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**DEPARTMENT OF
PUBLIC WORKS**

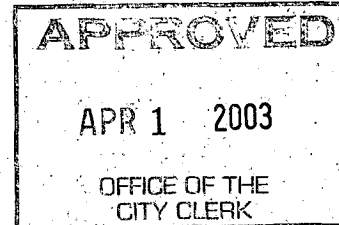
Development Services Division

**CITY OF SACRAMENTO
CALIFORNIA**

Plan Check & Entitlements
1231 I Street, Room 200
Sacramento, CA 95814
PH 916-264-7995
FAX 916-264-5786

March 14, 2003

City Council
Sacramento, California



Honorable Members in Session:

**SUBJECT: HEARING ON THE SUMMARY ABANDONMENT OF TISDALE WAY, LANE COURT
AND ROLDO COURT LOCATED WITHIN COUNCIL DISTRICT 8 (ABANDONMENT
PROCEEDING NO. AP02-01)**

LOCATION/COUNCIL DISTRICT: Tisdale Way, Lane Court and Roldo Court
Council District 8 (See attachment "A")

RECOMMENDATION:

This report recommends that the City Council adopt the attached resolution approving the Summary Abandonment of Tisdale Way, Lane Court and Roldo Court.

CONTACT PERSONS: Robert T. Robinson, Supervising Surveyor, 264-8970
Cesar Narvaez, Engineering Technician, 264-7873

FOR COUNCIL MEETING OF: April 1, 2003

SUMMARY:

Sacramento Regional Transit is requesting the abandonment of Tisdale Way, Lane Court and Roldo Court necessary for the construction of a ride and park area for the Light Rail Station.

City Council

Abandonment Tisdale Way, Lane Court and Roldo Court (AP02-01)

March 14, 2003

COMMITTEE/COMMISSION:

The Planning Commission has reviewed and determined that the proposed abandonment of Tisdale Way, Lane Court and Roldo Court is consistent with the General Plan.

BACKGROUND INFORMATION:

- City of Sacramento departments and utility companies have reviewed this request for abandonment. Letters regarding this abandonment are on file with the Department of Public Works, Development Services Division.
- Staff has reviewed the request to abandon and finds it in conformance with City Guidelines for Street Closures (City Resolution No. 95-667) and the State of California, Streets and Highways Code (Section 8300 et seq).
- The City mailed letters to the property owners, residents within 500 feet of the abandonment. Notice of the abandonment was posted along the subject right-of-way on March 24, 2003, and the Public Hearing Date was published in the Daily Recorder on March 14, 2003 and March 24, 2003. The Engineer's report relating to additional facts of the abandonment is on file with the City Clerk's office. See attachment "B" for the time schedule for this abandonment.
- Following abandonment, the title to the subject property is cleared of the public road easement and public service easement.

FINANCIAL CONSIDERATIONS:

The applicant provided all the documentation required for the abandonment and has paid a fee to fund staff time required to process the abandonment application. There is no expense to the City.

ENVIRONMENTAL CONSIDERATIONS:

The Sacramento Regional Transit (RT) was the Lead Agency in the preparation of the 1994 Alternatives Analysis/Draft Environmental Impact Statement/Draft Environmental Impact Report (AA/DEIS/DEIR) and the 1995 Final Environmental Impact Report (FEIR) for the South Sacramento Corridor Project. The documents evaluated seven transportation investment alternatives for the South Sacramento area involving different transit services along various alignments. A Draft Supplemental Environmental Impact Statement/Draft Subsequent Environmental Impact Report (DSEIS/DSEIR) was prepared in 1996 after the selection of a Preferred Investment Strategy. The DSEIS/DSEIR included analysis of the Preferred Investment Strategy, which is the South Sacramento Corridor Project.

With reference to the California Environmental Quality Act (CEQA), RT is the Lead Agency and has the primary responsibility to implement the proposed South Sacramento Corridor Project. The City of Sacramento, Environmental Planning Services has determined that the City of Sacramento is a responsible agency for the South Sacramento Corridor Project and shall use the Final Environmental

City Council

Abandonment Tisdale Way, Lane Court and Roldo Court (AP02-01)

March 14, 2003

Impact Statement/Final Subsequent Environmental Impact Report (FEIS/FSEIR), prepared and certified by RT, for the actions relating to the abandonment of Tisdale Way, Lane Court, and Roldo Court between the City and RT.

The FEIS/FSEIR includes the elements of the proposed actions that deal with the development of the Meadowview Light Rail Station Park and Ride Lot by abandoning Tisdale Way, Lane Court, and Roldo Court. The FEIS/FSEIR is considered complete and in compliance with the provisions of the California Environmental Quality Act (CEQA).

The City of Sacramento is a responsible agency in accordance with CEQA. A responsible agency must consider the FEIS/FSEIR prepared by the lead agency in making a decision on whether and how to approve the portion of the project for which it has authority. The Draft SEIS/SEIR for the South Sacramento Corridor Project was circulated through the City's Environmental Clearinghouse. Comments to the documents were submitted to RT and addressed in the FEIS/FSEIR.

POLICY CONSIDERATIONS:

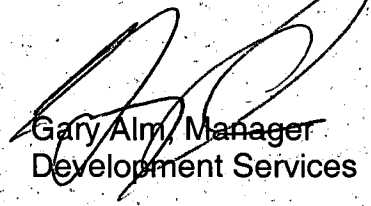
1. Section 8300 et. Seq. of the Streets and Highways Code allows for abandonment of streets, alleys, and easements that are no longer needed for public use. These abandonments are classified as summary abandonments.
2. The local governing body is the approving authority and may reserve such rights as may be needed (e.g., retaining the utility easement when approving a street abandonment).
3. City policy, as stated in Resolution No. 96-176 (approved by the City Council on May 7, 1996), provides for abandonment of streets and alleys so long as there is a benefit to the community, it does not inhibit access to other properties and would be supported by the majority of the property owners.
4. The proposed abandonment is consistent with the policies and laws stated in section one through three above.
5. The proposed abandonment is consistent with Council priorities of public safety, and neighborhood revitalization and enhancement.
6. The Council action recommended in this report supports the following City Strategic Plan goals:
 - Enhance and preserve the neighborhoods
 - Promote and support economic vitality
 - Improve and diversify the transportation system

City Council
Abandonment Tisdale Way, Lane Court and Roldo Court (AP02-01)
March 14, 2003

ESBD CONSIDERATIONS:

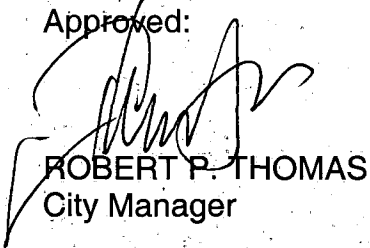
City Council adoption of the attached resolution is not affected by City policy related to the ESBD Program.

Respectfully submitted,



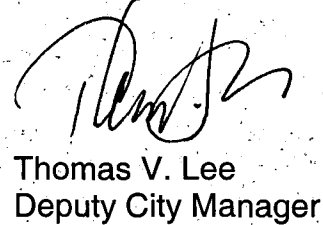
Gary Alm, Manager
Development Services

Approved:



ROBERT P. THOMAS
City Manager

RECOMMENDATION APPROVED:



Thomas V. Lee
Deputy City Manager

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Attachment "A"

**Pollock
Ranch
Park**

**Union Pacific
Railroad**

Project Site

32ND ST

LANE CT

TISDALE WY

ROL DO CT

PENNYWOOD CT

BRANDYWOOD CT

G PK

CARROTWOOD CT

MEADOWVIEW RD

**State Office of
Civil Defense**

DETROIT BL

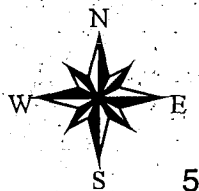
JOLA CR

ANDROS WY

200 0 200 400 Feet

Department of
PUBLICWORKS
CITY OF
SACRAMENTO
CESAR 020503

AP02-01 Abandonment of Tisdale Way,
Lane Court and Rol Do Court Located in
Council District 8



ATTACHMENT B

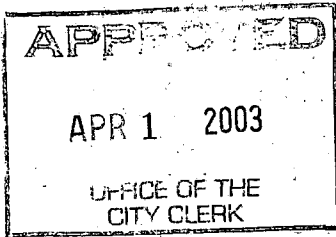
**SCHEDULE FOR THE SUMMARY ABANDONMENT OF TISDALE WAY, LANE COURT
AND ROLDO COURT LOCATED WITHIN COUNCIL DISTRICT 8**

ABANDONMENT PROCEEDING NO. AP02-01

Posting on Alleys/Streets March 14, 2003

Copy of Resolution Published in Daily Recorder March 21, 2003

Public Hearing at City Council/Final Approval	April 1, 2003
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RESOLUTION NO. 2003-160

ADOPTED BY THE SACRAMENTO CITY COUNCIL

ON DATE OF _____

**RESOLUTION OF ADOPTING FINDINGS OF FACT AND APPROVING THE SUMMARY
ABANDONMENT OF TISDALE WAY, LANE COURT AND ROLDO COURT LOCATED
WITHIN COUNCIL DISTRICT 8**

ABANDONMENT PROCEEDING NO. AP02-01

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SACRAMENTO:

A. WHEREAS, the City received a request from the Sacramento Regional Transit (RT) to abandon the public street within the City of Sacramento requesting the City Council to consider abandonment of the subject public street easement; and

B. WHEREAS, a notice that the City Council would consider the proposed abandonment at a Public Hearing was given in compliance with California Streets and Highways Code, Section 8300, et. seq.; and

C. WHEREAS, the Neighborhoods Services, the Planning and Building Departments and the Planning Commission reviewed the proposed abandonment pursuant to Government Code Section 65402 and concluded that said abandonment would be consistent with the City General Plan and the applicable Community Plan; and

D. WHEREAS, on March 17, 1997, RT, as lead agency for the Project under the California Environmental Quality Act ("CEQA"), Public Resources Code Section 21000, et seq., certified a Subsequent Environmental Impact Report for the Project ("SEIR"), and approved the project subject to the implementation of certain mitigation measures recommended by the SEIR; and

E. WHEREAS, an EIR prepared in connection with an earlier project can be applied to a later project, if the circumstances of the projects are essentially the same;

F. WHEREAS, the City has considered the information in the EIR and there are no facts warranting the preparation of a subsequent EIR by the City pursuant to CEQA Guidelines Section 15096(e).

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RESOLUTION NO.: _____

DATE ADOPTED: _____

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SACRAMENTO:

Tisdale Way, Lane Court and Roldo Court, specifically described in Exhibit "A" and shown in Exhibit "B" attached hereto, is hereby ordered abandoned subject to the conditions specified in this resolution.

A map of the proposed abandonment is attached as Exhibit "B" and is on file with the Department of Public Works, Development Services Section, located at 1231 I Street, Room 200.

The City Council finds that the above described public streets are not necessary for present or prospective public use in that:

- a. It is not necessary for through traffic circulation; The City Engineer has reviewed said abandonment and found that it will not interfere with the traffic flow in the area or affect the aesthetics of the neighborhood; and
- b. The parcel adjacent to the abandoned portion of the public street described above has other access and said abandonment will not create any land-locked parcels; and
- c. The streets to be abandoned are not necessary or useful as a non-motorized transportation facility as defined in the Streets and Highways Code.

