverse impacts, and the Project shall be approved.

With reference to the above findings and in recognition of those facts which are included in the record, the Council has determined that the Project would contribute to environmental impacts which are considered significant and adverse, as disclosed in the EIR prepared for the Project.

The Council specifically finds, and therefore makes this Statement of Overriding Considerations, that as a part of the process of obtaining project approval all significant effects on the environment with implementation of the Project have been eliminated or substantially lessened where feasible. Furthermore, the Council has determined that any remaining significant effects on the environment found to be unavoidable are acceptable due to the overriding considerations described below:

1. Eliminate blighting influences and correct environmental deficiencies in the Merged Downtown Redevelopment Project Area (Project Area), including among others: unsafe or unhealthy buildings; factors that prevent or substantially hinder economically viable use or capacity of buildings or lots; incompatible land uses; subdivided lots of irregular shape and inadequate size for property usefulness; depreciated or stagnant property values or impaired investments; presence of hazardous wastes; abnormally high business vacancies, vacant lots, or abandoned buildings; lack of necessary neighborhood-serving commercial facilities; residential overcrowding; and excess of bars, liquor stores or adult-oriented uses; and, a high crime rate that threatens the public health, safety and welfare;
2. Provide increased sales, business license and other fees, taxes, and revenues to the City of Sacramento;
3. Increase, preserve, or improve the community's supply of low- and moderate-income housing (inside or outside of the Project Area);
4. Strengthen the economic base of the Project Area and the community by installing needed site improvements which will stimulate new industrial and commercial expansion, new employment and economic growth;
5. Assemble land into parcels suitable for modern, integrated development with improved pedestrian and vehicular circulation in the Project Area;
6. Increase retail, industrial and commercial use in the Project Area;
7. Provide public improvements and infrastructure to facilitate development; and
8. Assist with the development of new uses in concert with the community vision for Downtown, Sacramento.



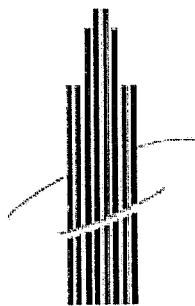
MITIGATION MONITORING PLAN MERGED DOWNTOWN REDEVELOPMENT PLAN AMENDMENT

SACRAMENTO, CALIFORNIA

State Clearinghouse Number: 2004072068

Prepared By
Gail Ervin Consulting

For the
City Council of the
City of Sacramento
Economic Development Department
Downtown Development Group



Downtown Development Group

February 3, 2004

107

MITIGATION MONITORING PLAN

MERGED DOWNTOWN REDEVELOPMENT PLAN AMENDMENT

The California Environment Quality Act (CEQA) as amended by Chapter 1232 (California 1988: implementing AB 3180, 1988) provides that a decision making body “shall adopt a reporting or monitoring program for the changes to the project which it has adopted or made a condition of approval in order to mitigate or avoid significant effects on the environment.”

The purpose of this mitigation monitoring and reporting plan is to ensure compliance with and effectiveness of the mitigation measures set forth in the certified Final Environmental Impact Report (FEIR) for the Merged Downtown Redevelopment Plan Amendment. This Mitigation Monitoring Plan (MMP) identifies the impact as it relates back to the FEIR, what the mitigation is, the monitoring or reporting action for the mitigation measure, the responsible party for the action, the timing of the monitoring or reporting action, and how the action will be verified.

In the case of the mitigation measures for the Amendment, all measures apply to future projects that have not yet been identified or defined. The Redevelopment Agency will be responsible for applying these measures to all future redevelopment projects, and for maintaining records of compliance with this program for the Redevelopment Agency. The Downtown Development Group will be responsible maintaining records of compliance with this program for the City of Sacramento and the Redevelopment Agency. All records shall be maintained in the Merged Downtown Redevelopment Plan Amendment Mitigation Monitoring Plan file at the Downtown Development Group offices, 1030 15th Street, Suite 250, Sacramento, CA 95814.

6.1 TRAFFIC

Impact 6.1-3: *Vehicular access to development sites could block sidewalks, streets, or alleys.*

Mitigation:

- 6.1-3a Parking garage entrances shall be designed with adequate entry lanes, queuing space, and revenue control systems to avoid queuing onto City sidewalks with a 95 percent probability during the am peak hour on a typical day.
- 6.1-3b Loading dock access shall be designed to avoid maneuvering on city streets, so as not to interfere with other traffic. If such design is deemed infeasible, a staging area shall be provided for service vehicles. Vehicles shall back onto the loading dock area under the guidance of traffic control personnel to be stationed at the loading dock area.