1. The City Council hereby finds that said abandonment has been submitted to and reported on by the Neighborhoods Services and the Planning and Building Departments as to conformity with the City General Plan. The Council, pursuant to Streets and Highways Code Section 8300 et. Seq., has considered this abandonment in connection with the General and Community Plans and finds the abandonment consistent with them in that: The abandonment of the street identified in paragraph 1 above does satisfy the City Council's "Review Guideline for Street and Alley Closure," adopted May 7, 1996, by Resolution No. 96-176.

2. Pursuant CEQA Guidelines Section 15096 (2 Cal. Code of Regs. Section 15096), the City Council has reviewed and considered the SEIR prepared by RT prior to considering the Proposed Project and finds that the Proposed Project is covered within the scope of the SEIR.

3. The City Council certifies that it has reviewed and considered the CEQA Findings and Statement of Overriding Considerations and Mitigation Monitoring Plan in connection with the design and construction of the Project, and has determined that the Findings and Statement of Overriding Considerations and mitigation measures, copies of which are attached as Exhibit "C" and Exhibit "D", are adequate to support the approval of the abandonment. The City Council

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RESOLUTION NO.: _____

DATE ADOPTED: _____

adopts and incorporates by reference the Findings and Mitigation Monitoring Plan as set forth fully herein.

4. This abandonment is subject to the following conditions:

a. The applicant shall remove and salvage all electrical equipments owned by the City within the site to the satisfaction of the Public Works Department-Electrical Section.

b. Replacement of fire hydrants in a loop system shall be to the satisfaction of the Fire Department.

c. The water main West of Tisdale way is not within the public roadway. This water main and all on-site water mains within the public utility easement shall be abandoned at Meadowview Road. The existing storm drain and sanitary sewer mains shall become private at the North boundary of Meadowview Road. The applicant shall execute these conditions to the satisfaction of the Department of Utilities.

5. After all the conditions in paragraph 6 of this resolution have been fulfilled, the City Clerk shall cause a certified copy of this resolution, attested by the City Clerk under seal, to be recorded. The abandonment shall be effective when the City Clerk records this resolution with the County Recorder.

6. All conditions specified in paragraph 4 of this resolution must be completed within two years of the date of this resolution. If all the conditions are not completed within the two years specified, this resolution approving the abandonment shall become void, unless the City Council grants a time extension.

MAYOR

ATTEST:

CITY CLERK

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RESOLUTION NO.: _____

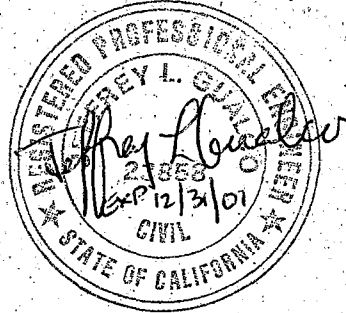
DATE ADOPTED: _____

EXHIBIT "A"

LEGAL DESCRIPTION
Tisdale Way, Lane Court and Rol Do Court

Portions of land, commonly known as Tisdale Way, Lane Court and Rol Do Court in the area bounded by Meadowview Road, Florin Road, Franklin Boulevard and 24th Street, situated in the City of Sacramento, County of Sacramento, State of California, according to the official map or plan thereof, being more particularly described as follows:

All that portion of Tisdale Way lying within the exterior boundary of Meadowview Terrace Town House Subdivision, Recorded in Book 80 of Maps, Map No. 25 together with Lane Court, Rol Do Court and all that portion of Tisdale Way lying within the exterior boundary of Meadowview Terrace, Recorded in Book 98 of Maps, Map No. 26 as said maps are recorded in the Office of the Recorder, County of Sacramento.



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RESOLUTION NO.: _____

DATE ADOPTED: _____

EXHIBIT "B"

Area To Be Abandoned

Union Pacific Railroad

TISDALE WY

LANE CT

ROLDO CT

MEADOWVIEW RD

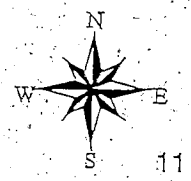
DETROIT BL

JOLA CR



Department of PUBLICWORKS CITY OF SACRAMENTO CESAR 012903

AP02-01 Abandonment of Tisdale Way, Lane Court and Roldo Court North of Meadowview Road in Council District 8



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RESOLUTION NO.: _____

DATE ADOPTED: _____

EXHIBIT C

FINDINGS OF FACT

FINAL ENVIRONMENTAL IMPACT REPORT / FINAL SUBSEQUENT ENVIRONMENTAL IMPACT REPORT

SACRAMENTO REGIONAL TRANSIT DISTRICT

MARCH 10, 1997

Section A: Introduction and Project Description

The California Environmental Quality Act ("CEQA"), Public Resources Code §§21000, et seq. states that a project shall not be approved if it would result in a significant environmental impact or, if feasible mitigation measures or feasible alternatives can avoid or substantially lessen the impact. Only when there are specific economic, social, or other considerations which make it infeasible to substantially lessen or avoid an impact can a project with significant impacts be approved.

Therefore, when an environmental impact report ("EIR") has been completed which identifies one or more potentially significant environmental impacts, the approving agency must make one or more of the following findings for each identified significant impact:

1. Changes or alternatives which avoid or substantially lessen the significant environmental effects as identified in the Final Subsequent Environmental Impact Report ("FSEIR") have been required or incorporated into the project, or
2. Such changes or alternatives are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency, or
3. Specific economic, legal, social, technological, or other considerations make infeasible the mitigation measures or project alternatives identified in the Final Environmental Impact Statement/ Final Subsequent Environmental Impact Report ("FEIS/FSEIR"). (Public Resources Code §21081 and Guidelines §15091.)

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The environmental documents for the South Sacramento Corridor Project ("SSCP") were prepared pursuant to the requirements of the National Environmental Policy Act ("NEPA") and CEQA. There are few differences between these regulations that affect reporting in the documents. CEQA requires identification of and mitigation for significant adverse impacts in an EIR, while NEPA anticipates that an EIS will identify and provide mitigation for all of the adverse impacts of a project, regardless of significance. This combined NEPA/CEQA document identifies the impacts of the alternatives regardless of whether they would be considered as significant under CEQA and proposes mitigation wherever practicable to reduce identified adverse effects.

These findings are prepared pursuant to the bounds of intended future requirements of CEQA.

RT, in conjunction with the Federal Transit Administration ("FTA"), studied a range of transportation improvement alternatives to serve the projected transportation needs of the southern portion of the City and County of Sacramento (the South Sacramento Corridor "Corridor"). RT and FTA concluded that the completed SSCP should extend the light rail service from downtown Sacramento to the incorporated and unincorporated areas located to the south. Specifically, on March 29, 1995, the RT Board of Directors ("RT Board") selected the 11.3 mile, LRT-Low/UPRR Alignment Alternative, now referred to as the Preferred Investment Strategy ("PS"), as the geographic limits of near-term light rail extension to the Corridor.

In response to federal funding constraints, however, RT decided to phase development of the 11.3 mile PS, and selected a 6.3 mile extension as the first phase entitled the Interim Operable Segment ("IOS"). (FEIS/FSEIR, p. S-4.) The project fully analyzed in the FEIS/FSEIR and under consideration for adoption based on these Findings is limited to the 6.3 mile first phase of the SSCP; the IOS. (FEIS/FSEIR, p. 2-12.) Even though the FEIS/FSEIR is entitled the "South Sacramento Corridor Project," it only analyzes the 6.3 mile IOS, and not the full 11.3 mile PS. For clarity, because the FEIS/FSEIR is entitled the SSCP, these Findings will refer to the first 6.3 mile phase of the light rail extension project being adopted currently (the IOS) as the SSCP. In the event that federal funding for further rail extension becomes available, additional environmental review will be performed.

In sum, the SSCP will extend service 6.3 miles to Meadowview Road. In addition to rail, station and service extension, the SSCP design will provide visual screening of the SSCP in residential areas adjacent to the right of way (FEIS/FSEIR, p. 4-27 & Appendix H), and design features have been incorporated into the SSCP to address drainage conditions resulting from track realignment and retaining wall placement. (FEIS/FSEIR p. II-425.)

The need for the SSCP is underscored by a combination of corridor factors, including projected population and job growth, projected traffic congestion, and a higher than average (for Sacramento County) percentage of transit-dependent individuals within the population.

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The SSCP and RT's rail expansion program are included in the Sacramento County General Plan, in the Sacramento Area Council of Government's ("SACOG") Metropolitan Transportation Plan, and the California State Transportation Improvement Program. The City, County, and RT's Board of Directors have all passed resolutions identifying the South Sacramento Corridor ("Corridor") extension as their first transportation project priority. The Los Rios Community College District Board has also adopted a resolution of support for the Corridor extension, which would ultimately link their two campuses at Sacramento City College and Cosumnes River College.

The FEIS/FSEIR supplements the 1994 Alternatives Analysis/Draft Environmental Impact Statement and is a subsequent environmental document to the 1995 Final Environmental Impact Report for the proposed SSCP. The FEIS/FSEIR analyzes potential impacts of transit improvements proposed by RT and the FTA. It represents the culmination of a lengthy alternatives evaluation and impacts assessment process. Seven transportation investment alternatives for the South Sacramento area involving different transit services along various alignments were initially identified and evaluated. Technical analyses of each alternative were conducted regarding a range of environmental issues, and results were compiled into an Alternatives Analysis/Draft Environmental Impact Statement/Draft Environmental Impact Report (AA/DEIS/DEIR). The AA/DEIS/DEIR was circulated for public and agency comments in September of 1994. A public hearing on the AA/DEIS/DEIR was held on October 24, 1994, and written and oral comments were received from a total of 34 agencies, organizations, and individuals. (Volume II of the FEIS/FSEIR contains copies of all 34 written and oral comments received on the AA/DEIS/DEIR, along with written responses to those 34 comments.

After selection of the SSCP in March 29, 1995, extensive community involvement was conducted during preparation of the Draft SEIS/SEIR, and culminated in its public circulation and public hearing. The Draft SEIS/SEIR was circulated for public and agency comments from September 13 through October 28, 1996. A public hearing on the Draft SEIS/SEIR was held on October 16, 1996, and written and oral comments were received from a total of 54 agencies, organizations, and individuals. (FEIS/FSEIR, p. P-1.) The FEIS/FSEIR was considered at an RT Board meeting on February 24, 1997 and will be considered and certified on March 10, 1997 at an RT Board meeting.

Section B: Boundaries of the South Sacramento Corridor

The Corridor boundaries can be described by first depicting the entire metropolitan Sacramento area as being divided by the Sacramento and American Rivers. The Sacramento River runs generally north-south and is the boundary between Sacramento County on the east and Yolo County on the west. The American River runs generally east-west and separates southern from northern Sacramento. The Corridor includes areas east of the Sacramento River and south of the American River within Sacramento County. The eastern boundary of the Corridor is approximately Elk Grove-Florin Road and Watt Avenue, and the southern limit is roughly Sheldon Road. The Corridor includes both incorporated and unincorporated areas. The City of Sacramento is the single incorporated area. (FEIS/FSEIR, p.1-3.)

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The SSCP track alignment begins east of the existing RT 16th Street station at 16th and R Streets in downtown Sacramento, transitions south onto the Union Pacific Railroad ("UPRR") Corridor and continues generally along its western side ending at Meadowview Road. (FEIS/FSEIR, p. 2-12.)

Section C: Project History

The process by which the SSCP FEIS/FSEIR was prepared involved extensive public hearings and meetings by the RT Board. Consultations and approvals involved other federal, state and local agencies including Environmental Protection Agency, Regional Water Quality Control Board, U.S. Fish and Wildlife Service, California Department of Fish and Game, California Department of Transportation, and other agencies of the State of California, City of Sacramento, Sacramento County, and the Public Utilities Commission. There was also significant public participation involving private groups, organizations, and individuals contacted and consulted during preparation of the environmental documents, all of whom received a notice or copy of the environmental documents. Furthermore, RT developed a public involvement team. This team was instrumental in reaching out to communities, community members, interest groups, etc., who would be most directly affected by the SSCP. The public involvement team was committed to ongoing public meetings, workshops, programs, and education concerning the implementation of the SSCP. Provided below is chronology of many key events, including the RT Board meetings, workshops, study sessions and public hearings at which issues relating to the adoption of the SSCP were discussed.

September, 1994	AA/DEIS/DEIR circulated for public and agency comments.
October 24, 1994	RT Board holds public hearing on AA/DEIS/DEIR.
March 29, 1995	RT Board adopts Preferred Investment Strategy.
August 7, 1995	Issued news release on historic and cultural survey activities.
August 8, 1995	Installed signs regarding survey activities.
August 10, 1995	Briefed Valley Hi Rotary Club on SSCP status.
August 24, 1995	Adopted detailed Public Involvement Plan.
August 28, 1995	RT Board adopts the SSCP description for the IOS (Resolution 95-08-2456).
September 11, 1995	Briefed South Sacramento Rotary Club on SSCP status.
September 21, 1995	Installed SSCP "Hotline" (telephone numbers).
September 28, 1995	Briefed Florin-Perkins Rotary Club on SSCP status.
October 5, 1995	Issued invitation to Bus Tour of proposed South Line.

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October 1995	Presentation at Land Park Community Association on SSCP status.
October 19, 1995	Issued two fact sheets on the general SSCP and proposed station locations.
October 21, 1995	Conducted Bus Tour.
October 25, 1995	Conducted Focus Group for representatives of the community south of proposed Meadowview station.
October 30, 1995	Consulted with representatives of Broadway Corridor Task Force regarding proposed Broadway station.
November 6, 1995	Conducted focus group for representatives of communities near proposed Fruitridge and 47th Avenue stations.
November 8, 1995	Conducted focus group for representatives of the community near proposed Florin station.
November 14, 1995	Briefed Arden-Arcade Rotary Club on SSCP status.
November 15, 1995	Conducted focus group for representatives of the community near proposed Meadowview station.
November 16, 1995	Conducted focus group for representatives of the communities near proposed Broadway and City College stations.
November 28, 1995	Issued Bus Tour Summary Report.
December 21, 1995	Consulted with representatives of Sierra-Curtis Neighborhood Association and Land Park Community Association regarding SSCP status.
December 29, 1995	Distributed English version of SSCP newsletter.
January 8, 1996	Distributed Focus Group Summary Report to focus group participants and elected officials.
January 8, 1996	Gave presentation to Broadway Corridor Task Force on SSCP status.
January 29, 1996	Consulted with Land Park Community Association president on SSCP status.
January 31, 1996	Published ad in Sacramento Bee Newspaper Supplement "Neighbors Answer Book."
January 31, 1996	Briefed South Natomas Rotary Club on SSCP status.

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January 31, 1996	Consulted with Sierra-Curtis Neighborhood Association representative on SSCP status.
February 9, 1996	Distributed multi-language Project newsletter to community locations.
February 12, 1996	Issued FAQ sheet on frequently asked questions and answers.
February 15, 1996	Installed multi-language bus shelter ads publicizing possible light rail extension.
March 7, 1996	Submitted article on business development opportunities to ethnic newspapers and community.
June 5, 1996	Attended public meeting held by representatives of the Land Park Community to discuss privacy issues associated with LRT extension proposal.
July 24, 1996	Field review of wetland/vernal pool and elderberry resources in the Meadowview station area, with USFWS and USCOE staff.
August 8, 1996	Attended community meeting hosted by Councilman Jimmie Yee to discuss SSCP.
September 9, 1996	Staff presentation at RT Board meeting and discussion on the issues to concern of residents adjacent to the proposed SSCP.
September 13, 1996	Draft SEIS/SEIR circulated for public and agency comments.
September 23, 1996	Staff presentation at RT Board meeting and discussion on the issues of concern to the residents adjacent to the proposed SSCP.
October 14, 1996	Staff presentation at RT Board meeting and discussion on the issues of concern to the residents adjacent to the proposed SSCP.
October 16, 1996	RT Board holds public hearing on Draft SEIS/SEIR.
February 14, 1997	Final EIS/SEIR issued.
March 10, 1997	RT Board certifies SFEIR and adopts SCCP.

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RESOLUTION NO.: _____

DATE ADOPTED: _____

Section D: Discretionary Actions

The Discretionary Actions for the proposed SSCP involve the following approvals by the RT Board:

1. Certification of the FSEIR;
2. Adoption of the Findings of Fact;
3. Adoption of Mitigation Monitoring Program;
4. Adoption of Statement of Overriding Considerations; and
5. Approval of the SSCP.

These actions are being undertaken pursuant to CEQA and the CEQA Guidelines.

Section E: Terminology of Findings

Section 21081 of CEQA requires that, for each significant environmental effect identified in an EIR for a proposed project, the approving agency must issue a written finding reaching one or more of three allowable conclusions. The first is that "[c]hanges or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant effects." The second potential finding is that "[t]hose changes or alterations are within the responsibility and jurisdiction of another public agency and have been, or can and should be, adopted by that other agency." The third permissible conclusion is that "[s]pecific economic, legal, social, technological, or other considerations... make infeasible the mitigation measures or alternatives identified in the [EIR]."

For purposes of these findings, the term "mitigation measures" shall constitute the "changes or alterations" discussed above. The term "avoid or substantially lessen" will refer to the effectiveness of one or more of the mitigation measures or alternatives to reduce an otherwise significant environmental effect to a less than significant level. When an impact remains significant or potentially significant with mitigation, the findings will conclude that the impact is still "significant."

In the process of adopting mitigation, the RT Board will also be making decisions on whether the mitigation proposed in the FEIR/FSEIR was "infeasible." Pursuant to the CEQA Guidelines, " 'feasible' means capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, legal, social, and technological factors." In these Findings, when the RT Board finds a measure is not feasible, the Findings and administrative record provide evidence for this decision. The RT Board may also adopt substitute mitigation which is feasible, and designed to reduce the magnitude of the impact.

Section F: Monitoring Program

As required pursuant to Public Resources Code §21081.6, the RT Board, in adopting these findings, also adopts a monitoring and reporting program designed to ensure that, during implementation of the SSCP, the adopted mitigating measures are implemented. The final monitoring program is attached as Exhibit C to the Regional Transit Board Resolution to which these Findings are Exhibit A.

Section G: Findings on the Corridor Light Rail Project Alternatives

In order to evaluate the possible environmental impacts resulting from a range of reasonable alternatives which could feasibly attain the basic objectives of the SSCP, the RT Board reviewed and evaluated three (3) alternatives. These alternatives evaluated in the Draft SEIS/SEIR were:

1. The No-Build Alternative;
2. The Transportation Systems Management Alternative (TSM); and
3. The IOS Alternative (the actual SSCP proposed for adoption)

Each of these alternatives was evaluated based on the Statement of Goals and Objectives prepared by RT during its System Planning Study. RT identified five major goals to be used in the evaluation of the alternatives. The five major goals are as follows:

- *Travel and Mobility Goal* - Provide a transportation system that is safe, efficient, and coordinated, and that provides a diverse and balanced set of travel alternatives.

- *Land Use Goal* - Ensure compatibility between land use policies and transportation policies so that the need for trip-making and amount of vehicular travel is minimized.

- *Financial and Economic Goal* - Develop a transportation system that provides for the most efficient use of limited financial resources.

- *Environmental Goal* - Provide a transportation system that enhances and preserves the social and physical environment and minimizes potential impacts to sensitive resources.

- *Community Acceptance and Political Support Goal* - Provide a transportation system that is consistent with the needs and desires of the residents of the region, and thereby maximizes community acceptance and support. (FEIS/FSEIR, p. 6-1.)

1. No-Build Alternative. The No-Build Alternative consists of the future baseline highway and transit networks with improvements only as currently planned and programmed for funding. The No-Build Alternative is the No-Project Alternative under CEQA. For the highway network, the No-Build Alternative would include extension of High-Occupancy Vehicle (HOV) lanes on State Route (SR) 99, selected interchange improvements, ramp metering on Business 80, SR 99, and US 50, and

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various local arterial street improvements. There would be no capacity increasing improvements on I-5, I-80 or US 50. (FEIS/FSEIR, p. 2-4.)

For the transit network, the No-Build Alternative resembles current transit service patterns including the September 1994 and September 1995 service restructuring improvements; the extension of light rail in the Folsom Corridor to Mather Field Road, plus restructuring of bus service to feed into the Mather Field LRT Station; the extension of light rail to serve the future Intermodal Station at North 7th and North B Streets; the service increases outlined in RT's draft Short-Range Transit Plan (SRTP); and an approximately one percent per year increase in transit service to offset travel time delays resulting from increased congestion on area roadways. Service frequencies would be increased on high-volume routes to meet capacity and loading standards. There would also be extensions of the bus routes serving downtown into the Richards Boulevard/Southern Pacific Rail Yards Redevelopment Area.

Because the No-Build Alternative does not entail any new construction and generally has fewer environmental impacts than the TSM alternatives or other major investment options, it may be considered the environmentally superior alternative. (FEIS/FSEIR, p. 2-66.) However, the No-Build will result in greater air quality impacts and energy consumption than the TSM and other investment options, owing to the greater number of trips being made by automobile under this alternative. Therefore, the No-Build could not be determined to be an environmentally superior alternative. (FEIS/FSEIR, p. 2-66.)

a. **Rejection of the No-Build Alternative.** The RT Board finds the No-Build alternative is infeasible because it fails to carry out the major goals, objectives and purposes of the SSCP that have evolved during the lengthy planning process. (FEIS/FSEIR, pp. S-2 and 6-1.)

The Corridor is located in one of the fastest growing urban areas in the State of California and in the Nation. Between 1980 and 1990, the Sacramento consolidated metropolitan statistical area population grew by 35 percent. The Corridor is expected to grow 25 percent by the year 2015. Moreover, the Corridor has been a major focus of metropolitan growth and includes major development and redevelopment opportunities that are expected to attract a large share of future population and employment activity at 40 percent above 1990 levels. (FEIS/FSEIR, pp. 1-3 and 1-5.)

The No-Build Alternative fails to provide a means of addressing the inevitable growth in this region. Without the SSCP, there will be no improved capacity or faster and convenient access to downtown Sacramento and major Corridor activity centers. The No-Build Alternative fails to enhance regional connectivity and accommodate future travel demand by expanding modal options. Moreover, traffic congestion on the I-5 and SR 99 freeways south of downtown will not be alleviated under the No-Build Alternative.