MITIGATION PROCEDURE		VERIFICATION PROCEDURE
For redevelopment projects with a parking garage, a parking, safety and traffic control plan shall be submitted to and approved by the City Traffic Engineer prior to issuance of an occupancy permit. This plan shall be subject to monitoring and refinement by the Transportation Division. The Building Division will include the conditions in the project's construction permits. Compliance with all city conditions and mitigation measures will be required in any OPA/DDA.		Applicant shall submit copy of the plans identifying compliance with these measures to the Project Manager. Include copy of the safety and traffic control plan, OPA/DDA and construction conditions in MMP file. Submit verification of compliance to the Building Division.
Checked by:	Date:	Checked by:
Comments:		Date:

Impact 6.1-4: The Amendment could cause the demand for parking to exceed supply**Mitigation:**

- 6.1-4a New redevelopment projects shall provide parking and/or contribute to area wide parking mitigations to the satisfaction of the Department of Transportation, consistent with the recommendations outlined in the Central City Parking Master Plan.
- 6.1-4b New large commercial projects should implement an aggressive Transportation Systems Management program with a 45% goal to increase alternative modes of transportation and reduce vehicle trips to a project site.

MITIGATION PROCEDURE		VERIFICATION PROCEDURE
Agency RFP's shall require redevelopment project proposals to identify project consistency with the Central City Parking Master Plan requirements. Large projects shall include proposed measures for minimizing vehicle trips through aggressive TSM measures.		Consistency of proposed projects with the Parking Master Plan requirements and TSM requirements shall be evaluated in the project specific CEQA document, and any additional mitigation measures adopted with project approval and included as a condition of a project's OPA/DDA.
Checked by:	Date:	Checked by:
Comments:		Date:

111

4.2 AIR QUALITY

Impact 6.2-1: Short-term construction increases in regional criteria pollutants

Mitigation:

- 6.2-1a The Agency, when lead agency under CEQA, shall contact the SMAQMD early in the CEQA process to confirm whether construction emissions screening may be used for a given project.
- 6.2-1b All redevelopment projects which are within 10% of the values indicated shall analyze potential construction emissions prior to project approvals, as determined by SMAQMD, including a potential health risk analysis for diesel exhaust particulate matter.
- 6.2-1c The Agency shall work with SMAQMD to customize a construction mitigation program appropriate for the project.

MITIGATION PROCEDURE		VERIFICATION PROCEDURE
City and Agency staff will coordinate with the SMAQMD to develop mitigation measures on a case by case basis, as appropriate. The City Building Division shall be provided with a copy of contract requirements that include the conditions for the contractor for each redevelopment project. Compliance with all city conditions and mitigation measures will be required in any OPA/DDA.		The Building Division shall verify compliance during construction, prior to issuing occupancy permits. Agency project coordinator shall include a copy of construction conditions in the project file.
Checked by:	Date:	Checked by:
Comments:		Date:

Impact 6.2-2: Project specific operational increases in regional criteria pollutants.**Mitigation:**

- 6.2-2 All redevelopment projects which are determined to be potentially significant using the recommended SMAQMD methodologies of estimating emissions from operational activities shall work with SMAQMD to customize an operational mitigation plan appropriate for the project. Said plan will accompany the project through the Lead Agency's approval process.

MITIGATION PROCEDURE		VERIFICATION PROCEDURE
City and Agency staff will coordinate with the SMAQMD to develop mitigation measures on a case by case basis, as appropriate. Identified measures will be incorporated into the project design where feasible. The City Building Division shall be provided with a copy of contract requirements that include the conditions for the contractor for each redevelopment project. Compliance with all city conditions and mitigation measures will be required in any OPA/DDA.		The Building Division shall verify compliance during construction, prior to issuing occupancy permits. Agency project coordinator shall include a copy of construction conditions in the project file.
Checked by:	Date:	Checked by:
Comments:		Date:

Impact 6.2-6: Shadow conditions from project area redevelopment**Mitigation:**

- 6.2-6 All high-rise redevelopment projects adjacent to residential and/or public outdoor spaces to the east and north shall conduct a shadow analysis to determine the length and duration of shadow effects on adjacent properties. Mitigation measures for significant shading impacts shall be incorporated to the extent feasible.