The rapid growth and attendant dispersal of population and jobs will adversely affect the South Sacramento transportation network, an adverse impact that the SSCP would mitigate. Under the No-Build Alternative, the existing highway and

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transit systems will not be able to accommodate such changes in travel patterns without significant improvements. (FEIS/FSEIR, p. 1-5.) Further, there will not be a combination of transportation network improvements, including alternative nodes, necessary to meet future travel demands in South Sacramento. Consequently, the No-Build Alternative would fail to meet the full range of projected transportation demands.

Regional air quality will continue to suffer under the No-Build Alternative because increasing congestion and slowing travel times for both auto and transit will lead to worsening air quality in the region. Metropolitan Sacramento has the fifth worst air quality in the United States and is an Environmental Protection Agency designated non-attainment area for ozone, carbon monoxide and particulate matter. Automobiles are responsible for 70 percent of this air pollution. (FEIS/FSEIR, p. 1-11.) Indisputably, the No-Build Alternative will completely fail to ameliorate, and will instead exacerbate, the region's air quality problems.

The No-Build Alternative will preclude improved mobility options to employment, education, medical and retail centers for Corridor residents; in particular, low income, youth, elderly, disabled and ethnic minority populations. These large transit-dependent populations in the Corridor indicate a special and pressing need for enhanced mobility through public transportation. The No-Build Alternative fails to address this need. Instead, the transit-dependent populations will face more crowded buses and even longer travel times since adequate resources will not be available for expanding modal options or enhancing bus service. (FEIS/FSEIR, p. 1-13.)

Local economic and land development goals are not met under the No-Build Alternative. Although opportunities currently exist for infill development that would relieve pressure for the conversion of agricultural land and open space, the No-Build Alternative would leave a void in fixed-guideway services. The existence of such services offers more potential than bus-only services to influence urban development patterns because fixed guideway services make infill development in those areas more attractive to developers. (FEIS/FSEIR, p. 1-13.)

Finally, the No-Build Alternative is inconsistent with the stated policies of the City of Sacramento and the County of Sacramento to promote transit as a key feature for orderly and sustainable growth. (FEIS/FSEIR, p. 1-2.) For example, the Sacramento County General Plan supports transit oriented development based upon implementation of future light rail lines and transit stops. Moreover, the SSCP and RT's rail program are included in the Sacramento County General Plan, the Sacramento Area Council of Governments' Metropolitan Transportation Plan, and the California State Transportation Improvement Program. The No-Build Alternative fails to comport with these goals, in that future light rail lines and transit stops will not materialize.

Although the No-Build Alternative would have fewer environmental impacts in specific impact categories, the RT Board rejects this alternative. The RT Board finds that specific social, economic and other considerations identified in the Statement of Overriding Considerations support approval of the proposed SSCP. Adoption of the proposed SSCP is appropriate because it will implement federal, state and local governmental objectives for managing transit and air quality concerns in light of

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projected population and job growth, traffic congestion and elevated percentage of public transit-dependent individuals in the Sacramento Region, despite any adverse environmental effects associated with the SSCP.

2. Transportation Systems Management (TSM) Alternative. The Transportation Systems Management (TSM) Alternative consists of the future baseline highway network plus improvements to future transit service and facilities. The transit improvements focus on providing comparable bus service to that afforded by the Corridor LRT: high frequency, articulated bus service along Franklin Boulevard in South Sacramento, continuing along Broadway to downtown. (FEIS/FSEIR, pp. S-5 and 2-4.) Five-minute headways would be incorporated during the peak periods. Other bus routes would be modified to feed this route. Express bus services would remain on Stockton Boulevard, SR 99, 24th Street and I-5. These services would require the purchase of 38 additional buses, including 28 articulated and 10 standard buses. (FEIS/FSEIR, p. S-5.) Other transit facility improvements in the TSM Alternative include construction of an additional park-and-ride lot in the vicinity of the future intersection of Franklin Boulevard and Cosumnes River Boulevard (extended), and construction of a bus maintenance yard sited in an industrially zoned area to minimize impacts. RT buses would serve the park-and-ride lot proposed as part of this alternative. Less than 10 acres of right-of-way acquisition would be required for the implementation of these improvements. (FEIS/FSEIR, p. 2-7.)

Two light rail routes would operate under the TSM Alternative. One route would operate between Watt/I-80 and Mather Field Road, while the other route would operate between the Intermodal Station and 13th Street.

a. Rejection of the Transportation Systems Management (TSM) Alternative

The RT Board finds that the TSM Alternative is infeasible because it incorporates design parameters that fail to accomplish the goals of improved public transit services, regional connectivity, expansion of modal options, alleviation of traffic congestion, and improved regional air quality.

Similar to the No-Build Alternative, this alternative does not meet the basic goals, objectives and purposes of the SSCP. The TSM Alternative fails to promote a transit system that influences growth into efficient and coherent patterns to improve the region's economy, land use, air quality, and quality of life.

Under the TSM Alternative, high frequency articulated bus service would be provided to residents in South Sacramento, along with a park-and-ride lot at the future intersection of Franklin Boulevard and Cosumnes River Boulevard. Even with this substantially expanded bus service, travel times would increase and delays would continue to occur, since buses would use increasingly congested non-exclusive freeways and arterial roadways. Also, Corridor residents' access to other parts of Sacramento would continue to be "disadvantaged" in comparison with that of other residents directly served by the LRT system. (FEIS/FSEIR, p. 7-2.)

Where the SSCP is funded from federal, state and local funds, the TSM Alternative would be funded entirely from local sources, including transit capital improvements funds, clean air and transportation improvement funds, County sales tax revenues, and/or local developer impact fees. (FEIS/FSEIR, p. 2-54.) This alternative would require additional City and County police services to patrol the

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planned park-and-ride lot and bus maintenance and storage facility. Consequently, by shifting the burden entirely to local funds and resources, the TSM Alternative would fail to fulfill the financial and economic goals to develop a transportation system that provides for the most efficient use of limited financial resources. (FEIS/FSEIR, p. 6-1.)

Although this alternative was the least environmentally damaging practicable alternative, the TSM Alternative was not deemed practicable because it was not capable of satisfying the criteria necessary for transit projects to proceed in the planning process. The TSM Alternative generally had higher operating costs and lower farebox recovery ratios. (FEIS/FSEIR, p. 2-67.)

Neighborhoods and businesses would suffer loss of benefits because the TSM Alternative fails to provide the improved access and mobility, decreased congestion on local streets and potential economic development around the proposed IOS stations that would be provided by the SSCP. (FEIS/FSEIR, p. 4-87.)

The TSM Alternative would offer comparable bus service to that represented by the proposed LRT operations and a new bus park-and-ride facility, but would do little to ease congestion on area roadways over the long-term. As traffic increases, buses which run in mixed flow with other traffic would experience longer travel times. The local area linkages among neighborhoods and community facilities represented by the SSCP would not be established. (FEIS/FSEIR, p. 4-87.)

The TSM Alternative would fail to reduce traffic impacts on freeway and arterial roadways, a clarion goal of the SSCP. The proposed TSM improvements would encourage shifts from auto to transit, and are projected to result in some lessening in traffic on Corridor roadways. The projected shift however, would not be sufficient to reduce roadway congestion substantially. There would also be increased bus traffic operating in mixed-flow conditions which would result in an increase in traffic levels on certain arterials, including Franklin Boulevard - the primary alignment for a proposed high-frequency articulated bus service. (FEIS/FSEIR, p. 3-33.) The TSM Alternative would also cause significant impacts to intersections in the City of Sacramento. By 2015, the same City intersections would fail to meet the City's Level of Service objective as under the No-Build Alternative. These severely congested intersections include 47th Avenue and 27th Street/Otto Circle (a.m. and p.m.), Meadowview Road/Mack Road and Brookfield Drive (p.m.), and Mack Road and Franklin Boulevard (a.m. and p.m.).

In summary, the TSM Alternative, while providing some additional public transit options via buses, fails to fulfill the traffic, air quality, land use, economic and social goals for the Corridor. For reasons stated throughout these findings, and particularly as stated in the Statement of Overriding Considerations, the RT Board finds that adoption of the proposed SSCP, and not the TSM Alternative is appropriate and will implement federal, state and local governmental objectives for managing transit and air quality concerns in light of projected population and job growth, traffic congestion and elevated percentage of public transit-dependent individuals, despite any adverse environmental effects associated with the SSCP.

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Section H: Short-Term Uses vs. Long-Term Productivity

Certain environmental impacts which narrow the range of beneficial existing uses of the existing environment, but which are believed by the RT Board to be justified at this time, are analyzed in Section 8.6 of the FEIS/FSEIR.

The cumulative and long-term effects of the SSCP implementation, which may adversely affect the state of the environment, are specifically delineated in these Findings. The RT Board further finds that after mitigation, the SSCP would either not contribute or would make only a negligible contribution to identified region-wide cumulative significant effects, which are expected to occur in the future whether or not the SSCP is adopted and constructed. (FEIS/FSEIR, p. 8-35.)

The RT Board further finds that both the Sacramento County General Plan and the Sacramento Metropolitan Air Quality Management District require the expansion of light rail for immediate concerns which include, but are not limited to, important major clean air policy objectives and the alleviation of growing traffic congestion. (FEIS/ FSEIR, p. 1-11, 4-63 and 5-27.) In light of the fact that RT is receiving federal, state and local support for initiation of the SSCP approval process, it is appropriate for RT to carry out the SSCP at this time.

To the extent that there may be significant cumulative and long-term impacts of the SSCP, the RT Board finds that there are no other feasible mitigation measures or alternatives that it could adopt at this time that would reduce the impacts. The RT Board further finds that for the reasons set forth in the Statement of Overriding Considerations, that the adoption and implementation of the proposed SSCP is appropriate and will implement federal, state and local governmental objectives for managing transit and air quality concerns in light of projected population and job growth, traffic congestion and elevated percentage of public transit-dependent individuals, despite the potential adverse impacts on short-term existing uses.

Section I: Irreversible Changes

Irreversible changes associated with the SSCP are discussed in Section 8.5 of the FEIS/FSEIR. Generally, the SSCP would reduce the level of vehicular fossil fuel consumption while increasing the use of electricity for power.

The RT Board finds that there are no other feasible mitigation measures or alternatives that it could adopt at this time that would reduce the irreversible changes associated with the increased use of electricity for the SSCP as discussed above. For the reasons stated in the Statement of Overriding Considerations, the RT Board finds that the adoption and implementation of the SSCP is appropriate and will implement Federal, state and local governmental objectives for managing transit and air quality concerns in light of projected population, job growth, traffic congestion and elevated percentage of public transit dependent individuals, despite the irreversible environmental changes that will result.

Section J: Growth Inducement

Section 8.4 of the FEIS/FSEIR presents the growth-inducing impacts that can be anticipated from adoption and implementation of the SSCP. Growth-inducing impacts of the SSCP were assessed in the context of regional land uses and population projections adopted by the Sacramento Area Council of Governments.

The RT Board finds that implementation of the SSCP would not encourage development in excess of amounts expected and provided for in the community, and therefore concludes that there are no significant impacts. The RT Board further finds that the SSCP would focus growth and facilitate more compact development, particularly around light rail stations.

Section K: Cumulative Impacts

The analysis of cumulative impacts is set forth at Section 8.3 of the FEIS/FSEIR. Based on SACOG's 1996 Metropolitan Transportation Plan EIR, the RT Board finds that effects of the project are the same as effects of cumulative development within the Corridor and that the SSCP will either not contribute, or will make only a negligible contribution to identified region-wide cumulative significant effects which are expected to occur regardless of the SSCP.