MITIGATION PROCEDURE		VERIFICATION PROCEDURE
Agency RFPs for development shall note the concern regarding shadowing of public spaces, and request proposals identify how project design will avoid or lessen potential impacts. CEQA review shall include a project specific analysis of shadow impacts on adjacent properties, and appropriate mitigation where feasible. Compliance with all city conditions and mitigation measures will be required in any OPA/DDA.		A Redevelopment Mitigation checklist will be included in each project file, and each applicable measure incorporated prior to subsequent CEQA approvals. The Building Division shall verify compliance during construction, prior to issuing occupancy permits. Agency project coordinator shall include a copy of project plans and conditions in the project file showing compliance.
Checked by:	Date:	Checked by:
Comments:		Date:

Impact 6.2-7: Wind effects from project area redevelopment**Mitigation:**

- 6.2-7a A wind tunnel analysis shall be conducted on all redevelopment projects that are more than five stories taller than the surrounding buildings and trees.
- 6.2-7b Building designs shall implement the recommendations of the Urban Design Plan, and avoid tall flat surfaces square to strong winds. Landscaping that includes a dense planting of both short and tall trees within the public spaces around the project buildings shall be provided to reduce pedestrian level wind effects.

MITIGATION PROCEDURE		VERIFICATION PROCEDURE
Project specific CEQA review will identify the applicability of the mitigation measure to a project. Where applicable, results of the wind analysis and feasible mitigation measures shall be incorporated into the project design. Compliance with all city conditions and mitigation measures will be required in any OPA/DDA.		A Redevelopment Mitigation checklist will be included in each project file, and each applicable measure incorporated prior to subsequent CEQA approvals. The Building Division shall verify compliance during construction, prior to issuing occupancy permits. Agency project coordinator shall include a copy of project plans and conditions in the project file showing compliance.
Checked by:	Date:	Checked by:
Comments:		Date:

4.3 NOISE & VIBRATION

Impact 6.3-1: Construction noise at sensitive receptors

Mitigation:

- 6.3-1a Erect a solid plywood construction/noise barrier along the exposed project boundaries. The barrier should not contain any significant gaps at its base or face, except for site access and surveying openings.
- 6.3-1b Construction activities shall comply with the City of Sacramento Noise Ordinance. Pile driving activities shall be coordinated with adjacent land uses in order to minimize potential disturbance of planned activities.
- 6.3-1c Pile holes will be pre-drilled to the maximum feasible depth. This will reduce the number of blows required to seat the pile, and will concentrate the pile driving activity closer to the ground where noise can be attenuated more effectively by the construction/noise barrier.
- 6.3-1d Locate fixed construction equipment such as compressors and generators as far as possible from sensitive receptors. Shroud or shield all impact tools, and muffle or shield all intake and exhaust ports on power construction equipment.
- 6.3-1e Designate a disturbance coordinator and conspicuously post this person's number around the project site and in adjacent public spaces. The disturbance coordinator will receive all public complaints about construction noise disturbances and will be responsible for determining the cause of the complaint, and implement any feasible measures to be taken to alleviate the problem.

MITIGATION PROCEDURE		VERIFICATION PROCEDURE
Project specific CEQA review will identify the applicability of the mitigation measure to a project. Where applicable, the City of Sacramento will include the construction noise conditions in the project's construction permits. Compliance with all city conditions and mitigation measures will be required in any OPA/DDA.		The Building Division shall verify compliance during construction, prior to issuing occupancy permits. Applicant shall submit copy of construction conditions to the Agency Project Manager.
Checked by:	Date:	Checked by:
Comments:		Date:

Impact 6.3-3: Expose existing or planned land uses to noise that would conflict with local planning guidelines or noise ordinance criteria.

Mitigation:

- 6.3-3 Prior to construction, an applicant shall provide an acoustical analysis that identifies measures to insure interior hotel or dwelling unit noise levels of 45 dBA or less are maintained for future ambient noise levels, and exterior noise levels for balconies would not exceed 60 dB at the balconies. Such measures shall be incorporated into the design of the building in the project's construction documents to the satisfaction of the City Building Division.

MITIGATION PROCEDURE		VERIFICATION PROCEDURE
Project specific CEQA review will identify the applicability of the mitigation measure to a project. Where applicable, the City of Sacramento will include the noise conditions in the project's construction permits. Compliance with all city conditions and mitigation measures will be required in any OPA/DDA.		The Building Division shall verify compliance during construction, prior to issuing occupancy permits. Applicant shall submit copy of construction conditions to the Agency Project Manager.
Checked by:	Date:	Checked by:
Comments:		Date:

Impact 6.3-4: Construction-induced vibration impacts**Mitigation:**

- 6.3-4a Implement mitigation measure 6.3-1c.
- 6.3-4b Provide protective coverings or temporary shoring of on-site or adjacent historic features as necessary, in consultation with the Preservation Director.
- 6.3-4c The pre-existing condition of all buildings within a 50-foot radius will be recorded in order to evaluate damage from construction activities. Fixtures and finishes within a 50-foot radius of construction activities susceptible to damage will be documented (photographically and in writing) prior to construction. All damage will be repaired back to its pre-existing condition.
- 6.3-4d Locate construction staging areas away from adjacent Landmark structures.
- 6.3-4e If fire sprinkler failures are reported in surrounding office buildings to the disturbance coordinator, the contractor shall provide monitoring during construction and repairs to sprinkler systems shall be provided.
- 6.3-4f Should damage occur despite the above mitigation measures, construction operations shall be halted and the problem activity shall be identified. A qualified engineer shall establish vibration limits based on soil conditions and the types of buildings in the immediate area. The contractor shall monitor the buildings throughout the remaining construction period and follow all recommendations of the qualified engineer to repair any damage that has occurred to the pre-existing state, and to avoid any further structural damage.

MITIGATION PROCEDURE		VERIFICATION PROCEDURE
The applicant shall provide verification to the Building Division that the pre-existing condition of sensitive buildings has been assessed and recorded prior to the issuance of construction permits. The Building Division will include conditions in the project's construction permits. Compliance with all city conditions and mitigation measures will be required in any OPA/DDA.		The Building Division shall verify compliance during construction, prior to issuing occupancy permits. Applicant shall submit copy of construction conditions to the Agency Project Manager.
Checked by:	Date:	Checked by:
Comments:		Date:

4.4 CULTURAL RESOURCES

Impact 6.4-1: Loss or degradation of known or undiscovered prehistoric and historic resources

Mitigation:

- 6.4-1a The North Central Information Center and the City's Preservation Director shall be consulted to determine if a proposed development project would require archaeological study and/or testing be conducted as part of the site specific environmental review. Recommended study and/or testing shall be completed prior to completion of environmental review.
- 6.4-1b Foremen and key members of major excavation, trenching, and grading for sites preparation shall be instructed to be wary of the possibility of destruction of buried cultural resource materials. They shall be instructed to recognize signs of prehistoric use and their responsibility to report any such finds (or suspected finds) immediately, as specified by measure 6.4.1c below, so damage to such resources may be prevented.
- 6.4-1c Should any cultural resources, such as structural features, unusual amounts of bone or shell, artifacts, human remains, or architectural remains be encountered during any development activities, all work within 20 meters of the find shall be suspended and a qualified archaeologist shall be consulted to develop, if necessary, further mitigation measures to reduce any archaeological impact to a less than significant level before construction continues. Such measures could include (but would not be limited to) researching and identifying the history of the resource(s), mapping the locations, and photographing the resource. In addition, pursuant to Section 5097.98 of the State Public Resources Code, and Section 7050.5 of the State Health and Safety Code, in the event of the discovery of any human remains, all work is to stop and the County Coroner shall be immediately

MITIGATION PROCEDURE		VERIFICATION PROCEDURE
Project specific CEQA review will identify the applicability of the mitigation measure to a project. Where applicable, the City of Sacramento will include the conditions in the project's construction permits. Compliance with all city conditions and mitigation measures will be required in any OPA/DDA.		The Building Division shall verify compliance during construction, prior to issuing occupancy permits. Applicant shall submit copy of construction conditions to the Agency Project Manager.
Checked by:	Date:	Checked by:
Comments:		Date:

notified. If the remains are determined to be Native American, guidelines of the Native American Heritage Commission shall be adhered to in the treatment and disposition of the remains.

Impact 6.4-2: Potential alteration of historic resourcesMitigation:

- 6.4-2a As part of any Owner Participation Agreement (OPA), Disposition and Development Agreement (DDA), or other Agency project that would affect any structure or feature over 50 years old that has not been evaluated by the City's Preservation Director, the buildings shall first be evaluated for eligibility for listing in the California Register of Historical Places. This evaluation shall occur through the preparation of State of California DPR 523 forms for each building, and through standard CEQA evaluation.
- 6.4-2b For properties determined to be eligible for listing in the California Register, rehabilitation and reuse of these properties shall be considered over relocation or demolition, and the Secretary's Standards shall be applied to insure that treatments will maintain the authenticity and integrity of historical buildings.
- 6.4-2c If demolition of some features cannot be avoided, where those features do not remove the building from eligibility for the California Register, then the feature(s) shall be recorded to Historic American Building Survey/Historic American Engineering Record standards (HABS/HAER) standards prior to their removal. Copies of the HABS/HAER documentation shall be filed with the State Office of Historic Preservation Sacramento Archive and Museum Collection Center (SAMCC), and the Sacramento Room at the Central Branch of the Sacramento County Library. HABS/HAER recordation typically includes the following:
- The development of site-specific history and appropriate contextual information regarding the particular resource. In addition to archival research and comparative studies, this task could involve limited oral history collection.

MITIGATION PROCEDURE		VERIFICATION PROCEDURE
Project specific CEQA review will identify the applicability of the mitigation measure to a project. Where applicable, the City of Sacramento will include the conditions in the project's construction permits. Compliance with all city conditions and mitigation measures will be required in any OPA/DDA.		The Building Division shall verify compliance during construction, prior to issuing occupancy permits. Applicant shall submit copy of construction conditions to the Agency Project Manager.
Checked by:	Date:	Checked by:
Comments:		Date:

- b. Accurate mapping of the resources, scaled to indicate size and proportion of the structures.
- c. Photo documentation of the designated resources, both in still and video formats.
- d. Recordation by measured architectural drawings, in the case of specifically designed structures of high architectural merit; "as-built" plans of existing structures/foundation ruins will involve field measurements, office scaled plan layout, and plot out of final plan.

Impact 6.4-3: Potential removal or destruction of historic resources**Mitigation:**

- 6.4-3a As part of any Owner Participation Agreement, Development and Disposition Agreement, or other Agency activity that would adversely affect any resource eligible for listing in the California Register of Historical Resources, the Agency shall work with the City Preservation Director to determine an appropriate mitigation fee to cover the cost of preserving other historic resources in the Project Area. The mitigation fee may consist of a contribution to a City Preservation Fund managed by Sacramento Heritage, as established by the City Council as a grant provider for historic buildings, if there are no feasible means of preserving the necessary character defining features of the resource.
- 6.4-3b The resource shall be recorded to Historic American Building Survey/Historic American Engineering Record standards (HABS/HAER) standards prior to their removal. Copies of the HABS/HAER documentation shall be filed with the State Office of Historical Preservation, Sacramento Archive and Museum Collection Center (SAMCC), and the Sacramento Room at the Central Branch of the

MITIGATION PROCEDURE		VERIFICATION PROCEDURE
<p>The Preservation Director will work with the Design Review and Preservation Board to develop a mitigation fee structure. Final designs shall be approved by the Design Review and Preservation Board. The HABS shall be completed and conveyed to the Agency Project Manager, the City Preservation Director and the Sacramento Archives and Museum Collection Center (SAMCC). Verification of submittal shall be provided to the Building Division prior to issuance of the demolition permit. An agreement shall be developed, prior to issuance of the Certificate of Occupancy, between the property owners, the Preservation Director and the Director of SAMCC as to the disposition (interpretation, display, donation, or surplusing) of findings or artifacts from the site, whether on-site, at SAMCC or at some other location. All requirements shall be included in any OPA/DDA or other project agreement.</p>		<p>Any applicable fees shall be identified prior to subsequent CEQA certification. The applicant shall submit verification that the HABS was conveyed to the Preservation Director, SAMCC, and the Agency Project Manager prior to demolition of identified historic resources. The resource disposition agreement shall be filed with the Agency Project Manager prior to project occupancy.</p>
Checked by:	Date:	Checked by:
Comments:		Date:

Sacramento County Library. HABS/HAER recordation typically includes the following:

- a. The development of site-specific history and appropriate contextual information regarding the particular resource. In addition to archival research and comparative studies, this task could involve limited oral history collection.
- b. Accurate mapping of the resources, scaled to indicate size and proportion of the structures.
- c. Photo documentation of the designated resources, both in still and video formats.
- d. Recordation by measured architectural drawings, in the case of specifically designed structures of high architectural merit; "as-built" plans of existing structures/foundation ruins will involve field measurements, office scaled plan layout, and plot out of final plan.

4.5 AESTHETICS

Impact 6.5-2: Effects on existing viewsheds along designated important view corridors

Mitigation:

- 6.5-2 Project proponents shall identify appropriate construction staging away from protected view corridors, to the satisfaction of the City's Department of Transportation.