With regard to future SMUD cogeneration projects, to the extent that there may be cumulative impacts that remain significant with mitigation, the RT Board finds that there are no other feasible mitigation measures or alternatives which the RT Board could adopt at this time that would reduce the impacts to less than significant. To the extent that these significant impacts could not be lessened or avoided, the RT Board, for the reasons stated in the Statement of Overriding Considerations, finds that the adoption and implementation of the SSCP is appropriate and will implement federal, state and local governmental objectives for managing transit and air quality concerns in light of projected population and job growth, traffic congestion and elevated percentage of public transit-dependent individuals, despite the future unknown potential significant cumulative impacts resulting from SMUD's cogeneration projects.

Section L: Findings on Significant Impacts and Mitigation Measures

3. Findings Concerning Transportation Impacts

The identified Transportation Impacts that are significant or potentially significant without mitigation, the mitigation measures and findings of the Regional Transit Board ("RT Board") regarding those impacts with the mitigation, are as follows:

Significant Impact 3.3.2.5: Traffic Impacts.

— **Significant Impact 3.3.2.5(a):** *Florin & 24th St. will operate at LOS "E" in both the AM and PM peak hours.*

Mitigation

3.3.5.1(a) The following describes the mitigation for these impacts:

- Add a right-turn lane on the north (24th St. southbound) approach

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Findings Concerning Mitigation Measures

Significance With Mitigation

A.M. Peak Hours

The RT Board finds that the above-stated mitigation measure is incorporated into the proposed South Sacramento Corridor Project ("SSCP"). The RT Board further finds that this mitigation measure is feasible and will lessen, but not necessarily eliminate the potential adverse environmental effects associated with the SSCP. Thus, this impact is significant and unavoidable in the A.M. peak hours.

The RT Board finds there are no other feasible mitigation measures or alternatives which the RT Board could adopt at this time that would reduce the impact in the A.M. peak hours to less than significant. To the extent that this adverse impact will not be substantially lessened or eliminated, the RT Board finds that specific economic, social and other considerations identified in the Statement of Overriding Considerations support approval of the SSCP.

Significance With Mitigation

P.M. Peak Hours

The RT Board finds that the above-stated mitigation measure is incorporated into the proposed SSCP. The RT Board further finds that this mitigation measure is appropriate and feasible and will substantially lessen or avoid the potential adverse environmental effect because an exclusive turn lane would increase intersection capacity overall and eliminate conflicts that affect the heavy through volumes on Florin Road and 24th Street. (FEIS/FSEIR, p. 3-45.)

— **Significant Impact 3.3.2.5(b):** *Meadowview Road and Tisdale Lane/Detroit Boulevard will operate at LOS "D" in the PM peak hour.*

Mitigation

3.3.5.1(b) The following describes the mitigation for these impacts:

- Mitigation proposed in the Draft SEIS/SEIR is infeasible due to right-of-way constraints.

Findings Concerning Mitigation Measures

Significance With Mitigation

The RT Board considered mitigation proposed in the Draft EIS/SEIR to add a third through lane to the west (eastbound) approach and east departure along Meadowview Road.

The RT Board finds, however, that the above-stated mitigation measure is not incorporated into the proposed SSCP. The RT Board further finds that this mitigation measure is infeasible because of the potential

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Mitigation

- Although no site has been identified in the Alder Creek vicinity, RT will conduct an additional archaeological survey of this area in conjunction with ground clearing associated with LRT Alternative construction. RT will also ensure that a professional archaeologist is present to monitor all ground-disturbing activities adjacent to Alder Creek.

Findings Concerning Mitigation Measures

Significance With Mitigation

Less than Significant

The RT Board finds that the above-stated mitigation measure is incorporated into the LRT Alternative for the Downtown Sacramento-Folsom Corridor Project. The RT Board further finds that this mitigation measure is appropriate and feasible and will substantially lessen or avoid potential adverse effects to underground cultural resources should they be uncovered. (FEIS/FEIR, p. 5-28.)

— Significant Impact 5.5(b): Under the LRT Alternative, construction of a traction power substation on the east side of Folsom Boulevard north of the downtown Folsom LRT station is unlikely to affect any intact archaeological feature or deposit. However, the general vicinity has high sensitivity for historical archaeological resources.

Mitigation

- RT will ensure that a professional historical archaeologist is present to monitor all ground-disturbing activities in the vicinity of the traction power substation site on the east side of Folsom Boulevard just north of the downtown Folsom LRT station.

Findings Concerning Mitigation Measures

Significance With Mitigation

Less than Significant

The RT Board finds that the above-stated mitigation measure is incorporated into the LRT Alternative for the Downtown Sacramento-Folsom Corridor Project. The RT Board further finds that this mitigation measure is appropriate and feasible and will substantially lessen or avoid potential adverse effects to underground cultural resources should they be uncovered. (FEIS/FEIR, p. 5-28.)

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associated with the SSCP. Thus, this impact is significant and unavoidable.

The RT Board finds there are no other feasible mitigation measures or alternatives which the RT Board could adopt at this time which would reduce the impact to less than significant. To the extent that this adverse impact will not be substantially lessened or eliminated, the RT Board finds that specific economic, social and other considerations identified in the Statement of Overriding Considerations support approval of the SSCP.

— **Significant Impact 3.3.2.5(e)**: Mack Road and Franklin Blvd. will operate at LOS "F" in the AM peak hour.

Mitigation

3.3.5.1(e) The following describes the mitigation for these impacts:

- Add exclusive right-turn lane on the south (northbound) Franklin Boulevard approach.

Findings Concerning Mitigation Measures

Significance With Mitigation

The RT Board finds that the above-stated mitigation measure is incorporated into the proposed SSCP. The RT Board further finds that this mitigation measure is appropriate and feasible and will substantially lessen or avoid the potential adverse environmental effect because the addition of an exclusive right-turn lane on the northbound approach will improve traffic operations, reduce congestion and avoid exceedence of the City's threshold for project impacts. (FEIS/FSEIR, p. 3-46.)

— **Significant Impact 3.3.2.5(f)**: Florin Road and Franklin Blvd. will operate at LOS "F" in the AM & PM peak hours.

Mitigation

3.3.5.1(f) The following describes the mitigation for these impacts:

- Mitigation proposed in the Draft SEIS/SEIR is infeasible due to right-of-way constraints.

Findings Concerning Mitigation Measures

Significance With Mitigation

The RT Board considered mitigation proposed in the Draft EIS/SEIR to add lanes on all approaches and to require signalization modifications that minimize the yellow and all-red intervals between phase changes to attain LOS "E" operations.

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— **Significant Impact 5.7.4: Long-term Project Vibration Impacts.** Increases in vibration at 2 receptor group locations; affecting 6 receptors (all residences).

Mitigation

• 5.7.5(b) To mitigate vibration impacts of the LRT Alternative, RT would incorporate design elements (e.g. careful placement of crossovers and track switches) and place switches away from sensitive receptors when practicable. RT would also implement one of the following additional mitigation measures:

(1) Install vibration control track systems, such as ballast mats (under the trackway); or

(2) Install floating slab trackbed, which basically consists of concrete slab track installed on rubber pads.

Findings Concerning Mitigation Measures

Significance With Mitigation

Less Than Significant

The RT Board finds that the above-stated mitigation measure is incorporated into the LRT Alternative for the Downtown Sacramento-Folsom Corridor Project. The RT Board further finds that these mitigation measures are appropriate and feasible and will substantially lessen or avoid the potential adverse environmental effect (FEIS/EIR, p. 5-49) because the vibration attenuation measures will reduce vibrations to comport with FTA criteria. (FEIS/EIR, Table 5.7-4 p. 4-44.)

6. **Findings Concerning Vegetation and Wildlife Impacts**

The identified Vegetation and Wildlife Impacts that are significant or potentially significant without mitigation, mitigation measures and findings of the RT Board regarding those impacts with mitigation are as follows:

— **Significant Impact 5.13.1: Impacts to Wetlands and Other Waters of the U.S.** Permanent loss of a total 0.028 hectares (ha) [0.07 acres] of wetlands and temporary disturbance of 0.04 ha (0.1 ac). Of this amount, 0.012 ha (0.03 ac) at the Buffalo Creek crossing and south of Blue Ravine Road would be affected, and due to doubletracking along the existing LRT line, 0.004 ha (0.01 ac) of wetlands in the drainage ditch located near Florin Perkins Road

Mitigation

• 5.13.5(a) RT shall obtain appropriate authorization under the Clean Water Act to fill on-site wetlands. Mitigation for fill of wetlands shall include

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restoration of wetlands at a ratio of 1.5:1 or the creation of new wetlands at a ratio of 2:1. If wetlands are restored or created prior to the fill of project site wetlands, a 1:1 mitigation standard shall apply.

- 5.13.5.(b) RT shall provide mitigation for impacts to freshwater emergent wetlands by dedicating credits in a ACOE- and USFWS-approved bank as described under Section 5.13.5.3.
- 5.13.5.(c) If RT restores or creates new wetlands rather than purchasing credits from a USFWS mitigation bank, the Project Mitigation and Monitoring Plan shall include monitoring to ensure that all restored or created wetlands shall function successfully for at least five years before they are deemed successful compensation for the impacts of the Project.

Findings Concerning Mitigation Measures

Significance With Mitigation

Less than Significant

The RT Board finds that the above-stated mitigation measures are incorporated into the LRT Alternative for the Downtown Sacramento-Folsom Corridor Project. The RT Board further finds that these mitigation measures are appropriate and feasible and will substantially lessen or avoid the potential adverse environmental effect because they would compensate for any impacts to wetlands. (FEIS/FEIR, p. 4-96.)

— Significant Impact 5.13.2(a): Impacts to Special Status Species. Permanent loss of 4.2 hectares (10.4 acres) – a total of 47 shrubs – of Valley Elderberry Savannah, which is habitat for federally listed threatened valley elderberry long horn beetle (VELB). Permanent loss of 0.178 hectares (0.44 acres) and temporary disturbance of 0.1 ha (0.24 ac) of seasonal ponded depressions, potentially affecting federally listed threatened vernal pool fairy shrimp, and federally listed endangered vernal pool tadpole shrimp. (FEIS/FEIR p. 5-61.)

Mitigation

- RT will direct the construction contractor to confine clearing to the minimal area necessary to facilitate construction activities.
- RT will direct the construction contractor to minimize habitat disturbance by restricting movement of heavy equipment to and from the project site to established roadways.
- RT will direct the contractor to provide construction worker training on the importance of avoiding elderberry shrubs throughout the project area. This training shall be provided by a qualified individual. RT shall notify FTA and the FTA shall provide the USFWS with a letter verifying that training of work crews was completed prior to the beginning of construction activities.

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Findings Concerning Mitigation Measures

Significance With Mitigation

The RT Board finds that the above-stated mitigation measures are incorporated into the proposed SSCP. The RT Board further finds that these mitigation measures are appropriate and feasible and will substantially lessen or avoid the potential adverse environmental effect because the mitigation will implement a program to address passenger safety. (FEIS/FSEIR, p. 4-34.) Operators would have access to RT administration and emergency services and have the authority to modify as needed.

— ***Significant Impact 4.5.2.4: LRT and Freight Operations: LRT would operate alongside UPRR freight service through most of the Corridor. Joint operations potentially pose hazards for either mode in the event of train accidents (e.g., derailments) and for LRT passengers, primarily at crossings and stations areas.***

Mitigation

Same as Mitigation Measures 4.5.3.2 above.

Findings Concerning Mitigation Measures

Significance With Mitigation

The RT Board finds that the above-stated mitigation measures are incorporated into the proposed SSCP. The RT Board further finds that these mitigation measures are appropriate and feasible and will substantially lessen or avoid the potential adverse environmental effect because the appropriate fencing placement would prevent track crossings by pedestrians and at-grade crossings would include signage and warning devices to protect pedestrians from LRT and freight movements. (FEIS/FSEIR, p. 4-35.)

4.8 Findings Concerning Noise and Vibration

The identified Noise and Vibration Impacts that are significant or potentially significant without mitigation and findings of the RT Board regarding these impacts are as follows:

Significant Impact 4.8.3: Long-term Project Noise Impacts. Increases in exceedences of the FTA "impact" noise threshold at 11 out of 26 receptor group locations, affecting 62 receptors. Exceedences of the "severe impact" threshold would occur at one out of the 26 receptor group locations, affecting eight receptors. (Table 4.8-5 and FEIS/FSEIR, p. 4-55.)

Mitigation

4.8.5. To minimize exceedences of the FTA's "severe impact" and "impact" thresholds, RT will implement the following mitigation measures:

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- RT will construct sound attenuation barriers at a height of eight feet above the top of rail at those locations (various receptor groups) where exceedences of the FTA "severe impact" and "impact" thresholds are projected to occur. Construction of these barriers would eliminate all exceedences of FTA's "severe impact" and "impact" thresholds where the light rail vehicles are the source of the noise (see Table 4.8-7 and FEIS/FSEIR, p. 4-60).

- At those locations where heights greater than eight feet above the top of rail are indicated (see FEIS/FSEIR Table 4.8-7), RT will construct sound attenuation barriers in excess of eight feet to the height specified, subject to the consensus of adjoining residential property owners in each receptor group. A neighborhood consensus is necessary to address property owner concerns expressed regarding loss of light, air, view and personal preference regarding property line walls. (March 10, 1997 Staff Report.) For those locations where freight train tracks are to be moved closer to residences and freight trains are the source of the noise, construction of the higher barrier walls would eliminate exceedences of FTA's "severe impact" threshold and would reduce exceedences of the "impact" thresholds to five (see FEIS/FSEIR Table 4.8-7). RT will invite public participation regarding the higher sound barrier walls using a process similar to that defined for visual screening (as set forth in Section 4.4.4 of this EIS/FSEIR). During that process, efforts will be made to generate and reach consensus. If consensus cannot be reached, the commitment to place higher sound barrier walls would be jointly determined by FTA and RT after considering the views of affected property owners.

* See insert on page 26a

To mitigate traction power substation noise impacts:

- RT will incorporate design specifications in future construction contracts that will limit maximum noise levels to 58 dBA at a distance of 10 feet from any surface of the substation while the substation is in operation under full load with the ventilation system operating at maximum capacity, for any substations that will be located near residential neighborhoods.

Findings Concerning Mitigation Measures

Significance With Mitigation

Significant

The RT Board finds that the above-stated mitigation measures are incorporated into the proposed SSCP. However, implementation is not assured since neighborhood consensus on walls in excess of eight feet will not be determined until a subsequent date. Furthermore, construction of walls in excess of eight feet would not eliminate all of the impacts. (See Table 4.8-7, right hand columns.) The RT Board further finds that the mitigation measures set forth above are feasible and will lessen, but not necessarily eliminate the potential adverse environmental effect associated with the SSCP. Thus, this impact is significant and unavoidable. Since the extent of concerns on taller sound barriers cannot be determined at this time, the RT Board will assume a worst case level of impact for areas 1, 2, 4, 5, 6, 7 and 8, as set forth on Table 4.8-7 and FEIS/FSEIR, p. 4-60, under "no mitigation."

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The RT Board finds that the noise consultant followed accepted methodology for determining noise related impacts, and that there is no substantial evidence of potential impacts other than those set forth in the FSEIR. For the purpose of responding to neighborhood concerns regarding test methodologies, RT will, during the final design phase, engage in additional testing. The noise testing will last for seven (24 hour) days, per the recommendation of HMMH, and the purpose will be to determine whether any residential areas adjacent to the corridor other than those studied in the FSEIR, will be exposed to violations of either the FTA "impact" or "severe impact" noise thresholds. If it is determined that additional violations of either standard will be caused by the project, then additional walls will be constructed, following the process outlined in the preceding paragraph. Furthermore, RT will perform an additional round of field testing within 6 months of the start of passenger operations. Per the recommendation of HMMH, the testing will last for seven (24 hour) days. Where additional violations of either the FTA "impact" or "severe impact" thresholds take place, additional walls will be constructed per the preceding paragraph. Because of the conservative assumptions utilized in the acoustic study, HMMH believes that the verification testing outlined in this paragraph during final design stage and passenger operations will not result in any findings of additional violations of either federal standard.

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The RT Board finds there are no other feasible mitigation measures or alternatives which the RT Board could adopt at this time which would reduce the impact to less than significant. To the extent that this adverse impact will not be substantially lessened or eliminated, the RT Board finds that specific economic, social and other considerations identified in the Statement of Overriding Considerations support approval of the SSCP.

Less Than Significant

The RT Board further finds that these mitigation measures are appropriate and feasible and will substantially lessen or avoid the potential adverse environmental effect at areas other than 1, 2, 5, 6, 7 and 8 set forth on Table 4.8-7 and FEIS/FSEIR, p. 4-60 because the noise reduction measures will reduce decibel readings to comport with FTA criteria. (FEIS/FSEIR, Table 4.8-7 pp. 4-59 and 4-60, and Noise and Vibration Technical Report, SSC Project (September 30, 1996) pp. 44-48.)

Significant Impact 4.8.4: Long-term Project Vibration Impacts. Increases in vibration at 11 out of 26 receptor group locations; no increases to above 75 VdB; exceedences of FTA criteria at two receptors.

Mitigation

- RT will locate "crossover" track sections away from residences to the extent feasible. At the specific locations where FTA vibration impact criteria are exceeded, RT will install a rubber or rubber-like ballast mat under the normal ballast ties, and LRT track. Tests at existing at-grade installations of ballast mats show that attenuation of at least 5 VdB should result.
- RT will maintain vehicles so that wheel flats are eliminated and the vehicle wheel profile is continually restored through wheel truing, as part of its ongoing maintenance activities.

Findings Concerning Mitigation Measures

Significance With Mitigation

The RT Board finds that the above-stated mitigation measures are incorporated into the proposed SSCP. The existing "crossover" track sections are already located away from residences, so no further design work will be required to implement this mitigation measure. The RT Board further finds that these mitigation measures are appropriate and feasible and will substantially lessen or avoid the potential adverse environmental effect because the mitigation will reduce vibration decibels to comport with FTA criteria. (FEIS/FSEIR, p. 4-61.)

4.15. Findings Concerning Vegetation and Wildlife Impacts

The identified Vegetation and Wildlife Impacts that are significant or potentially significant without mitigation, the mitigation measures and findings of the RT Board regarding those impacts with the mitigation, are as follows:

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Significant Impact 4.15.3.3: Impacts to Biological Resources. Loss of individual burrowing owls or burrowing owl habitat; possible disturbance of nesting white-throated swifts, purple martins, and other swallows; loss of riparian habitat including valley elderberry shrubs; loss of 3 individual oak trees and 33 other native trees. Loss of up to 2.03 acres of vernal pools, 0.011 acres of freshwater emergent wetlands, 0.209 acres of seasonal ponded depressions, and associated habitat for vernal pool crustaceans.

Mitigation

4.15.4. A draft Mitigation and Monitoring Plan for potential impacts to biological resources associated with the project has been prepared and approved by USFWS, USACOE, and CDFG.

Mitigation proposals would include the following:

- Pre-construction surveys of the identified habitat areas will be conducted by qualified and approved biologists to flag the areas as Environmentally Sensitive Areas to be avoided during construction;
- Pre-construction surveys will be conducted to identify (flag) oak trees and other native trees with trunks at least six inches dbh or that have a multitrunk aggregate of 10 inches or more dbh that occur within the right-of-way or that have a drip line within the right of way;
- No grading or construction shall be allowed during the nesting seasons for special status species that are present, except as approved by USFWS or CDFG, as applicable;
- Appropriate screening devices shall be used to prevent re-entry to vacated owl burrows prior to grading;
- Appropriate exclusionary devices shall be installed to prevent use of man-made project area facilities for nesting by purple martins, swifts, and other swallows;
- All elderberry plants identified in the project construction area shall be fenced for avoidance by construction crews and the personnel briefed on the status of the species;
- A buffer zone shall be created around any Heritage Tree within or with a drip line within the right-of-way by erecting exclusionary fencing thirty feet from the tree's drip line and no construction activities shall be allowed within this buffer unless authorized in writing by appropriate City staff pursuant to Sacramento city Code, Article IV, Chapter 45;
- All areas identified as potential vernal pool crustacean habitat shall be avoided by all construction-related activities whenever feasible and if avoidance of potential vernal pool crustacean habitat is not possible, a worker environmental awareness training program shall be conducted by RT; and

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• A monitoring report of all activities associated with surveys for and mitigation of species of concern shall be submitted to CDFG in a timely manner as stipulated in the Mitigation and Monitoring Plan.

• Loss of resources due to project related activities shall be mitigated by replacement at appropriate ratios to ensure no disturbance or net loss, as follows:

a. Loss of existing owl burrows shall be replaced at a 3:1 ratio at an offsite location such as Stone Lakes Preserve or the Cosumnes River Preserve;

b. Elderberry stems of one inch or greater diameter at ground level that cannot be avoided during construction activities shall be transplanted to a USFWS-approved mitigation area such as the Stone Lakes National Wildlife Refuge or Cosumnes River Preserve. Such transplanting shall occur during the plant's dormant season and follow USFWS guidelines;

c. Each elderberry stem of 1 inch or greater diameter at ground level that is moved or destroyed will be replaced with seedling elderberry plants in the mitigation area(s) at ratios of from 2:1, as determined on the basis of USFWS guidelines;

d. RT has two options for mitigation of project-related impacts to vernal pool crustacean habitat:

Option 1: RT will establish a USFWS-approved mitigation bank, such as the bank on SMUD lands at Rancho Seco, Sacramento County, and RT will construct vernal pools at a replacement ratio of 1:1 for vernal pool creation AND 2:1 for vernal pool preservation for each acre of vernal pool crustacean habitat affected. RT will permanently protect the agreed-upon acreage of vernal pool crustacean habitat within the mitigation bank via a USFWS-approved conservation easement, to be held by a USFWS-approved entity.

Option 2: RT shall pay into the USFWS vernal pool crustacean mitigation fund at a rate of \$70,000 per acre. The replacement ratio would be 1:1 for vernal pool creation AND 2:1 for vernal pool preservation for each acre of vernal pool crustacean habitat affected.

e. If removal of an oak or other native tree of six inches or greater dbh is required, RT will obtain a Tree Removal Permit (City or County of Sacramento) and replace the tree with one tree of the same species of at least 24-inch box size in a predetermined location such as the Beach Lake or Cosumnes River Preserves.

Findings Concerning Mitigation Measures

Significance With Mitigation

The RT Board finds that the above-stated mitigation measures are incorporated into the proposed SSCP. The RT Board further finds that these mitigation measures are appropriate and feasible and will substantially lessen or avoid the potential adverse environmental effect because they create a pre-construction program for identifying and protecting habitat and species or paying into mitigation funds. (FEIS/FSEIR, p. 4-96.)

5.3 Findings Concerning Geology

The identified Geology Impacts that are significant or potentially significant without mitigation and findings of the RT Board regarding those impacts are as follows:

Significant Impact 5.3.2: Geologic Construction Impacts. Construction of the project would widen the existing earthfill embankment in some locations, changing the topography of the area slightly.

Increased soil pressures may result in cracking of slab-on-grade pavements and differential settlement of foundation materials.

Erosion could occur during construction, if earth moving operations expose areas of loose soils during the rainy season.

Mitigation

5.3.3. The following describes mitigation for impact 5.3.2.

- To mitigate potential impacts associated with expansive soils and settlement, RT or its contractor will first conduct additional, site-specific geotechnical and geologic investigations, including field excavation and laboratory testing, in order to provide site-specific geotechnical conclusions and recommendations for design and construction of the proposed project. These investigations will identify potentially expansive soils and the magnitude of settlement associated with the clay materials at the site.
- Expansive soils will be mitigated by the overexcavation and removal of these soils, the design and construction of deeper foundations, and/or the placement of compacted engineered fill mates to bridge over expansive materials. Drainage will be designed to direct surface water away from foundations.
- Potential impacts due to settlement will be mitigated by over excavation and removal of compressible soils, the design and construction of deeper foundations, and/or the placement of compacted engineered fill mats to bridge over compressible materials. Settlement could also be reduced by the over excavation and recompaction of foundation bearing soils to a relative compaction of 95 percent.

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- To control erosion during construction, RT or its contractor will leave drainage paths clear to minimize flooding as defined in drainage plans which will ensure that there is no net increase in flooding or significant redirection of flood flows. Soils will be retained with the use of silt fences and/or hay bales. As soon as practical, exposed soils will be landscaped.

Findings Concerning Mitigation Measures

Significance With Mitigation

The RT Board finds that the above-stated mitigation measures are incorporated into the proposed SSCP. The RT Board further finds that these mitigation measures are appropriate and feasible and will substantially lessen or avoid the potential adverse environmental effect because the mitigation strategy requires site specific investigations, excavations and testing to avoid potential settlement, erosion and flooding problems associated with construction. (FEIS/FSEIR, p. 5-9.)

Clarification of Mitigation

The mitigation provides that flooding will be minimized during construction to control erosion. The measure has been clarified to note that the drainage plans shall be prepared by a registered civil engineer and shall be designed to ensure there is no net increase in the duration or physical extent of flooding of any adjacent parcels during construction.

5.4. Findings Concerning Utility Impacts

The identified Utility Impacts that are significant or potentially significant without mitigation, the mitigation measures and findings of the RT Board regarding those impacts with the mitigation, are as follows:

Significant Impact 5.4.2.2: *The construction of light rail tracks and the relocation of freight rail tracks would affect underground and above-ground utilities.*

Mitigation

5.4.3. The following describes the mitigation for impact 5.4.2.2:

- Careful and periodic coordination with all utility providers will continue during the final design and construction stages to identify any potential conflicts and to formulate strategies to overcome potential problems. Careful scheduling of these disruptions and prior notification of adjacent properties that will be affected by temporary service disruptions will mitigate the construction impact.

Findings Concerning Mitigation Measures

Significance With Mitigation

The RT Board finds that the above-stated mitigation measures are incorporated into the proposed SSCP. The RT Board further finds that these mitigation measures are appropriate and feasible and will substantially lessen or avoid the potential adverse environmental effect

because they establish a methodology for timing, placement and construction of utilities and trucks to avoid potential disruption of utility service to customers. (FEIS/FSEIR, p. 5-11.)

5.5. Findings Concerning Hazardous Materials Impacts

The identified Hazardous Materials Impacts that are significant or potentially significant without mitigation, the mitigation measures and findings of the RT Board regarding those impacts with the mitigation, are as follows:

Significant Impact 5.5.3: *The potential for encountering pre-existing hazardous materials is present during any construction project, particularly within a developed area. Hazardous materials impacts would occur if construction workers or members of the public were exposed to hazardous materials during grading and construction activities or if the likelihood of hazardous waste migration were increased by construction activities*

Based on existing knowledge of contamination within and adjacent to the alignment, there is a likelihood that hazardous materials may be encountered at the following locations: adjacent to and within the UPRR right-of-way and UPRR Yard, which lies across the alignment east of Sacramento City College; adjacent to the Orchard Supply Co. at 1731 17th St; in the vicinity of Broadway Auto Service at 2025 Broadway; adjacent to Freeport Cleaners at 2001 4th Ave; adjacent to US Cold Storage at 2338 9th Ave; vicinity of AFB Freight; Overhead Door Co, and Campbell Soup Co, near 47th Ave.

Mitigation

5.5.4 The following describes the mitigation for these impacts:

- Following adoption of the project, RT will retain the services of a qualified professional to prepare a Phase II site investigation. If the Phase II determines that any chemicals of concern are present, a Risk Assessment will be prepared. A component of the risk assessment will be the clear identification of the health effects of chemicals of concern that are present within the Corridor. The Risk Assessment will also recommend appropriate remediation techniques, preparation of health and safety plans, and other measures to reduce the risk to workers and members of the public.
- In order to mitigate potential health effects associated with hazardous materials that may be encountered during project construction, RT will ensure that appropriate health and safety plans are developed and implemented. Procedures will address the identification, excavation, handling, and disposal of hazardous materials that may be found in the area. These materials include, and may not be limited to, heavy metals from slag materials, creosote-treated railroad ties and utility poles, petroleum hydrocarbon impacted soil and groundwater, solvents (TCE), and domestic chemicals.
- RT will also ensure that near-surface soils within the UPRR Corridor will be screened for lead arsenate based herbicides and other chemicals of concern, if any. The screening program will include periodic soil sampling and analysis adequate to confirm the presence or absence of herbicides along the length of the LRT alignment. If lead arsenate herbicides are present, health and safety

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procedures will include dust control measures, use of protective clothing, and respirators.

- RT will further ensure that any identified environmental site conditions that may represent a risk to public health and safety will be remediated in accordance with federal, state, and local environmental laws and regulations. The work will be performed by environmental professionals routinely engaged in the remediation of hazardous materials. Purchase agreements for property acquired along the alignment will address the characterization, remediation, and liability for existing hazardous environmental conditions.

Findings Concerning Mitigation Measures

Significance With Mitigation

The RT Board finds that the above-stated mitigation measures are incorporated into the proposed SSCP. The RT Board further finds that these mitigation measures are appropriate and feasible and will substantially lessen or avoid the potential adverse environmental effect because the mitigation imposes specific procedures to address the identification, excavation, handling and disposal of hazardous materials that may be found in the identified areas. (FEIS/FSEIR, p. 5-16.)

Section M: Commitment to Implement Further Mitigation

The RT Board agrees to implement all mitigation measures for impacts that were determined to be less than significant, even without mitigation. Those impacts areas are set forth below.

Further evidence of the incorporation of all mitigation measures into the SSCP is set forth in the Mitigation Monitoring Plan attached to the Resolution as Exhibit C and incorporated by reference therein.

The impacts determined to be insignificant and not addressed in Section L herein, are listed below by impact and by their corresponding supplemental mitigation number:

Long Term Impacts

Traffic	Impact 3.3.3	Mitigation 3.3.5.2
Visual/ Aesthetics	Impact 4.4.2.2	Mitigation 4.4.3
Seismicity	Impact 4.11.2	Mitigation 4.11.4
Neighborhoods/Businesses	Impact 4.14.2	Mitigation 4.14.3

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Project Construction Impacts

Geologic	Impact 5.3.4	Mitigation 5.3.5 ¹
Rail and Bus Transit	Impact 5.6.2.2	Mitigation 5.6.3
Vehicular Traffic	Impact 5.7.2.2	Mitigation 5.7.3
Parking	Impact 5.8.2	Mitigation 5.8.3
Visual/ Aesthetics	Impact 5.9.1	Mitigation 5.9.2
Safety/ Security (construction)	Impact 5.10	Mitigation 5.10
Cultural Resources	Impact 5.11	Mitigation 5.11
Noise/ Vibration	Impact 5.12	Mitigation 5.12.4
Air Quality	Impact 5.13.2	Mitigation 5.13.3
Water Resources	Impact 5.14.2.2	Mitigation 5.14.4
	Impact 5.14.3	Mitigation 5.14.4
Neighborhood/ Businesses	Impact 5.15.2	Mitigation 5.15.3

¹ Clarification of Impact 5.3.4 and Mitigation Measure 5.3.5 is as follows: Geologic Construction Impacts. Track realignment and the placement of retaining walls as part of the SSCP, will incorporate appropriate drainage design guidelines as needed, based upon the following performance standards: In conjunction with the final design for the SSCP, RT will include drainage design requirements which:

- a) prevent flooding by the SSCP on adjacent properties that are not currently subject to flooding;
- b) prevent increased flooding by the SSCP on adjacent properties that currently flood; and
- c) prevent increases in the duration of flood flows caused by the SSCP to adjacent properties.

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EXHIBIT D

STATEMENT OF OVERRIDING CONSIDERATIONS

SUBSEQUENT ENVIRONMENTAL IMPACT REPORT

SACRAMENTO REGIONAL TRANSIT
MARCH 10, 1997

Section A: General Introduction

In approving the South Sacramento Corridor Project ("SSCP") which is the subject of the Final Environmental Impact Statement/Final Subsequent Environmental Impact Report ("FEIS/FSEIR"), the Regional Transit District Board ("RT" and/or "RT Board") adopts the following Statement of Overriding Considerations in support of its project approval. The RT Board has considered the information contained in the FEIS/SEIR, and has fully reviewed and considered the public testimony and record in this proceeding.

The RT Board has carefully balanced the benefits of the proposed SSCP against the unavoidable adverse impacts identified in the FEIS/FSEIR. Notwithstanding the disclosure of impacts identified in the FEIS/FSEIR as significant and potentially significant, and which have not been eliminated or mitigated to a level of insignificance, the RT Board, acting pursuant to §15093 of the State CEQA Guidelines, hereby determines that the benefits of the SSCP outweigh the significant unmitigated adverse environmental impacts.

The FEIS/FSEIR identifies each of the potential adverse impacts which cannot be mitigated to a level of insignificance if the SSCP is implemented with adopted mitigation measures. These impacts are listed below by impact number:

3.3.2.5(a) in A.M. Peak; 3.3.2.5(b) in P.M. Peak; 3.3.2.5(d) in A.M. and P.M. Peaks; 3.3.2.5(f) in P.M. Peak, and 4.8.3, (significant at areas 1, 2, 4, 5, 6, 7 and 8, as set forth on Table 4.8-7 and FEIS/FSEIR, p. 4-60, under "no mitigation" (see FEIS/FSEIR Table 4.8-7).

Although the RT Board believes that many of the unavoidable and irreversible environmental effects identified in the FEIS/FSEIR, as well as many of the environmental effects which have not been mitigated to a point of insignificance, will be substantially lessened by the mitigation measures incorporated into the proposed SSCP, it recognizes that implementation of the SSCP and the provision of extended light rail facilities and services, introduces certain unavoidable and irreversible environmental impacts.

Section B: Specific Findings

(1) Project Benefits Outweigh Unavoidable Impacts

The remaining unavoidable and irreversible impacts of the SSCP are acceptable in light of the economic, fiscal, social, planning, transportation and other

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considerations set forth herein, because the benefits of the SSCP outweigh any significant and unavoidable or irreversible adverse environmental impacts of the SSCP.

(2) Rejected Mitigation Measures

The mitigation measures which were recommended in the FEIS/FSEIR but not incorporated into the SSCP due to their infeasibility, are infeasible in part because such measures would impose limitations and restrictions on the SSCP so as to prohibit the attainment of specific economic, social and other benefits of the SSCP which the RT Board finds outweigh the unmitigated impacts of the SSCP. The basis for these conclusions is set forth herein.

(3) Balance of Competing Goals

The RT Board finds it is imperative to balance competing goals in approving the SSCP and certifying the FEIS/FSEIR for the SSCP. Not every environmental concern has been fully satisfied because of the need to satisfy competing concerns to a certain extent. Accordingly, in some instances the RT Board has chosen to accept certain environmental impacts because to eliminate them would unduly compromise some other important economic, social or other goals. The RT Board finds and determines that the text of the SSCP and the supporting environmental documentation provide for a positive balance of the competing goals and that the economic, fiscal, social, planning, transportation and other benefits to be obtained by the SSCP outweigh the environmental and related potential detriment of the SSCP.

Section C: Overriding Considerations

The RT Board specifically finds that to the extent the identified adverse or potentially adverse impacts have not been mitigated to less than significant levels, there are specific economic, social, planning, transportation and other considerations which support approval of the proposed SSCP, as set forth below.

(1) Economic Considerations

Substantial evidence is included in the record of these proceedings demonstrating the economic benefits which will be derived from the implementation of the proposed SSCP. RT has balanced these economic considerations against the unavoidable and irreversible environmental risks identified in the FEIS/FSEIR, and has concluded that those impacts are outweighed by economic and other benefits. They are addressed in the RT Board's Findings of Fact. In particular, the RT Board considered those impacts relating to transportation/ circulation and parking, property acquisition, air quality, noise and vibration, visual and aesthetic resources, safety and security, community facilities/services/parklands, schools and churches, cultural and historic resources, biological resources, soils, seismicity, hazardous materials, electromagnetic fields, neighborhoods and businesses, vegetation and wildlife, geology, utilities, rail and bus transit, and water resources. Upon balancing the environmental risks and countervailing benefits, the RT Board concludes that the economic benefits which will be derived from the implementation of the SSCP outweigh those environmental risks. The positive fiscal impacts include, but are not limited to the following:

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(a) Cost-Effective Fulfillment of Transportation Goals

The SSCP will facilitate federal, state, county and city government goals to develop a transportation system that provides for the most efficient use of limited financial resources. (FEIS/FSEIR, p. 6-1.)

The Sacramento County General Plan, the Sacramento Area Council of Governments' Metropolitan Transportation Plan and the California State Transportation Improvement Program have formally included RT's plan for light rail extension to the south area through the cost effective and financially feasible approach of the SSCP. (FEIS/FSEIR, p. 2-11.) The SSCP construction costs will be funded from a combination of federal, state and local funds. (FEIS/FSEIR, p. 2-55.) This combined funding ensures the implementation of important transportation goals with an efficient use of financial resources because the costs are not borne by only one governmental entity. (FEIS/FSEIR, p. 6-15.) This construction cost sharing approach recognizes that financial resources are limited among local government entities.

(b) Regional Economic Benefits from Construction

The Sacramento Metropolitan area will reap economic benefits from implementation of the SSCP. The SSCP will be developed by several distinct types of construction activities, some running concurrently and some following each other. The general types of construction activities will be utility relocation, UPRR relocation, LRT track construction, LRT systems construction, stations, and parking lot construction, including demolition, paving and landscaping. (FEIS/FSEIR, p. 5-4.)

Under the SSCP, the construction value is approximately \$130 million dollars with the total regional economic output being \$228.7 million dollars. The total regional economic output is based on the value of goods and services created by the construction funds being spent. There is a multiplier effect because each dollar of construction money is circulated through the economy more than once. As to earnings, which are a measure of how much of the construction dollars show up in wages and salaries, the SSCP will provide \$59.5 million dollars in regional employment earnings. (FEIS/FSEIR, pp. 5-6 and 5-7.) Consequently, the record reflects a substantial influx of dollars into the economy by implementation of the SSCP.

(c) Increased Ridership to Fund Operating and Maintenance

The SSCP will generate increased rail boardings and alightings estimated at nearly 12,500 daily trips by the year 2015. (FEIS/FSEIR, p. 6-4.) This will be reflected in higher farebox recovery ratios (FEIS/FSEIR, p. 2-67) and in conjunction with other programs in which RT is participating (FEIS/FSEIR, p. 2-56), will effectively cover operating and maintenance costs for the SSCP. (FEIS/FSEIR, p. 2-55 and 6-10.) Therefore, the SSCP, in sustaining its own operations, will benefit the region by not burdening other already stretched funding sources.

The RT Board finds that the above-described economic benefits which will be derived from implementation of the SSCP with mitigation, when weighed against the profound transit and air quality impacts resulting from impending growth in the region without the proposed SSCP, override the significant unavoidable and irreversible environmental impacts of the proposed SSCP as identified above.

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(2) Social Considerations

These proceedings contain substantial evidence to support the conclusion that the implementation of the proposed SSCP will further social goals that have been recognized by RT and federal, state and local governmental entities. In an attempt to effectively and comprehensively address regional transportation needs, the proposed SSCP provides various social benefits to the future of the region, including but not limited to the following:

(a) Transit Considerations

The South Sacramento Corridor is located in one of the fastest growing urban areas in the State of California and in the nation. Between 1980 and 1990, the Sacramento consolidated metropolitan statistical area population grew by 35 percent. The South Sacramento Corridor is expected to grow 25 percent by the year 2015. Moreover, the South Sacramento Corridor has been a major focus of metropolitan growth and includes major development and redevelopment opportunities that are expected to attract a large share of future population and employment activity at 40 percent above 1990 levels. (FEIS/FSEIR, pp. 1-3 and 1-5.)

There is substantial evidence in the record to demonstrate that there are traffic impacts associated with this anticipated growth that will continue to negatively affect the quality of life in the region. The impacts of this rapid growth will be alleviated by the SSCP. The SSCP will:

- A. Improve public transit services in the rapidly growing South Sacramento area by providing increased capacity and faster, convenient access to downtown Sacramento and major Corridor activity centers;
- B. Enhance regional connectivity through expanded, interconnected LRT services along the primary travel corridors in Sacramento County, including I-80 east (existing Northeast Line), US 50 (existing Folsom Line), and SR 99/I-5 (proposed South Line);
- C. Accommodate future travel demand in the Corridor by expanding modal options;
- D. Alleviate growing traffic congestion on the I-5 and SR 99 freeways between downtown Sacramento and the communities of Elk Grove, Laguna Creek and Laguna West, and on the major north-south arterials in South Sacramento, such as Freeport Boulevard and Franklin Boulevard; and

- E. Alleviate the growing parking demand in downtown Sacramento and the congestion and circulation impacts resulting from increased peak hour traffic.

Based on the anticipated traffic impacts resulting from regional growth, the Sacramento County General Plan, the Sacramento Area Council of Governments' Metropolitan Transportation Plan and the California State Improvement Program have formally incorporated the plan for light rail extension to the south area through the cost effective and financially feasible approach of the SSCP. (FEIS/FSEIR, p. 2-11.) Therefore, the RT Board finds that the adoption of the proposed SSCP will effectively implement governmental objectives for managing traffic concerns in the face of growth pressures.

(b) Permanent Job Creation

As discussed, the SSCP will inject over \$228.8 million dollars into the regional economy and add another \$59.5 million dollars in earnings. Job creation is another measure of the construction dollars on wages and salaries. Under the SSCP, these will constitute annual full-time equivalent jobs during the construction period. Although short-term basic sector jobs will also exist during the construction period, the number of continuing operational employment opportunities for the SSCP is over 1,200, with total jobs created being at 3,000 for the SSCP. (FEIS/FSEIR, p. 5-7.)

(c) Transit Service Equity/Environmental Justice

The major transit improvements implemented by the SSCP will ensure that transit system equity is maintained as travel demand increases in future years. Transit system equity is measured in terms of the level of service and the capitol resources provided. (FEIS/FSEIR, p. 1-13.) There are high proportions of transit-dependent populations in the South Sacramento Corridor which create a demonstrable need for enhanced mobility through public transportation. The SSCP will satisfy this need by ensuring that enhanced rail, bus and modal options are available. (FEIS/FSEIR, p. 1-13.) It will improve mobility options to employment, education, medical, and retail centers for South Sacramento Corridor residents, in particular low income, youth, elderly, disabled and ethnic minority populations. (FEIS/FSEIR, p. S-2.) The SSCP is an efficient, cost effective strategy to increase service levels and add capacity to the South Sacramento Corridor, comparable to the service improvements that have been implemented or are planned in other areas.

(d) Planning and Land Use Considerations

Within the South Sacramento Corridor, there is a large supply of land available for residential, commercial and industrial development. There are also opportunities for infill development that would relieve pressure for the conversion of agricultural land and open space. Transit is a tool to help shape urban development patterns. For example, fixed guideway services, such as light rail offer more potential than bus-only services to influence land uses.

The existence of light rail will facilitate development around the stations. Specifically, there are four redevelopment and revitalization opportunities under study along roadway corridors served by the SSCP. (FEIS/FSEIR, p. 1-13.) The implementation of the SSCP will help shape development in these areas consistent

with the Sacramento County General Plan which directs transit oriented development based upon future light rail lines and transit stops. (FEIS/FSEIR, p. 2-11.)

(e) Air Quality Considerations

The SSCP will improve regional air quality by reducing auto emissions. The ineluctable result of growth in the region will be increasing congestion and slower travel times for both auto and transit, which in turn worsens air quality. Currently, Metropolitan Sacramento has the fifth worst air quality in the United States and is an Environmental Protection Agency designated non-attainment area for ozone, carbon monoxide and particulate matter. (FEIS/FSEIR, p. 1-11.)

The RT Board finds that the SSCP will directly further the clean air policy objectives adopted in the Sacramento Metropolitan Air Quality Management District's Air Quality Attainment Plan and the Sacramento County General Plan's goal for the development of light rail as a major clean air policy objective.

Section D: Conclusion

The RT Board has balanced the social, economic and other considerations against the unavoidable environmental risks identified in the FEIS/SDEIR and has concluded that the economic, social and other benefits outweigh those unavoidable environmental risks.

The Board further finds that each of the benefits or reasons described above in this Statement of Overriding Considerations is individually sufficient by itself to outweigh and override the environmental risks; and support the approval of the SSCP.

In conclusion, the RT Board has determined that any remaining environmental effects attributable to the proposed SSCP which are found to be unavoidable in the preceding Findings of Fact, are acceptable due to the overriding concerns set forth in this Statement of Overriding Considerations. The Board has concluded that despite the remaining significant impacts, the proposed SSCP with mitigation should be approved.

FOR CITY CLERK USE ONLY

RESOLUTION NO.: _____

DATE ADOPTED: _____