MITIGATION PROCEDURE		VERIFICATION PROCEDURE
A construction traffic management plan shall be prepared by the applicant to the satisfaction of the City Traffic Engineer and submitted for review and approval prior to issuance of building permits. Compliance with all city conditions and mitigation measures will be required in any OPA/DDA.		Applicant shall submit copy of the construction traffic management plan to the Agency Project Manager. Include copy of construction traffic management plan, OPA/DDA and construction conditions in MMP file. Submit verification of compliance to the Building Division.
Checked by:	Date:	Checked by:
Comments:		Date:

4.6 HAZARDS & HAZARDOUS MATERIALS

Impact 6.6-2: Potential redevelopment of previously identified or unidentified contaminated sites

Mitigation:

- 6.6-2a A thorough examination of past property uses shall be required for redevelopment projects involving demolition or reuse of older properties or construction on vacant land, prior to demolition or construction. This examination shall conform to the Phase I Environmental Site Assessment process established by ASTM (American Society for Testing and Materials - E1527-00), and shall include a site reconnaissance, a review of regulatory databases, interviews with persons knowledgeable of the property, and a review of past property uses using appropriate historical sources. A Phase II Environmental Site Assessment shall be conducted if deemed necessary based on the Phase I Environmental Site Assessment results.
- 6.6-2b If discolored soil, vapors, or contaminated groundwater are encountered during construction activities, all work shall cease until a qualified environmental professional assesses the situation and appropriate action is taken to ensure the safety of workers and the public.
- 6.6-2c Construction contract documents shall include provisions for the proper handling and disposal of contaminated soil and/or dewatering water (including groundwater and contaminated rainwater) in accordance with federal, state, and local requirements.

MITIGATION PROCEDURE		VERIFICATION PROCEDURE
The Agency shall require a Phase I Environmental Site Assessment process established by ASTM (E1527-00) be conducted for all new construction and demolition projects in the Project Area, and submitted for consideration in the subsequent CEQA review process.		A Phase I ESA shall remain on file in the project file, and the report noted in the project's entitlement application. Building Division shall verify compliance with proper handling provisions during construction, prior to issuing occupancy permits. Applicant shall submit copy of construction conditions to the Agency Project Manager.
Checked by:	Date:	Checked by:
Comments:		Date:

4.7 HYDROLOGY

Impact 6.7-1: Substantial sewage and/or stormwater increases of combined sewer system flows

Mitigation:

- 6.7-1 If mitigation of system-wide impacts to less-than-significant levels cannot be accomplished by the mitigation plan for an Agency engendered project, the project sponsor shall enter into a Mitigation Agreement with the City, which shall be approved by the City of Sacramento Department of Utilities prior to the issuance of building permits. Such an agreement would include, but is not limited to the following:
- Agreement to pay any and all associated CSS impact fees based on a development's fair share of cost to implement the CSS improvement projects.
 - Waiver of all rights to protest future fees, assessment districts, Mello Roos districts, etc.
 - Consent to all conditions by any lien holder.

MITIGATION PROCEDURE		VERIFICATION PROCEDURE
The applicant shall work with the Department of Utilities to mitigate impacts to the CSS. If mitigation of impacts is not practical as determined by Utilities, the applicant shall pay a mitigation fee as determined by Utilities. Compliance with all city conditions and mitigation measures will be required in any OPA/DDA.		Utilities shall provide verification of payment of fees to the Building Division, prior to issuing occupancy permits. Applicant shall submit copy of fee verification to the Agency Project Manager.
Checked by:	Date:	Checked by:
Comments:		Date:

Impact 6.7-3: Exposure to flood hazard areas**Mitigation:**

- 6.7-3 The applicant shall demonstrate that a proposed project would not result in a significant adverse impact on the operation of the Sacramento River Flood Control System, including increases in flood water surface elevations, bank erosion near the river wall or other locations, or operations and maintenance, prior to receiving construction permits.

MITIGATION PROCEDURE		VERIFICATION PROCEDURE
A project's hydraulic and flooding effects on the Sacramento River shall be determined during subsequent CEQA review. Mitigation measures shall be developed in coordination with the appropriate state and federal agencies, and incorporated into the project's design and construction conditions. Compliance with all city conditions and mitigation measures will be required in any OPA/DDA.		The Building Division shall verify compliance during construction, prior to issuing occupancy permits. Applicant shall submit copy of construction conditions to the Agency Project Manager.
Checked by:	Date:	Checked by:
Comments:		Date:

Impact 6.7-4: Exceed Sacramento Regional County Sanitation District capacity**Mitigation:**

- 6.7-4 Project developers shall pay all required SRCSD Impact Fees for the proposed new development to provide for its fair share cost of the construction of relief interceptor sewer and treatment facilities.

MITIGATION PROCEDURE		VERIFICATION PROCEDURE
The applicant shall provide verification of payment of fees to the Agency Project Manager. Compliance with all city conditions and mitigation measures will be required in any OPA/DDA.		The Building Division shall verify fee payment with the City Utilities Department prior to issuing occupancy permits. Applicant shall submit copy of construction conditions to the Agency Project Manager.
Checked by:	Date:	Checked by:
Comments:		Date:

Impact 6.7-5: Hydrology and levees**Mitigation:**

- 6.7-5 Redevelopment activities extending waterward of the ordinary high water mark shall address any potential hydrologic impacts, unrelated to flood flows, to River flow in the Project Area, or to adjacent or downstream areas as necessary, to the satisfaction of the Reclamation Board, the State Lands Commission and the Army Corps of Engineers.

MITIGATION PROCEDURE		VERIFICATION PROCEDURE
A project's hydraulic and flooding effects on the Sacramento River shall be determined during subsequent CEQA review. Mitigation measures shall be developed in coordination with the appropriate state and federal agencies, and incorporated into the project's design and construction conditions. Compliance with all city conditions and mitigation measures will be required in any OPA/DDA.		The Building Division shall verify compliance during construction, prior to issuing occupancy permits. Applicant shall submit copy of construction conditions to the Agency Project Manager.
Checked by:	Date:	Checked by:
Comments:		Date:

4.8 BIOLOGY

Impact 6.8-1: Potential loss of heritage trees

Mitigation:

- 6.8-1a To the extent feasible, existing heritage trees shall be retained and incorporated into proposed development and/or landscaping plans; or,
- 6.8-1b If heritage trees cannot be avoided and will likely be removed, a certified arborist shall conduct a tree survey to identify the diameter at breast height (DBH), height, location, and health of the trees to be removed. This information is required for a permit to remove the trees. Recommendations for tree planting/replacement ratios and appropriate planting sites shall also be included in this report.

MITIGATION PROCEDURE		VERIFICATION PROCEDURE
All Agency new construction projects that could affect heritage trees, including capital improvement projects, shall provide landscape plans that identify the spacing and appropriate species for approval by the City Arborist prior to the issuance of construction permits. Compliance with all city conditions and mitigation measures will be required in any OPA/DDA.		Building Division shall verify approval by the City Arborist prior to issuing building permits.
Checked by:	Date:	Checked by:
Comments:		Date:

Impact 6.8-2: Effects to existing street trees**Mitigation:**

- 6.8-2a Prior to the issuance of building permits, a project proponent shall provide a final site plan for the project to the City Arborist, which plots existing trees, identifies the size, species types and location of those that are proposed for removal, and identifies utilities to be installed and their proposed location relative to existing street trees. The Arborist shall review the plan and determine which trees, if any, are acceptable for removal (Section 6-1-3c).
- 6.8-2b Existing street trees will be preserved and protected to the maximum extent feasible, as determined by the City Arborist. A tree protection plan will be developed consistent with Chapter 12.64. An ISA Certified Arborist will be retained by the developer and/or construction contractor to monitor the tree protection plan and make weekly inspections of the project site during construction. The arborist will monitor and take any required action to ensure the health of the trees.

MITIGATION PROCEDURE		VERIFICATION PROCEDURE
The City Design Review staff shall include conditions in the project's final design approvals, and forward to the Building Division. Compliance with all city conditions and mitigation measures shall be required in any OPA/DDA. Applicant shall submit copy of approved final designs to the Agency Project Manager.		The Building Division shall verify compliance during construction, prior to issuing occupancy permits. Applicant shall submit copy of construction conditions to the Agency Project Manager.
Checked by:	Date:	Checked by:
Comments:		Date:

Impact 6.8-4: Potential loss of special status riverine species**Mitigation:**

- 6.8-4a Project proponents shall consult with the USFWS and the NOAA Fisheries, and all necessary FESA consultations shall be completed prior to project construction.
- 6.8-4b Project proponents shall consult with the CDFG and, if appropriate, obtain a Streambed Alteration Agreement prior to project construction.
- 6.8-4c Project proponents shall consult with the USACE and, if appropriate, obtain a permit or authorization under Section 10 of the Rivers Harbor Act and Section 404 of the Clean Water Act prior to project construction.
- 6.8-4d In order to avoid and minimize impacts on the federally-listed species, all in-water work shall be confined to the period between July 1 and September 15, or as designated on federal and state permits. This in-river construction window represents the common/overlap period of allowable construction windows for these species.
- 6.8-4e Project proponents shall prepare and implement any vegetation removal/replacement/relocation plan in accordance with requirements imposed by the CDFG, USFWS, and the City of Sacramento for riparian habitat.

MITIGATION PROCEDURE		VERIFICATION PROCEDURE
The applicant shall consult with all necessary agencies and develop appropriate mitigation, prior to completion of any subsequent CEQA review. The Building Division will include conditions in the project's construction permits. Compliance with all city conditions and mitigation measures will be required in any OPA/DDA.		The Building Division shall verify compliance during construction, prior to issuing occupancy permits. Applicant shall submit copy of construction conditions to the Agency Project Manager.
Checked by:	Date:	Checked by:
Comments:		Date:

4.9 FIRE SERVICES

Impact 6.9-1: Cumulative demand for fire services

Mitigation:

- 6.9-1a The Sacramento City Fire Department shall prepare a nexus report to identify the Department's need for a new fire station and company in the Central City, the timing for a new station and company that would ensure adequate response times are maintained downtown, and the fair share cost that should be applied to any new development.
- 6.9-1b A proposed project proponent shall agree to pay the fair share assessment amount identified in a SCFD nexus study and approved by the City Council. This assessment shall be payable to the Sacramento City Fire Department for allocation to a new fire station and company in the Central City.

MITIGATION PROCEDURE		VERIFICATION PROCEDURE
The fire department shall provide a resolution from the City Council ordering payment of fair share assessments and implementing regulations. Developer shall provide verification of payment of fees to the Agency Project Manager. Compliance with all city conditions and mitigation measures will be required in any OPA/DDA.		Include copy of fire assessment regulations and copy of receipt of assessment in MMP file. Include copy of OPA/DDA and construction conditions in MMP file.
Checked by:	Date:	Checked by:
Comments:		Date:

4.10 COMMUNICATIONS SERVICES

Impact 6.10-2: Interference with Public Safety Microwave Network and National Weather Service telecommunications

Mitigation:

- 6.10-2 The project sponsor shall consult with the California Department of General Services, Telecommunications Division, to determine if a proposed structure over 200 feet in height in zone I or J may interfere with the microwave path. Mitigation measures shall be developed and incorporated into the project design to the satisfaction of the Telecommunications Division.

MITIGATION PROCEDURE		VERIFICATION PROCEDURE
Prior to issuance of an occupancy permit, provide verification from the California Department of General Services, Telecommunications Division that any required installed system is adequate. Compliance with all conditions and mitigation measures will be required in any OPA/DDA.		Applicant shall submit copy of State verification to the Agency Project Manager. Include with copy of OPA/DDA in MMP file.
Checked by:	Date:	Checked by:
Comments:		Date:

Impact 6.10-3: Interference with in-building police and fire communications**Mitigation:**

- 6.10-3 A proposed project's sponsor shall work with the City's Communication Section to determine if in-building radio amplification is needed to provide the minimum signal levels required for PS radio communications. If amplification is needed, the project sponsor shall install a Radio Re-radiation System tuned to the SRRCS public safety radio band. The lower levels of the building shall have a BDA radio system to work with the existing SRRCS public safety radio band, an 800 MHz PS trunked radio system. The system shall receive outbound traffic from the PS system via a rooftop antenna, amplify it, and rebroadcast it through a distributed antenna system in the lower levels of the building. The BDA shall also receive PS radio signals from the lower floors of the building, amplify them, and rebroadcast them through the rooftop antenna back to the PS radio system. The rooftop antenna shall be directional in nature and have a line of sight path to the PS antenna on top of the Sacramento County Jail. Since there are a large number of radio signals in the downtown area, the system shall be broadband enough to pass signals from 821 to 824 MHz and signals from 866 through 869 MHz. Band pass filters shall block all other signals. Floors above the first level shall have adequate PS radio coverage without additional amplification. Each radio system must be custom designed for the structure requiring radio coverage.

MITIGATION PROCEDURE		VERIFICATION PROCEDURE
Prior to issuance of an occupancy permit, provide verification from the City Communications Division that any required installed system is adequate. Compliance with all conditions and mitigation measures will be required in any OPA/DDA.		Applicant shall submit copy of CCD verification to the Agency Project Manager. Include with copy of OPA/DDA in MMP file.
Checked by:	Date:	Checked by:
Comments:		Date:

Impact 6.10-4: Interference with the Automated Local Evaluation in Real Time System**Mitigation:**

- 6.10-4 A proposed project's sponsor shall solve any radio reception problems as required by the County Department of Water Resources, such as adding repeaters or directional antennas, in a manner consistent with the Sacramento Urban Design Plan. The facilities may be included with other necessary communication equipment.

MITIGATION PROCEDURE		VERIFICATION PROCEDURE
Prior to issuance of an occupancy permit, provide verification from the County Communications Division that any required installed system is adequate. Compliance with all conditions and mitigation measures will be required in any OPA/DDA.		Applicant shall submit copy of CCD verification to the Agency Project Manager. Include with copy of OPA/DDA in MMP file.
Checked by:	Date:	Checked by:
Comments:		Date: