



1.7

DEPARTMENT OF
UTILITIES

ENGINEERING SERVICES

CITY OF SACRAMENTO
CALIFORNIA

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SACRAMENTO, CA
95822-2911

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March 14, 1997

City Council
Sacramento, California

Honorable Members in Session:

SUBJECT: APPROVAL OF THE NEGATIVE DECLARATION, ADOPTION OF THE MITIGATION REPORTING PLAN AND AWARD CONTRACT TO RUTHERFORD & SMITH CONSTRUCTION, INC., FOR SUMP 151 IMPROVEMENTS (PN:WF76) FOR AN AMOUNT NOT TO EXCEED \$1,722,000.00

LOCATION AND COUNCIL DISTRICT:

The construction funded by this contract will affect Sump 151 near the Radisson Hotel off Highway 160 (District 2). See enclosed map.

RECOMMENDATION:

Staff recommends that the City Council adopt the attached Resolution which:

- Approves the Negative Declaration (Exhibit "1") and adopts the Mitigation Reporting Plan (Exhibit "2") for Sump 151 Improvements (PN: WF76); and
- Accepts the low bid from Rutherford and Smith Construction, Inc., in the amount of \$1,722,000.00 and awards the contract.

CONTACT PERSON: Gary Reents, Division Manager, 433-6633
Andy Hunt, Senior Engineer, 433-6620

FOR COUNCIL MEETING OF: April 1, 1997

SUMMARY

The Negative Declaration and the Mitigation Reporting Plan for Sump 151 are attached to this report (Exhibits "1" and "2"). Bids were received and opened by the City Clerk on March 5, 1997; Rutherford and Smith was the low bidder at \$1,722,00.00.



City Council
March 14, 1997
Contract Award (PN:WF76)

COMMITTEE/COMMISSION ACTION

None.

BACKGROUND INFORMATION

In 1994 a Master Plan Study was commissioned on the Sump 151 Drainage Basin, prompted by historic flooding in the area. The study identified several necessary improvements, the most important of which was upgrading Sump 151. Improvements include: paving the wetwell and forebay, replacing two 60" culverts with an 8'x12' concrete culvert, installing catenary trash racks, removing an existing 400-hp pump, adding two 300-hp pumps and providing an 800-kw generator for emergency power.

On March 5, 1997, nine bids were received, the three lowest of which were:

1.	Rutherford and Smith Construction	\$1,722,000.00
2.	John F. Otto Construction	\$1,869,000.00
3.	Sierra National Construction	\$1,889,000.00

ENVIRONMENTAL DETERMINATION

In accordance with the State Guidelines for implementation of the California Environmental Quality Act (CEQA) of 1970, the Planning Services Division, Environmental Section has reviewed the proposed project. This review has resulted in the determination that the proposed project, with mitigation measures for plant life, animal life, risk of upset, recreation and cultural resources, will not have a significant adverse impact on the environment and a Negative Declaration was prepared.

A Notice of Availability for public review and comment of the Negative Declaration was published in a local paper on February 28, 1997. The Notice of Availability was filed with the State Office of Planning and Research, the City of Sacramento and the County of Sacramento. The 30-day comment period will end on March 28, 1997. To date no comments have been received on the Negative Declaration (Exhibit "1").

FINANCIAL CONSIDERATIONS

The total budget for the project (425-500-WF76-4820) is \$2,207,000.00. Based on the low bid of \$1,722,000.00 the revised total estimated project cost, including design, construction, inspection and contingency is \$2,200,000. There are sufficient funds in the project to award this contract.

City Council
March 14, 1997
Contract Award (PN:WF76)

POLICY CONSIDERATIONS

This action is in conformance with City Code sections, 58.03.304, & 58.03.301, which provides that the City Council may award competitively bid contracts to the lowest responsible bidder and "advertising for bidding" requirements respectively.

MBE/WBE

This project included participation goals of 10.75% MBE and 9.5% WBE as required by Resolution 93-619, relating to MBE/WBE participation goals and policies, adopted by the City Council on November 2, 1993. Award of the project is contingent upon the responsive low bidder either meeting these project MBE/WBE participation goals or making documented good faith efforts toward meeting the project goals. The low bidder, Rutherford & Smith Construction, Inc., participation goals were 0.07% MBE and 0.00% WBE. However, a documented Good Faith Effort was submitted by Rutherford & Smith Construction, Inc., and verified by Utilities staff. The current MBE/WBE participation totals to-date for the Department of Utilities are 13.60% and 6.45% respectively.

Plans and specifications were sent to nine (9) plan rooms and construction services organizations for publication and use by the construction industry of Northern California. There are four (4) organizations on the distribution list that are directly involved with the outreach to MBE/WBE contractors.

Other outreach efforts to MBE/WBE for this project included:

- Advertisement of the project on the City of Sacramento Construction Project Bid Line (916) 392-4758.
- Free access to review the project plans and specifications at the City of Sacramento, Architecture & Engineering Division Plan room at 927 10th Street.
- Provide notice of this project to three (3) minority chambers of commerce and three (3) minority and women community organizations directly involved with the outreach to MBE/WBEs.

MBE/WBE participation by the bidders is as follows:

CONTRACTORS	BID AMOUNT	MBE		WBE		GOOD FAITH EFFORT DOCUMENTATION
		\$	%	\$	%	
Rutherford & Smith Construction	1,722,000.00	1,280.00	0.07	0.00	0.00	yes
John F. Otto, Inc.	1,868,000.00	1,280.00	0.07	12,322.80	0.66	yes
Sierra National Construction	1,889,000.00*	232,000.00	12.28	206,000.00	10.91	Not required
Pacific Mechanical Corporation	1,937,000.00	5,800.00	0.44	0.00	0.00	Not required
Allen L. Bender, Inc.	1,958,463.00	1,280.00	0.07	0.00	0.00	Not required
C. W. Roen Construction Corporation	2,049,000.00	8,500.00	0.44	1,050.00	0.00	Not required
Syblon Reid Co.	2,058,984.00	10,500.00	0.51	0.00	0.00	Not required
Reide Construction Inc.	2,138,476.00	268,889.00	12.57	6,215.00	0.29	Not required
R. E. McCollum	2,354,500.00	1,300.00	0.06	0.00	0.00	Not required

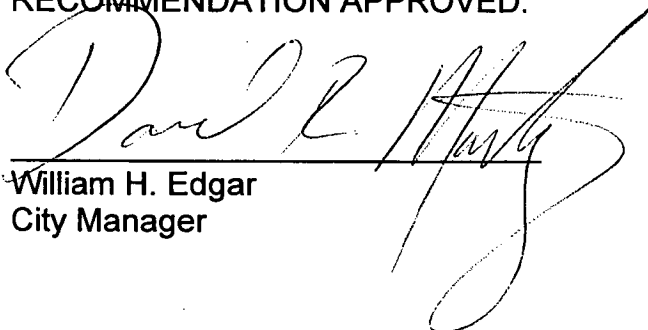
*Note: Sierra National Construction met their MBE/WBE goals and received a \$25,000.00 bid credit which made them the second low bidder.

Respectfully submitted,



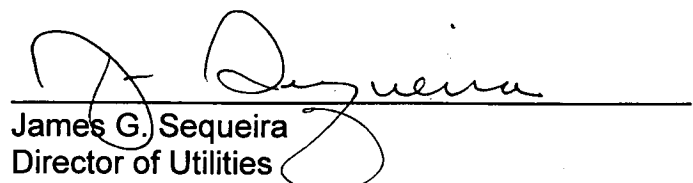
Gary A. Reents
 Engineering Services Manager

RECOMMENDATION APPROVED:

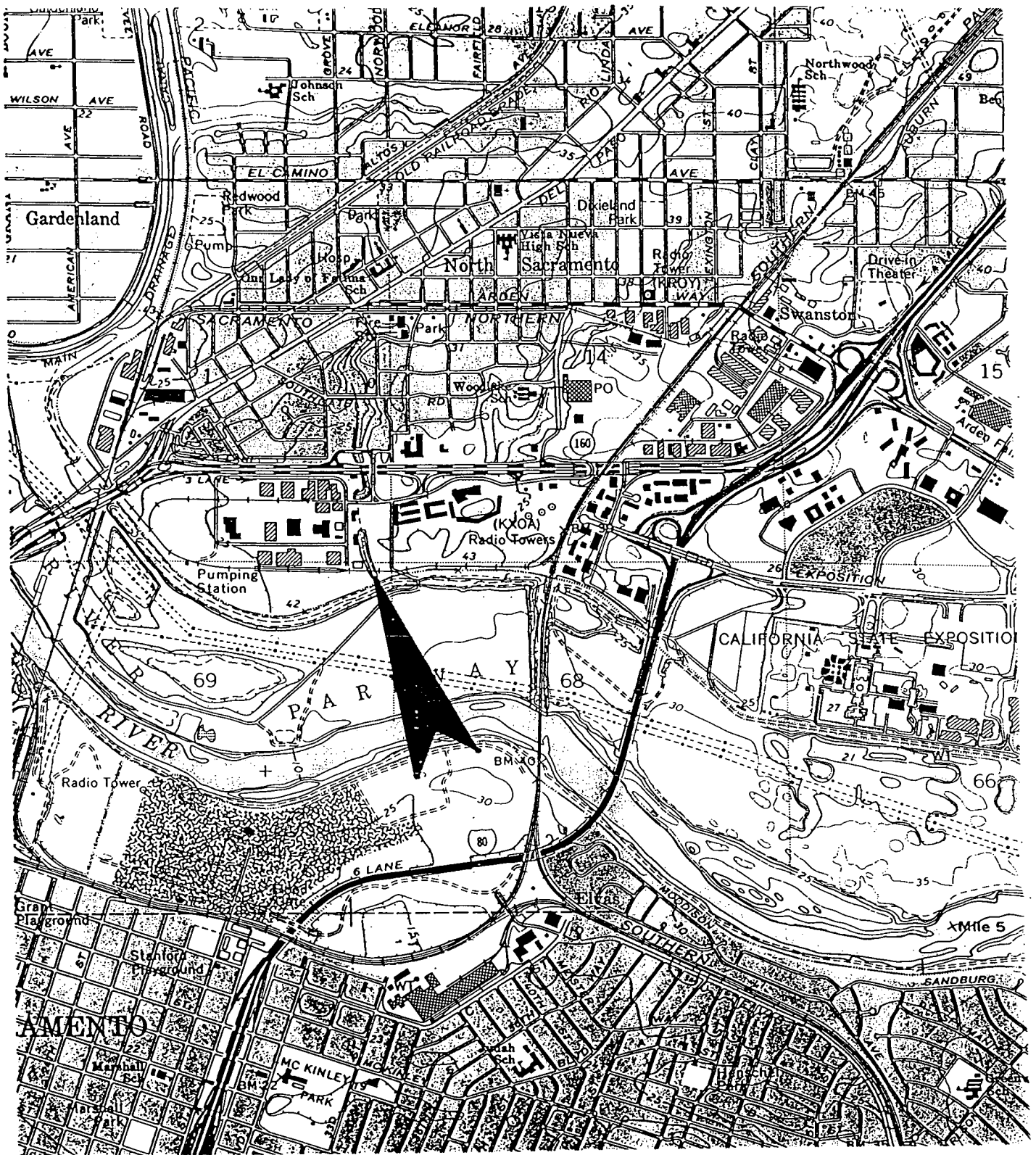


William H. Edgar
 City Manager

APPROVED:



James G. Sequeira
 Director of Utilities



LOCATION MAP

NO SCALE

RESOLUTION NO.

ADOPTED BY THE SACRAMENTO CITY COUNCIL

ON DATE OF _____

A RESOLUTION APPROVING THE NEGATIVE DECLARATION, ADOPTING THE MITIGATION REPORTING PLAN AND AWARDED CONTRACT TO RUTHERFORD AND SMITH CONSTRUCTION, INC., FOR SUMP 151 IMPROVEMENTS (PN:WF76) FOR AN AMOUNT NOT TO EXCEED \$1,722,000.00

BE IT RESOLVED BY THE SACRAMENTO CITY COUNCIL THAT:

WHEREAS, the City of Sacramento conducted an Initial Study to determine if the above Project may have a significant effect on the environment; and

WHEREAS, the Initial Study concluded that there is no substantial evidence that the Project, including identified mitigation measures, may cause a significant effect on the environment, and a Negative Declaration is therefore appropriate; and

WHEREAS, the Negative Declaration for the Project was circulated for public review in accordance with the California Environmental Quality Act and no comments were received.

THEREFORE BE IS RESOLVED BY THE COUNCIL OF THE CITY OF SACRAMENTO that:

1. The City Council hereby ratifies and approves the Sump 151 Negative Declaration (Exhibit " 1"), finding on the basis of the Initial Study that there is no substantial evidence that such project, including mitigation measures described in the Initial Study, may have a significant effect on the environment.
2. The City Council hereby adopts the Sump 151 Mitigation Reporting Plan (Exhibit " 2") to ensure compliance with mitigation measures specified in the Initial Study during project implementation.

FOR CITY CLERK USE ONLY

RESOLUTION NO. _____

DATE ADOPTED: _____

3. The City Council hereby authorizes the City Clerk and City Manager to sign and execute a contract with Rutherford & Smith Construction, Inc., for Sump 151 Improvements (PN: WF76).

MAYOR

ATTEST:

CITY CLERK

FOR CITY CLERK USE ONLY

RESOLUTION NO. _____

DATE ADOPTED: _____



DEPARTMENT OF
PLANNING AND DEVELOPMENT

CITY OF SACRAMENTO
CALIFORNIA

1231 I STREET
ROOM 301
SACRAMENTO, CA
95814-2998

PLANNING SERVICES
916-264-7037
FAX 916-264-7185

NEGATIVE DECLARATION

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

CIP# WF76 - Sump 151 Trash Rakes and Forebay Improvements The City of Sacramento, Utilities Department, proposes several improvements to Sump 151 which discharges local drainage into the American River and is located approximately 1/2 mile south of State Route 160, west of the Price-Costco site in the City of Sacramento. The proposed improvements include: replacement of an existing pump with two new smaller pumps; installation of a large generator to provide power to the pumps in the event of an emergency; installation of a reinforced catenary structure with a metal trash rack and concrete access ramp; construction of channel lining, asphalt pavements and fencing. In addition, existing discharge piping would be replaced with 42 inch discharge piping through the American River levee structure and concrete stairs would be constructed on each side of the levee. The improvements will allow the sump to be cleared of organic materials, debris and sediment more effectively.

The City of Sacramento, Department of Planning and Development, has reviewed the proposed project and has determined that the project, with mitigation measures, as identified in the attached Initial Study, will not have a significant effect on the environment. An Environmental Impact Report is not required pursuant to the Environmental Quality Act of 1970 (Sections 21000, et seq., Public Resources Code of the State of California).

This Negative Declaration has been prepared pursuant to Title 14, Section 15070 of the California Code of Regulations; the Sacramento Local Environmental Regulations (Resolution 78-171) adopted by the City of Sacramento; and the Sacramento City Code, Title 63.

A copy of this document and all supportive documentation may be reviewed or obtained at the City of Sacramento, Department of Planning and Development, Environmental Services Section, 1231 I Street, 3rd Floor, Sacramento, California 95814.

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

By: *Frank Buderi*

CITY OF SACRAMENTO

INITIAL STUDY

This Initial Study has been required and prepared by the Department of Planning and Development, Environmental Services Division, 1231 I Street, Room 301, Sacramento, CA 95814, (916) 264-7037, pursuant to CEQA Guidelines, Section 15063 (August 1, 1983).

File No. and/or Project Name: CIP #WF76
Project Location: South of State Route 160 (SR 160), between the Union Pacific Railroad tracks and the American River levee, west of Canterbury Road
Applicant - Name: City of Sacramento, Department of Utilities
Address: 5570 Freeport Boulevard
Sacramento, CA 95822-2911

ENVIRONMENTAL IMPACTS

	<u>YES/MAYBE/NO</u>
1. Earth. Will the proposal result in:	
a. Unstable earth conditions or in changes in geologic substructures?	<u>No</u>
b. Disruptions, displacements, compaction or overcovering of the soil?	<u>Yes</u>
c. Change in topography or ground surface relief features?	<u>Yes</u>
d. The destruction, covering or modification of any unique geologic or physical features?	<u>No</u>
e. Any increase in wind or water erosion of soils, either on or off the site?	<u>Maybe</u>
f. Changes in deposition or erosion of beach sands, or changes in siltation deposition or erosion which may modify the channel of a river, stream, inlet or lake?	<u>No</u>
g. Exposure of people or property to geologic hazards such as earthquakes, ground failure, or similar hazards?	<u>No</u>
2. Air. Will the proposal result in:	
a. Substantial air emissions or deterioration of ambient air quality?	<u>Maybe</u>
b. The creation of objectionable odors?	<u>No</u>
c. Alteration of air movement, moisture or temperature, or any change in climate, either locally or regionally?	<u>No</u>
3. Water. Will the proposal result in:	
a. Changes in currents, or the course or direction movements, in either marine or fresh waters?	<u>No</u>
b. Changes in absorption rates, drainage patterns, or the rate and amount of surface runoff?	<u>No</u>
c. Alterations to the course of flow of flood waters?	<u>No</u>
d. Change in the amount of surface water in any water body?	<u>No</u>
e. Discharge into surface waters, or in any alteration of surface water quality, including but not limited to temperature, dissolved oxygen or turbidity?	<u>Yes</u> <u>(beneficial)</u>

YES/MAYBE/NO

- f. Alteration of the direction or rate of flow of ground waters? No
- g. Change in the quantity of ground waters, either through direct additions or withdrawals, or through interception of an aquifer by cuts or excavations? No
- h. Substantial reduction in the amount of water otherwise available for public water supplies? No
- i. Exposure of people or property to water related hazards such as flooding? Yes
(beneficial)

- 4. **Plant Life.** Will the proposal result in:
 - a. Change in the diversity of species, or number of any species of plants? Maybe
 - b. Reduction of the numbers of any unique, rare or endangered species of plants? No
 - c. Introduction of new species of plants into an area, or in a barrier to the normal replenishment of existing species? No
 - d. Reduction in acreage of any agricultural crop? No

- 5. **Animal Life.** Will the proposal result in:
 - a. Change in the diversity of species, or number of any species of animals? Maybe
 - b. Reduction of the numbers of any unique, rare or endangered species of animals? No
 - c. Introduction of new species of animals into an area, or result in a barrier to the migration or movement of animals? No
 - d. Deterioration of existing fish or wildlife habitat? No

- 6. **Noise.** Will the proposal result in:
 - a. Increases in existing noise levels? Maybe
 - b. Exposure of people to severe noise levels? No

- 7. **Light and Glare.** Will the proposal produce new light or glare? No

- 8. **Land Use.** Will the proposal result in a substantial alteration of the present or planned land use of an area? No

- 9. **Natural Resources.** Will the proposal result in:
 - a. Increase in the rate of use of any natural resources: No
 - b. Substantial depletion of any nonrenewable natural resource? No

- 10. **Risk of Upset.** Does the proposal involve:
 - a. A risk of an explosion or the release of hazardous substances (including but not limited to, oil, pesticides, chemicals or radiation) in the event of an accident or upset conditions? No
 - b. Possible interference with an emergency response plan or an emergency evacuation plan? No

- 11. **Population.** Will the proposal alter the location, distribution, density, or growth rate of the human population of an area? No

- 12. **Housing.** Will the proposal affect existing housing, or create a demand for additional housing? No

- 13. **Transportation/Circulation.** Will the proposal result in:
 - a. Generation of substantial additional vehicular movement? No
 - b. Effects on existing parking facilities, or demand for new parking? No
 - c. Substantial impact upon existing transportation systems? No

YES/MAYBE/NO

- d. Alterations to present patterns of circulation or movement of people and/or goods? No
- e. Alterations to waterborne, rail or air traffic? No
- f. Increase in traffic hazards to motor vehicles, bicyclists or pedestrians? No

- 14. **Public Services.** Will the proposal have an effect upon, or result in need for new or altered governmental services in any of the following areas:
 - a. Fire protection? No
 - b. Police protection? No
 - c. Schools? No
 - d. Parks or other recreational facilities? No
 - e. Maintenance of public facilities, including roads? No
 - f. Other governmental services? No

- 15. **Energy.** Will the proposal result in:
 - a. Use of substantial amounts of fuel or energy? No
 - b. Substantial increase in demand upon existing sources of energy or require the development of new sources of energy? No

- 16. **Utilities.** Will the proposal result in a need for a new system, or substantial alterations to the following utilities:
 - a. Power or natural gas? No
 - b. Communications systems? No
 - c. Water? No
 - d. Sewer or septic tanks? No
 - e. Storm water drainage? Yes
 - f. Solid waste and disposal? (beneficial) No

- 17. **Human Health.** Will the proposal result in:
 - a. Creation of any health hazard or potential health hazard (excluding mental health)? No
 - b. Exposure of people to potential health hazards? No

- 18. **Aesthetics.** Will the proposal result in the obstruction of any scenic vista or view open to the public, or will the proposal result in the creation of an aesthetically offensive site open to public view? No

- 19. **Recreation.** Will the proposal result in an impact upon the quality or quantity of existing recreational opportunities? Yes

- 20. **Cultural Resources.**
 - a. Will the proposal result in the alteration or destruction of a prehistoric or historic archaeological site? No
 - b. Will the proposal result in adverse physical or aesthetic effects to a prehistoric or historic building, structure or object? No
 - c. Does the proposal have the potential to cause a physical change which would affect unique ethnic cultural values? No
 - d. Will the proposal restrict existing religious or sacred uses within the potential impact area? No

21. Mandatory Findings of Significance.

- a. Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory? No
- b. Does the project have the potential to achieve short-term, to the disadvantage of long-term, environmental goals? (A short-term impact on the environment is one which occurs in a relatively brief, definitive period of time while long-term impacts will endure well into the future.) No
- c. Does the project have impacts which are individually limited, but cumulatively considerable? (A project may impact on two or more separate resources where the impact on each resource is relatively small, but where the effect of the total of those impacts on the environment is significant.) No
- d. Does the project have environment effects which will cause substantial adverse effects on human beings, either directly or indirectly? No

MITIGATION MEASURES

- The applicant has agreed to revise the project to incorporate the mitigation measures contained in Attachment A, Discussion of Initial Study.
- A discussion of the project's impacts is contained in Attachment A, Discussion of Initial Study. No Mitigation is required for this project.

REFERENCES

- City of Sacramento General Plan Update EIR, 1988
- City of Sacramento Zoning Ordinance
- North Natomas Community Plan EIR
- South Natomas Community Plan EIR & SEIR
- Airport-Meadowview Community Plan EIR
- North Sacramento Community Plan EIR
- South Sacramento Community Plan EIR
- Pocket Community Plan Update
- Downtown Redevelopment Plan Update and EIR, 1985
- Central City Community Plan EIR
- ITE Trip Generation Manual, Fifth Edition
- South Coast Air Quality Maintenance District "Air Quality Handbook for Preparing EIR's"
- Land Use Planning Policy Within the 100 Year Flood Plain in the City and County of Sacramento EIR
- Urbemis - 3
- Emfac 7 PC
- CALINE 4
- Traffic Study _____
- Noise Study _____
- Preliminary Site Assessment: _____
- Other: "Final Environmental Constraints Report for the Sump 151 Storm Drainage Project" prepared by Hughes Environmental Consultants, December 9, 1994; City of Sacramento Grading, Erosion, and Sediment Control Ordinance (Ordinance 93-068); City of Sacramento City Code (Title 9.09.380-382); City of Sacramento Noise Element.

DETERMINATION

On the basis of this initial evaluation

- I find the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect on this case because the mitigation measures described in this Initial Study have been added to the project. A NEGATIVE DECLARATION WITH MITIGATION MEASURES WILL BE PREPARED.
- I find the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.

DATE: 2/26/97

SIGNATURE: *Grace Holz*

ATTACHMENT A

**DISCUSSION OF THE INITIAL STUDY FOR
THE CITY OF SACRAMENTO, CALIFORNIA
SUMP 151 TRASH RAKES AND FOREBAY IMPROVEMENTS**

**Initial Study for
Proposed Negative Declaration - CIP#WF76**

Prepared for:

**City of Sacramento
Department of Planning and Development
1231 I Street, Room 200
Sacramento, California 95814**

By:

**Environmental Science Associates
1930 9th Street, Suite 220
Sacramento, California 95814**

February 1997

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The City of Sacramento (City) maintains several pumping stations (sumps) which are used to pump urban and suburban runoff from local drainages into the American River. Sump 151 is located approximately one-half mile south of State Route 160 (SR 160), west of the Price-Costco membership warehouse construction site. Union Pacific Railroad tracks are located north of Sump 151 and extend through the site from east to west. A levee, approximately 15 feet above grade, extends through the southern portion of the project site. South of the levee, along the southern site boundary, a paved recreational bike path known as the Jedediah Smith Trail also extends through the site in the east-west direction. The bike path is within the American River Parkway. The property where the existing facility is located, and where the proposed improvements would occur, is owned by the City of Sacramento.

The Sump 151 watershed is composed of 988 acres that drain from north to south through two primary channels: the West Channel, which extends in an east-west direction between Del Paso Boulevard and the American River; and the East Channel, which extends northeast to southwest between Royal Oaks Drive and the West Channel. The East Channel connects with the West channel south of the Radisson Hotel approximately 1,000 feet north of Sump 151. Both of these drainages include open channels and pipe systems. Flows from these channels are conveyed to Sump 151 and are ultimately discharged into the American River.

In April 1996, the City completed the Sump 151 Storm Drain Master Plan, which is intended to improve the Sump 151 drainage system to accommodate storm water flows of future development within the watershed, and to address existing flooding problems caused by inadequate pipe diameters and capacities. The existing system provides protection from flooding during a two-year design storm. However, during 5-, 10-, and 100-year design storms extensive traffic lane flooding and potential property damage could occur. The preferred alternative identified in the Master Plan would provide life cycle replacement of facilities, addition of detention basins, and increased storm conveyance capacity to limit the 10-year event flooding to below the top of curbs and to prevent potential property damage from the 100-year event.

The proposed project is part of the planned improvements identified in the Master Plan. Existing facilities at Sump 151 include five pumps: a 20-horsepower pump with a flow capacity of 2,600 gallons per minute (gpm); a 100-horsepower pump with a capacity of 12,500 gpm; a 125-horsepower pump with a capacity of 16,000 gpm; a 250-horsepower pump with a capacity of 36,500 gpm; and a 400-horsepower pump with a capacity of 63,000 gpm that currently is not operating. This non-working pump would be removed and replaced by two new, smaller pumps as part of the project. The two new 250-horsepower pumps would each have a capacity of 36,500 gpm. One of the new pumps would be a redundant pump, and would not be included in the design capacity of the sump. This pump would only be used as a back-up pump if one of the other pumps failed. Therefore, the project would not increase the pumping capacity of Sump 151 beyond its design capacity.

Also as part of the project, a large generator would be installed at the project site to provide temporary power in the event of an emergency. The generator would supply power to operate all of the pumps except the redundant pump.

The City is also proposing to install a reinforced catenary structure with a metal trash rack and concrete access ramp at Sump 151. The catenary system, which would include two mechanized trashrakes and associated trashracks, would pull debris upward onto a deck similar to a conveyor belt. In addition, the project would include construction of channel lining and miscellaneous channel structures, as well as asphalt pavements, concrete slabs, and fencing. The sides and bottom of the existing wetwell would be paved with concrete, and automatic trash screens would be installed in the wetwell. The proposed facilities would replace the existing concrete trashrack structure and trash cleaning facilities, which would be demolished. These improvements would allow the existing sump to be cleared of organic materials, debris, and sediment more effectively in order to maintain its capacity and to minimize clogging and potential damage. Union Pacific Railroad has agreed to remove and replace the railroad tracks and ties in the project area. Please see Exhibit A, Site Plan.

A new 42-inch discharge pipeline would extend from the sump through the levee to the existing headwall located south of the bike path. The existing concrete-filled sacks above the headwall would be replaced with a new modular concrete retaining wall. The new pipe would not increase the amount of water that the sump discharges into the river. Concrete stairs would be constructed on each side of the levee.

SECTION 2

DISCUSSION OF ENVIRONMENTAL EFFECTS

2.1 EARTH

The project site is located on a generally flat alluvial plain with no known unique geologic features. The project would not expose people to landslides or mudflows because there are no known geologic features on the project site that have landslide or mudslide potential. The project site topography is gently rolling and trends downward towards the southeast. The levee of the American River occurs in the southern portion of the project site.

The proposed project would result in compaction and overcovering of soil on the project site. Grading and fill activities during project construction would change the topography of the site from slightly rolling to level to support the new concrete catenary structure. Erosion potential is considered minimal although wind and water erosion may occur during the construction phase.

No known faults traverse the project site or its vicinity. As a result, the potential for fault rupture on the site is very low. However, the project facilities could be exposed to seismic groundshaking in the event of an earthquake. Constructed facilities would meet current standards for earthquake stability. The project would not result in the exposure of new habitable structures to the effects of groundshaking because no residential structures are proposed. The project would follow the recommendations contained in the report entitled *Geotechnical Report for the City of Sacramento Sump No. 151 Improvements* prepared by España Geotechnical Consulting Engineers (1996). **Therefore, impacts to geological resources are considered less-than-significant.**

2.2 AIR

The City of Sacramento is a nonattainment area for ozone and carbon monoxide. Ozone problems and localized carbon monoxide increases in the Sacramento region resulting from traffic associated with SGPU buildout represent unavoidable significant adverse impacts (SPGU EIR, Z-60 and Z-67). For the 1986-2006 SGPU, a Statement of Finding and Overriding Considerations was adopted by the City Council to address unavoidable significant adverse impacts to air quality.

Development of the proposed facilities would result in a short-term increase in dust and particulate matter (PM₁₀) within the project area. During project construction, grading, stockpiling of construction materials, and movement of trucks and machinery would result in the creation of fugitive dust. Project dust emissions that would be generated during construction were determined using the guidelines contained in Sacramento Metropolitan Air Quality Management District's (SMAQMD) Air Quality Thresholds of Significance (1994). As shown in Table 1, dust emissions generated by the project would be well below the significance thresholds for PM₁₀, ROG, and NO_x, and therefore the project would have a less-than-significant impact on air quality. However, the project would be required to comply with Title 9.09.381 of the Sacramento City Code, which states that anyone who has been issued a building permit must take precautions against the creation and movement of dust created by work activities. If a project is in violation of this section of the City Code, the Building Division Director can halt construction activities.

Therefore, the City shall be responsible for the control of dust within the limits of the project at all times during working days, weekends, and holidays, and shall implement whatever methods are necessary or required to eliminate the nuisance of blowing dust (e.g., watering). The City shall keep all grounds adjacent to the project site clean and free of dust, mud, debris, and spillage resulting from the project. City staff would inspect the project site during construction activity to ensure that the project is in compliance with the City Code.

The proposed project is not anticipated to result in a significant impact to air quality as a result of vehicle trips. The project would not generate significant levels of peak-hour traffic and a limited number of construction vehicles would be used on the site at any given time.

TABLE 1: ESTIMATE OF FUGITIVE EMISSIONS GENERATED DURING PROJECT CONSTRUCTION

Source	Pounds per Day		
	ROG	NO _x	PM ₁₀
Project Grading Equipment	0.25	1.60	0.28
Dust During Grading Operations (PM ₁₀)	-	-	60.7
Total Project Emissions	0.25	1.60	60.98
SMAQMD Significance Threshold	85	85	275
Significant Emissions (above threshold)	0	0	0

SOURCE: SMAQMD, 1994

Due to the proximity of the site to SR 160 and Interstate 80, a major local and regional source for PM₁₀ and carbon monoxide, and the relatively short duration of construction activity, the impact on these parameters due to construction would be less-than-significant. **Therefore, the project is expected to have a less-than-significant air quality impact.**

2.3 WATER

The project site would be graded to lay foundations for concrete structures and canal linings. The proposed sump improvements may result in changes to the absorption rate for water on the site. These changes would occur due to proposed paving of portions of the project site, including approximately 10,000 square feet within the fenced yard area. The sides and bottom of the existing wetwell and a 170-foot-long section of the existing inlet canal would also be paved with concrete, and therefore would contribute to the increased amount of impervious surface area at the site. However, many of the proposed improvements, such as the concrete access ramp, catenary structure, and concrete slabs and channel structures would

replace existing concrete facilities at the project site and would not affect absorption rates at the site. **Therefore, the potential loss of absorption to groundwater that would result from construction of project facilities would be a less-than-significant impact.**

The project is not expected to result in a change in the quality of the water released into the American River. Because construction work would occur during the dry season, any water release would be minimal and would not violate water quality standards. The long-term quality of water being released into the river would improve with the improved efficiency of the sump. During operation of the proposed project, impacts to water quality are expected to be beneficial, since the improved facilities would be able to remove sediments and debris from the storm water more effectively before it is discharged into the American River.

The proposed project is located in an area of the City determined to have less than 100-year flood protection. Directly, implementation of the project would not increase exposure of people and/or property to the risk of injury and damage in the event of a 100-year or lesser flood, and it would reduce flood risk through increased efficiency and reliability over the present facility. This would be a beneficial impact. Indirectly, however, facility failure at any time during heavy runoff periods could result in the exposure of people and property to flooding. Risks associated with exposure of people and/or property to injury and damage in the event of a 100-year or lesser flood are considered significant adverse impacts under CEQA. The City Council has evaluated these impacts in the Environmental Impact Report (EIR) prepared in connection with the Land Use Planning Policy Within the 100-Year Floodplain (M89-054) adopted by the City Council on February 6, 1990. The EIR is available through the Department of Planning and Development, 1231 I Street, Room 300, Sacramento, California. This document serves as a Program EIR addressing the flood-related risks to people and property created by new development in the 100-year floodplain in the City.

The proposed improvements to Sump 151 are proposed to allow the sump to operate at its maximum capacity and alleviate flooding problems. While construction of the proposed facilities would require grading and excavation within the sump, this work would occur during the dry season and is not expected to result in any obstructions to, or reductions in, the capacity of the sump. Annual cleaning of the channel would continue to be conducted during times when flooding is unlikely to occur. A Streambed Alteration Agreement has been obtained from the California Department of Fish and Game and is presented in Exhibit B. **Therefore, the project would have a beneficial effect on flooding, water quality, and water resources.**

2.4 PLANT LIFE

An analysis of biological resources in the project area was conducted by Sycamore Environmental Consultants (1994) and Dr. Richard Arnold (1994). The results of these surveys are presented in a report entitled *Final Environmental Constraints Report for the Sump 151 Drainage Project, City of Sacramento*, prepared by Hughes Environmental Consultants, December 9, 1994. This report is on file with the City for review and is hereby incorporated by reference.

Three listed and six special status plant species were identified as having potential to occur within the general vicinity of the project area. These include the following:

State and Federally Listed Plant Species

- Antioch dunes evening promrose (*Oenothera deltoides* ssp. *howellii*)
- Slender orcutt grass (*Orcuttia tenuis*)
- Sacramento orcutt grass (*Orcuttia vicida*)

Other Special Status Plant Species

- Suisun marsh aster (*Aster lentus*)
- Dwarf downingia (*Downingia pusilla*)
- Northern California black walnut (*Juglans californica* var. *hindsii*)
- Legenere (*Legenere limosa*)
- Mason's lilaeopsis (*Lilaeopsis masonii*)
- Sanford's arrowhead (*Sagittaria sanfordii*)

No listed or other special status plant species were located within the project area during focused surveys conducted by Sycamore Environmental Consultants in 1994.

The project area supports non-native annual grassland and a band of riparian vegetation composed of scattered trees and shrubs along the channel banks and isolated patches of emergent vegetation within the channels (see Figure 1.2). A total of 32 valley oaks (*Quercus lobata*), seven blue oaks (*Quercus douglassii*), and two Fremont's cottonwoods (*Populus fremontii*) of various sizes occur along the project's channels. Shrub species in this area include Himalayan blackberry (*Rubus discolor*) and three clumps of blue elderberry (*Sambucus mexicana*). Emergent vegetation within the channels includes broad-leaved cattail (*Typha latifolia*), nutsedge (*Cyperus esculentus*), water primrose (*Ludwigia peploides* ssp. *peploides*), common tulle (*Scirpus acutus* ssp. *occidentalis*), and water plantain (*Alisma lanceolatum*).

No trees or elderberry shrubs would be removed as a result of the proposed project. However, the City would protect trees preserved within the project area by implementing the following measures:

- A-1** Prior to grading and site preparation, orange construction avoidance fencing or an approved equivalent would be erected around the drip line area of the trees which may be affected by the project. The barrier would be placed so as to protect the area under the trees from compaction caused by construction vehicles. The placement of the barrier would be approved by the City Arborist and the engineer prior to other construction work being completed. The protective barriers would remain in place for the duration of construction. No excavation would occur within 7 feet of any tree trunk.
- A-2** Prior to construction, an ISA certified arborist shall prune the branches of the heritage trees for equipment clearance. The arborist shall contact the City Arborist for a permit to do the pruning.
- A-3** No surface or grade changes, parking of vehicles, or storage of materials would be allowed within the fenced-in areas. In addition, no oil, fuel, concrete mix or other deleterious substance shall be placed or allowed to flow into or over the drip line area of the protected trees.
- A-4** If any protective barriers are penetrated, moved, or removed as a result of construction activities, an analysis would be obtained from the City Arborist identifying the condition of the affected trees. All work would cease within the drip line areas of the affected trees. If

trees are determined to be damaged as a result of construction activities, additional measures would be implemented subject to approval by the City Environmental Services Division. The approved alternative mitigation measures would be incorporated into the project plans prior to the resumption of construction work.

- A-5 If, during construction or grading, tree roots two inches in diameter or greater are encountered, work would stop immediately and a certified arborist would be contacted for a root inspection. Cutting of any roots over two inches in diameter must have prior approval of the City Arborist. Roots approved by the arborist to be severed during the course of project construction would be neatly trimmed, in the manner specified by the Arborist. If a large number of roots require cutting, the tree would be reevaluated for possible removal and remedial mitigation measures would be developed.

Implementation of this mitigation measure would reduce this impact on plant life to a less-than-significant level. Refer also to Section 2.5, Animal Life for a discussion of project effects on emergent vegetation as they relate to listed animal species.

Agricultural Soils

According to the California Department of Conservation Important Farmland Map for Contra Costa County, the project site does not contain prime farmland (Department of Conservation, 1988). Soil on the site is Columbia sandy loam, a very deep, artificially drained soil that is suitable for irrigated crops such as corn, tomatoes, and wheat, as well as irrigated hay and pasture. Since the project site is currently developed, and the proposed improvements would be located within the existing Sump 151 facility, project effects on agricultural uses would be less-than-significant.

2.5 ANIMAL LIFE

An analysis of biological resources in the project area was conducted by Sycamore Associates (1994) and Dr. Richard Arnold (1994). The results of these surveys are presented in a report entitled *Final Environmental Constraints Report for the Sump 151 Drainage Project, City of Sacramento*, prepared by Hughes Environmental Consultants, December 9, 1994. This report is on file with the City for review and is hereby incorporated by reference.

Fourteen listed and nineteen special status animal species were identified as having potential to occur within the general vicinity of the project area. Of these, four species have potential to occur within the project area and could be adversely affected by the proposed project. These include:

- Giant garter snake (*Thamnophis gigas*)
- Swainson's hawk (*Buteo swainsoni*)
- California red-legged frog (*Rana aurora draytonii*)
- Western spadefoot toad (*Scaphiopus hammondi*)

Giant Garter Snake

Giant garter snake (*Thamnophis gigas*) is designated as a threatened species by the California Department of Fish and Game (CDFG) and the USFWS and is fully protected under both the state and federal

Endangered Species Acts. Endemic to marshes, sloughs, ponds, small lakes, low gradient streams and other waterways in the Sacramento and San Joaquin valleys, giant garter snake is one of the largest garter snakes; reaching a total length of at least 160 centimeters. Habitat requirements include: (1) adequate water during the snake's active season (early spring through mid-fall) to provide food and cover; (2) emergent, herbaceous vegetation, such as cattails, tules, and bulrushes, for escape cover and foraging habitat during the active season; (3) grassy banks and openings in waterside vegetation for basking; and (4) higher elevation uplands for cover and refuge from flood waters during the snake's dormant season in the winter (Hanson, 1980). No evidence of this snake was recorded during focused surveys of the project area conducted by Sycamore Associates on July 22, 1994. Even though no snakes were located within the project area in 1994, the project area provides suitable habitat for the species and is likely to be regulated under the federal Endangered Species Act by the USFWS. Any modification of giant garter snake habitat by the proposed project would be considered a significant impact by the CDFG and USFWS.

In October 1996, the USFWS prepared a biological opinion on the proposed Price Costco membership warehouse retail store pursuant to Section 7 of the federal Endangered Species Act. This biological opinion considered project effects on the Price Costco project area, which includes the Sump 151 drainage. Since the proposed Sump 151 improvements could affect giant garter snake habitat within this drainage, the mitigation measures contained in the biological opinion for the Price Costco project that would protect snake habitat are incorporated into this Initial Study. The following mitigation measures from the Price Costco biological opinion are required to reduce this impact to a less-than-significant level:

B-1 Project-related effects shall be mitigated in accordance with USFWS and CDFG guidelines, as follows, unless otherwise approved by USFWS and CDFG to minimize the impact of loss of habitat on the giant garter snake and to minimize harassment, harm, or mortality of giant garter snake during construction activities associated with implementing the project.

The City shall engage a USFWS-approved monitoring biologist to review and monitor construction activities that occur within giant garter snake habitat to ensure that no mortality, entrapment, or capture of giant garter snake occurs. The monitoring biologist shall have the authority to stop construction activities until appropriate corrective measures have been completed or until written approval is obtained from the USFWS or both. The biologist also shall be required to report violations to the USFWS immediately by telephone at (916) 975-2725 and by written letter addressed to the Assistant Field Supervisor for Endangered Species within one working day. The project area shall be re-inspected whenever a sufficient lapse in construction activity has occurred, *i.e.*, to avoid the hibernation period or between project phases. The City shall contact USFWS prior to implementing this mitigation measure to ensure proper compliance.

A post-construction compliance report prepared by the agency approved monitoring biologist shall be forwarded to USFWS and CDFG within 60 calendar days of the completion of the project. This report shall detail: (1) dates that construction occurred; (2) pertinent information concerning the applicant's success in meeting the project mitigation measures; (3) an explanation of failure to meet such measures, if any; (4) known project effects on listed species, if any; (5) occurrences of incidental take of listed species; and, (6) other pertinent information.

In addition to the measures identified in the Price Costco biological opinion, the Sump 151 project must undergo its own formal consultation with USFWS under Section 7 of the federal Endangered Species Act. Additional measures to reduce impacts to giant garter snake habitat to a less than significant level may be identified in the biological opinion. Therefore, the following mitigation measure is required to reduce project impacts to a less than significant level.

B-2 The project shall incorporate all mitigation measures identified by the USFWS in the biological opinion for the Sump 151 project.

Implementation of these mitigation measures would reduce impacts on giant garter snake habitat to a less-than-significant level.

Swainson's Hawk

Swainson's hawk (*Buteo swainsonii*) is listed by the state as threatened and is fully protected under the California Endangered Species Act. Swainson's hawk is a migratory bird that was once a common breeder throughout the state, but various habitat changes, including the conversion of native Central Valley grasslands to agricultural, urban, and industrial development, caused an estimated 90 percent decline in its population. Typical foraging habitat includes native grassland and hay crops that provide suitable habitat for small mammals. Swainson's hawk is known to nest along the Sacramento River. While the project area could provide foraging habitat for Swainson's hawk, the area is currently disturbed, which is not consistent with high-quality Swainson's hawk foraging habitat. Typical nesting habitat includes tall riparian trees, lone trees in open grasslands, oak groves, and roadside trees. No known nest sites are present within the project area. The closest known nest site is located approximately 10 miles from the project site. No foraging habitat would be removed as a result of the project. **Therefore, project-related effects on this species would be less-than-significant.**

California Red-Legged Frog

California red-legged frog (*Rana aurora draytonii*) is listed as endangered by the USFWS and is fully protected by the federal Endangered Species Act. This species inhabits shorelines, streams, marshes, and ponds with extensive vegetation in lowlands and foothills of the Sierra Nevada up to 8,000 feet in elevation (Stebbins, 1985). Typical breeding habitat includes well-shaded wooded ponds, marshes and streams with quiet pools of permanent water. The channels of the project site support marginal habitat for this species that will be permanently removed by the proposed project. Since project construction would occur within the existing facilities of Sump 151, no breeding habitat would be affected. **Therefore, project-related effects on this species would be less-than-significant.**

Western Spadefoot Toad

Western spadefoot toad (*Scaphiopus hammondi*) is a state and federal species of concern and may be considered a species of special status by the City of Sacramento under CEQA Section 15380. This species occurs primarily in grasslands but occasionally in valley-foothill woodlands, lowlands, washes, river floodplains, alluvial fans, playas, and alkali flats throughout the Central Valley and adjacent foothills from sea level to 4,500 feet (Zeiner, et al., 1988; Stebbins, 1985). The project area provides only marginal habitat for this species and no evidence of western spadefoot toad was located during focused surveys

conducted by Sycamore Associates in 1994. As such, project-related effects to this species are considered less-than-significant.

2.6 NOISE

The project site is located in close proximity to SR 160 and the Union Pacific Railroad tracks and is in an area where noise levels are expected to exceed the 60 decibel (dB) limit for exterior environments specified by the City of Sacramento Noise Element at buildout of the General Plan. Lands surrounding the project site are designated for industrial use. The nearest sensitive noise receptor to the project site is the Radisson Hotel, which is located approximately 1,000 feet to the northeast. The nearest residential uses are located approximately ½ mile to the north across SR 160.

A noise analysis was conducted for the Price-Costco Membership Warehouse Retail Store near the project site, and results of the study indicated that noise levels could be as high as 77 db L_{dn} due to the site's proximity to the Southern Pacific Railroad (Michael Brandman & Associates, 1996). The area would also experience noise levels above 60 dB L_{dn} due to traffic on nearby roadways. The Noise Element of the SGPU considers 70 dB L_{dn} to be the maximum noise level that is compatible for commercial development without the inclusion of mitigation measures. The noise level at the Sump 151 site could exceed the acceptable noise standard for industrial development. However, the potential for a significant noise impact on commercial development was overridden with the adoption on the Findings of Fact/Statement of Overriding Considerations for the City of Sacramento General Plan Environmental Impact Report and the Findings of Fact/Statement of Overriding Considerations for the Land Use Planning Policy Within the 100-Year Floodplain.

During construction, short-term increases in ambient noise levels would be experienced at the Radisson Hotel to the northeast. However, the noise increase associated with project construction would occur in the hotel's parking lot, which is not considered a noise-sensitive area. In addition, the projected noise increase is not expected to exceed 4 dB, and therefore would not exceed the threshold of significance identified in the SGPU for exterior off-site noise levels. The project would add a new pump to the five existing pumps at the project site. According to the U.S. EPA, a typical pump of this size would generate noise levels of approximately 76 dB at 50 feet. Since five pumps are currently operating at the sump, the new pump would not significantly increase existing noise levels. In addition, no sensitive noise receptors, such as residences or schools, are located in the project site vicinity, and the surrounding commercial uses and major roadways in the area currently generate substantial noise. **Therefore, noise impacts resulting from the project would be less-than-significant.**

2.7 LIGHT AND GLARE

The proposed project does not include automatic exterior lighting. If installed in the future for purposes of maintenance or security, the proposed project's lighting would be installed in compliance with the City's Comprehensive Zoning Ordinance standards for lighting. These standards ensure that all new lighting would have a less-than-significant impact upon light and glare in the project vicinity and that all exterior lighting would be directed downward or properly shaded to eliminate glare on existing land uses and roadways. **Therefore, light and glare impacts would be less-than-significant.**

2.8 LAND USE

The project site is owned by the City and is currently in industrial use. Existing land uses on the site include Sump 151, the East and West Drainage Channels, and associated storm drainage facilities. A paved recreational bicycle path within the American River Parkway extends from east to west in the southern portion of the site, south of the levee. Union Pacific Railroad tracks also extend through the site from east to west on the north side of Sump 151. The Price-Costco membership warehouse, currently under construction, is located approximately 500 feet to the east. The existing Radisson Hotel is located approximately 1,000 feet to the northeast, along SR 160.

The Sacramento General Plan Update currently designates the project site as Industrial and Light Industrial (Labor Intensive). The project would be consistent with the General Plan and North Sacramento Community Plan designations for the property. In addition, the project site is surrounded on four sides by undeveloped land designated for industrial and light industrial uses (Hughes Environmental Consultants, 1994).

The proposed project is not expected to result in significant land use impacts. The proposed improvements would be made to existing drainage facilities at Sump 151 and would not change the existing land use. In addition, the project would be compatible with existing land uses in the project site vicinity. **Therefore, no land use impacts would occur.**

2.9 NATURAL RESOURCES

The proposed project will result in the limited loss of those natural resources associated with the development of the project. The proposed improvements to the site are not anticipated to significantly accelerate the use of natural resources or deplete non-renewable resources beyond the impacts associated with buildout of the General Plan, as identified in the SGPU EIR. **Therefore, impacts to natural resources are anticipated to be less-than-significant.**

2.10 RISK OF UPSET

Toxic or hazardous substances are not known to be present on the project site; however, toxics are frequently detected in soils removed from sumps. Improper removal or disposal of toxic material could contaminate waterways. Therefore, this would be a potentially significant impact. To reduce this impact, the following mitigation measure shall be implemented to reduce this potential impact to less than significant:

- C-1 **The City shall test soil samples from the wetwell to determine whether toxic or hazardous substances are present. The City is currently developing a plan for managing toxic material that will identify procedures for safe removal and disposal. If toxic material is detected in the samples, the City shall remove and dispose of the toxic material according to these procedures.**

The existing sump structure is painted with a lead-based paint. Through analytical testing, the City has determined that the lead in the paint ranges in weight from .048 to 24.0 percent. The City would like to encapsulate the lead paint on the sump structure using a coating made for this purpose. The surface preparation to apply this coating will include a power wash to remove loose paint and dirt that is currently on the structure. The paint that is removed will produce heavy metal contaminated residue. As such, there are concerns that the residue will potentially contaminate any surfaces on which it may settle. To alleviate this concern, the contractor for the proposed project will be required by State requirements to utilize a containment and disposal system to contain and properly dispose of all hazardous waste generated by the work.

All hazardous waste shall be disposed of by the Contractor at an approved Class I disposal site in accordance with the requirements of the disposal site operator. All waste shall be hauled by a transporter currently registered with the California Department of Toxic Substance Control using correct manifesting procedures and vehicles displaying current certification of compliance.

As stated above, the proposed project will be required to comply with State and local requirements for the containment, transport and disposal of a potential hazardous material. Therefore, a less-than-significant risk of upset impact from the lead paint encapsulation process is anticipated.

The proposed project would not require the use of toxic or hazardous substances. No surplus fuels would be stored at the project site during construction. Although fuel, oil, or other fluids could potentially leak from a construction vehicle, the amount is expected to be minimal. Precautionary measures would be taken during construction to prevent spills and to clean up accidental spills if they occur. The project would not interfere with emergency response or evacuation plans, and is readily accessible to emergency vehicles. **Therefore, impacts associated with risk of upset would be less-than-significant.**

2.11 POPULATION/HOUSING

No housing currently exists within the proposed project site. The nearest residential uses are located approximately one-half mile to the north, on the north side of SR 160. No housing units are currently planned for the project site or its immediate vicinity.

The proposed project is not anticipated to alter the location, distribution, density or growth rate of the human population or generate any additional demand for housing. **Therefore, no impacts on population or housing would occur, and no further discussion is required.**

2.12 TRANSPORTATION/CIRCULATION

The major roadways within the vicinity of the project site include SR 160 and Interstate 80 (Business 80). The Union Pacific Railroad tracks, which extend through the project site from east to west, are located on the north side of Sump 151. Access to the site is available from Slobe Avenue and Canterbury Road. The proposed project would not generate additional vehicular movement, except for short-term construction effects, or create a demand for additional parking facilities. During construction, additional truck trips would be required to remove the excavated soil and to haul sediment and debris that would be removed from the sump. The hauling of soils and sediments would take place during weekday daylight hours. In addition, a minor increase in traffic in the project vicinity would result from the commuting of

approximately 10 construction workers to the site. Parking for the crew will be located along the unpaved access road that extends to the Sump from Canterbury Road or on adjacent vacant land. This short-term trip generation would be a less-than-significant impact to traffic on SR 160, Slobe Avenue, and other local roads, since these roads have sufficient available capacity to accommodate this additional traffic.

Operation of the proposed project is not expected to increase traffic or create a demand for additional parking facilities. **Therefore, impacts to traffic are anticipated to be less-than-significant.**

2.13 PUBLIC SERVICES/ENERGY/UTILITIES

With the exception of facility and roads maintenance, the proposed improvements would not have any impacts on police and fire protection services, schools, parks and recreation facilities, or other governmental services. The movement in and out of the construction site would increase wear and tear on nearby roadways, particularly Canterbury Road, which is an unpaved road. Affected roadways would be restored to their condition prior to project construction.

The proposed improvements would result in beneficial impacts on flood control services. Silt removal from the drainage channels could result in a reduction in maintenance work due to a decrease in the amount of accumulated sediment that could damage or clog the sump pumps.

The amount of electrical energy used would increase as a result of the new mechanized trash rakes and electrical controls. However, the increase in energy use would be relatively small, and would not be considered significant. **Therefore, impacts on public services, utilities, and energy would be considered less-than-significant.**

2.14 HUMAN HEALTH

The proposed project is not expected to result in the creation of health hazards, potential health hazards, or expose people to potential health hazards. The proposed project, which would include measures to more effectively clear the drainage channel, would maintain the channel's designed capacity and thus reduce the risk of flooding hazards. **Therefore, impacts to human health would be less-than-significant.**

2.15 AESTHETICS

The proposed project site is currently characterized by Sump 151 and associated storm drainage facilities, and the levee at the southern end of the site that extends approximately 15 feet above grade and obstructs southerly views. Existing vegetation on the site is primarily grassland; however, a total of 32 valley oaks, seven blue oaks, and two Fremont's cottonwoods of various sizes occur along the project's channels.

The project site is not located within a designated scenic corridor and would not result in any significant adverse visual impacts to unique visual resources. No trees would be removed as a result of the project. In addition, the proposed project would not obstruct any scenic vista.

Proposed grading and trenching activities would alter the existing landform. However, the general

aesthetics of the project site would not change appreciably with the proposed improvements. Proposed construction on the south side of the levee would be visible from, and intrude on, the recreational bike path within the American River Parkway (see Section 2.16, Recreation). However, this would be a temporary impact because construction in this area would involve installing a pipeline below grade, and the affected area would be restored to its original appearance following construction. **Therefore, impacts on visual resources would be considered less-than-significant.**

2.16 RECREATION

As stated in the Project Description, a paved recreational bike path within the American River Parkway extends through the southern portion of the project site, on the south side of the levee. As part of the project, the City is proposing to install a new storm water pipeline that would extend from Sump 151 through the levee and across the path in order to discharge flood waters to the American River. Bicycle and pedestrian traffic along the path would be temporarily affected during trenching and installation of the pipeline. To mitigate impacts on recreation, implementation of the following mitigation measure is required:

- D-1 To minimize impacts on the American River bike path during construction, closure of the paved pathway would be allowed for a maximum of two 24-hour periods. The contractor may reduce the width of the bike path to a minimum of six feet during construction. Traffic-type barricades would be placed around all construction areas. Prior to closure of the American River Parkway bike path, a detour shall be established for bicyclist and pedestrian use. The proposed detour would re-direct pedestrian and bicycle traffic from the bike path around the project site to the north, via Canterbury Road, Leisure Lane, Commerce Circle, and Lathrop Way.**

Implementation of this mitigation measure would reduce project effects on recreation to a less-than-significant level.

2.17 CULTURAL RESOURCES

Based on a review of existing environmental documents prepared for projects in the area, it appears that no previously recorded cultural resource sites are located within or near the project area (Hughes Environmental Consultants, 1994; City of Sacramento, 1996). The closest recorded site, CA-Sac-39, is located south of the project site near the American River. No historic resources are located in the immediate site vicinity. With the exception of Sump 151 and existing drainage channels, the project site is currently vacant. The closest historic resources to the site include the historic Union Pacific Railroad line along I-80 to the east and scattered historic buildings along the 2000 through 2200 blocks of Del Paso Boulevard to the north. None of these sites would be affected by the proposed improvements.

Although no evidence of either prehistoric or historic resources is present on the site, important cultural resources could be uncovered during project construction. In the event previously unidentified sites are discovered during construction, protective construction practices would be employed. The following mitigation measures shall be implemented:

E-1 If subsurface archaeological or historical remains (including unusual amounts of bones, stones, shells, or historic foundations) are discovered during excavation and construction of the site, work shall stop immediately and a qualified archaeologist and, if appropriate, a representative of the Native American Heritage Commission shall be consulted to develop, if necessary, further mitigation measures to reduce any archaeological or historic impact to a less-than-significant level before construction continues.

E-2 The final project plans shall designate a person or persons responsible for monitoring any materials uncovered during the construction of the project.

Implementation of these mitigation measures would reduce impacts on cultural resources to a less-than-significant level.

EXHIBIT 2

MITIGATION REPORTING PLAN
CITY OF SACRAMENTO

In January, 1989, Assembly Bill 3180 went into effect requiring the City to monitor all mitigation measures included in this Negative Declaration. For this project, mitigation reporting would be performed by the Department of Planning and Development in accordance with the monitoring and reporting program being developed by the City to implement AB 3180.

This Mitigation Reporting Program is being prepared by the Department of Planning and Development, Environmental Services Division, 1231 I Street, Suite 300, Sacramento, CA 95814, (916) 264-7037, pursuant to California Environmental Quality Guidelines Section 21081.

The Department of Utilities would submit their completed Reporting Program to the Environmental Services Division for inclusion in the Environmental Service Division's annual report to City Council.

Project Number: CIP#WF76

Project Name: Sump 151 Trash Rakes and Forebay Improvements Environmental Review

Project Location/Description:

Sump 151 is located approximately one-half mile south of State Route 160 (SR 160), west of the Price-Costco membership warehouse construction site. Union Pacific Railroad tracks are located north of Sump 151 and extend through the site from east to west.

The City is proposing to install a reinforced catenary structure and new pump wetwall at the existing storm drainage pump station facilities at Sump 151. The catenary system, which would include two mechanized trashrakes and associated trashracks, would pull debris upward onto a deck similar to a conveyor belt. In addition, the project would include construction of channel lining and miscellaneous channel structures, as well as asphalt pavements, concrete slabs, and fencing. The proposed facilities would replace the existing concrete trashrack structure and trash cleaning facilities, which would be demolished. The existing pump sump would be cleared of organic materials, debris, and sediment in order to maintain its capacity and to minimize clogging and potential damage.

**MITIGATION REPORTING PROGRAM CHECKLIST
FOR THE SUMP 151 TRASH RAKES AND FOREBAY IMPROVEMENTS
NEGATIVE DECLARATION**

Mitigation Measure	Reporting Milestone	Reporting/ Responsible Party	VERIFICATION OF COMPLIANCE		
			Initials	Date	Remarks
PLANT LIFE					
A-1	Prior to grading and site preparation, orange construction avoidance fencing or an approved equivalent would be erected around the drip line area of the trees which may be affected by the project. The barrier would be placed so as to protect the area under the trees from compaction caused by construction vehicles. The placement of the barrier would be approved by the City Arborist and the engineer prior to other construction work being completed. The protective barriers would remain in place for the duration of construction. No excavation would occur within 7 feet of any tree trunk.	Prior to Construction	Department of Utilities		
A-2	Prior to construction, an ISA certified arborist shall prune the branches of the heritage trees for equipment clearance. The arborist shall contact the City Arborist for a permit to do the pruning.				
A-3	No surface or grade changes, parking of vehicles, or storage of materials would be allowed within the fenced-in areas. In addition, no oil, fuel, concrete mix or other deleterious substance shall be placed or allowed to flow into or over the drip line area of the protected trees.	During Construction	Department of Utilities		

**MITIGATION REPORTING PROGRAM CHECKLIST
FOR THE SUMP 151 TRASH RAKES AND FOREBAY IMPROVEMENTS
NEGATIVE DECLARATION**

Mitigation Measure	Reporting	Reporting/ Responsible	VERIFICATION OF COMPLIANCE		
	Milestone	Party	Initials	Date	Remarks
A-4 If any protective barriers are penetrated, moved, or removed as a result of construction activities, an analysis would be obtained from the City Arborist identifying the condition of the affected trees. All work would cease within the drip line areas of the affected trees. If trees are determined to be damaged as a result of construction activities, additional measures would be implemented subject to approval by the City Environmental Services Division. The approved alternative mitigation measures would be incorporated into the project plans prior to the resumption of construction work.	During Construction	Department of Utilities			
A-5 If, during construction or grading, tree roots two inches in diameter or greater are encountered, work would stop immediately and a certified arborist would be contacted for a root inspection. Cutting of any roots over two inches in diameter must have prior approval of the City Arborist. Roots approved by the arborist to be severed during the course of project construction would be neatly trimmed, in the manner specified by the Arborist. If a large number of roots require cutting, the tree would be reevaluated for possible removal and remedial mitigation measures would be developed.	During Construction	Department of Utilities			

**MITIGATION REPORTING PROGRAM CHECKLIST
FOR THE SUMP 151 TRASH RAKES AND FOREBAY IMPROVEMENTS
NEGATIVE DECLARATION**

Mitigation Measure	Reporting	Reporting/ Responsible	VERIFICATION OF COMPLIANCE		
	Milestone	Party	Initials	Date	Remarks

ANIMAL LIFE

B-1	<p>Project-related effects shall be mitigated in accordance with USFWS and CDFG guidelines, as follows, unless otherwise approved by USFWS and CDFG to minimize the impact of loss of habitat on the giant garter snake and to minimize harassment, harm, or mortality of giant garter snake during construction activities associated with implementing the project.</p>	<p>Prior to and During Construction</p>	<p>Department of Utilities</p>		
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The City shall engage a USFWS-approved monitoring biologist to review and monitor construction activities that occur within giant garter snake habitat to ensure that no mortality, entrapment, or capture of giant garter snake occurs. The monitoring biologist shall have the authority to stop construction activities until appropriate corrective measures have been completed or until written approval is obtained from the USFWS or both. The biologist also shall be required to report violations to the USFWS immediately by telephone at (916) 975-2725 and by written letter addressed to the Assistant Field Supervisor for Endangered Species within one working day. The project area shall be re-inspected whenever a sufficient lapse in construction activity has occurred, *i.e.*, to avoid the hibernation period or between project phases. The City shall contact USFWS prior to implementing this mitigation measure to ensure proper compliance.

**MITIGATION REPORTING PROGRAM CHECKLIST
FOR THE SUMP 151 TRASH RAKES AND FOREBAY IMPROVEMENTS
NEGATIVE DECLARATION**

Mitigation Measure	Reporting	Reporting/ Responsible	VERIFICATION OF COMPLIANCE		
	Milestone	Party	Initials	Date	Remarks
<p>A post-construction compliance report prepared by the agency-approved monitoring biologist shall be forwarded to USFWS and CDFG within 60 calendar days of the completion of the project. This report shall detail: (1) dates that construction occurred; (2) pertinent information concerning the applicant's success in meeting the project mitigation measures; (3) an explanation of failure to meet such measures, if any; (4) known project effects on listed species, if any; (5) occurrences of incidental take of listed species; and (6) other pertinent information.</p>	<p>During Construction</p>	<p>Department of Utilities</p>			
<p>B-2 The project shall incorporate all mitigation measures identified by the USFWS in the biological opinion for the Sump 151 project.</p>	<p>During Construction</p>	<p>Department of Utilities</p>			
RISK OF UPSET					
<p>C-1 The City shall test soil samples from the wetwell to determine whether toxic or hazardous substances are present. The City is currently developing a plan for managing toxic material that will identify procedures for safe removal and disposal. If toxic material is detected in the samples, the City shall remove and dispose of the toxic material according to these procedures.</p>	<p>Prior to Construction</p>	<p>Department of Utilities</p>			

**MITIGATION REPORTING PROGRAM CHECKLIST
FOR THE SUMP 151 TRASH RAKES AND FOREBAY IMPROVEMENTS
NEGATIVE DECLARATION**

Mitigation Measure	Reporting	Reporting/ Responsible	VERIFICATION OF COMPLIANCE		
	Milestone	Party	Initials	Date	Remarks

RECREATION

<p>D-1 To minimize impacts on the American River bike path during construction, closure of the paved pathway would be allowed for a maximum of two 24-hour periods. The contractor may reduce the width of the bike path to a minimum of six feet during construction. Traffic-type barricades would be placed around all construction areas. Prior to closure of the American River Parkway bike path, a detour shall be established for bicyclist and pedestrian use. The proposed detour would re-direct pedestrian and bicycle traffic from the bike path around the project site to the north, via Canterbury Road, Leisure Lane, Commerce Circle, and Lathrop Way.</p>	<p>During Construction</p>	<p>Department of Utilities</p>			
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**MITIGATION REPORTING PROGRAM CHECKLIST
FOR THE SUMP 151 TRASH RAKES AND FOREBAY IMPROVEMENTS
NEGATIVE DECLARATION**

Mitigation Measure	Reporting	Reporting/ Responsible	VERIFICATION OF COMPLIANCE		
	Milestone	Party	Initials	Date	Remarks

CULTURAL RESOURCES

- | | | | | | |
|------------|---|------------------------|----------------------------|--|--|
| E-1 | If subsurface archaeological or historical remains (including unusual amounts of bones, stones, shells, or historic foundations) are discovered during excavation and construction of the site, work shall stop immediately and a qualified archaeologist and, if appropriate, a representative of the Native American Heritage Commission shall be consulted to develop, if necessary, further mitigation measures to reduce any archaeological or historic impact to a less-than-significant level before construction continues. | During
Construction | Department of
Utilities | | |
| E-2 | The final project plans shall designate a person or persons responsible for monitoring any materials uncovered during the construction of the project. | During
Construction | Department of
Utilities | | |

SECTION 4

LITERATURE CITED

City of Sacramento. 1987. General Plan Update Environmental Impact Report.

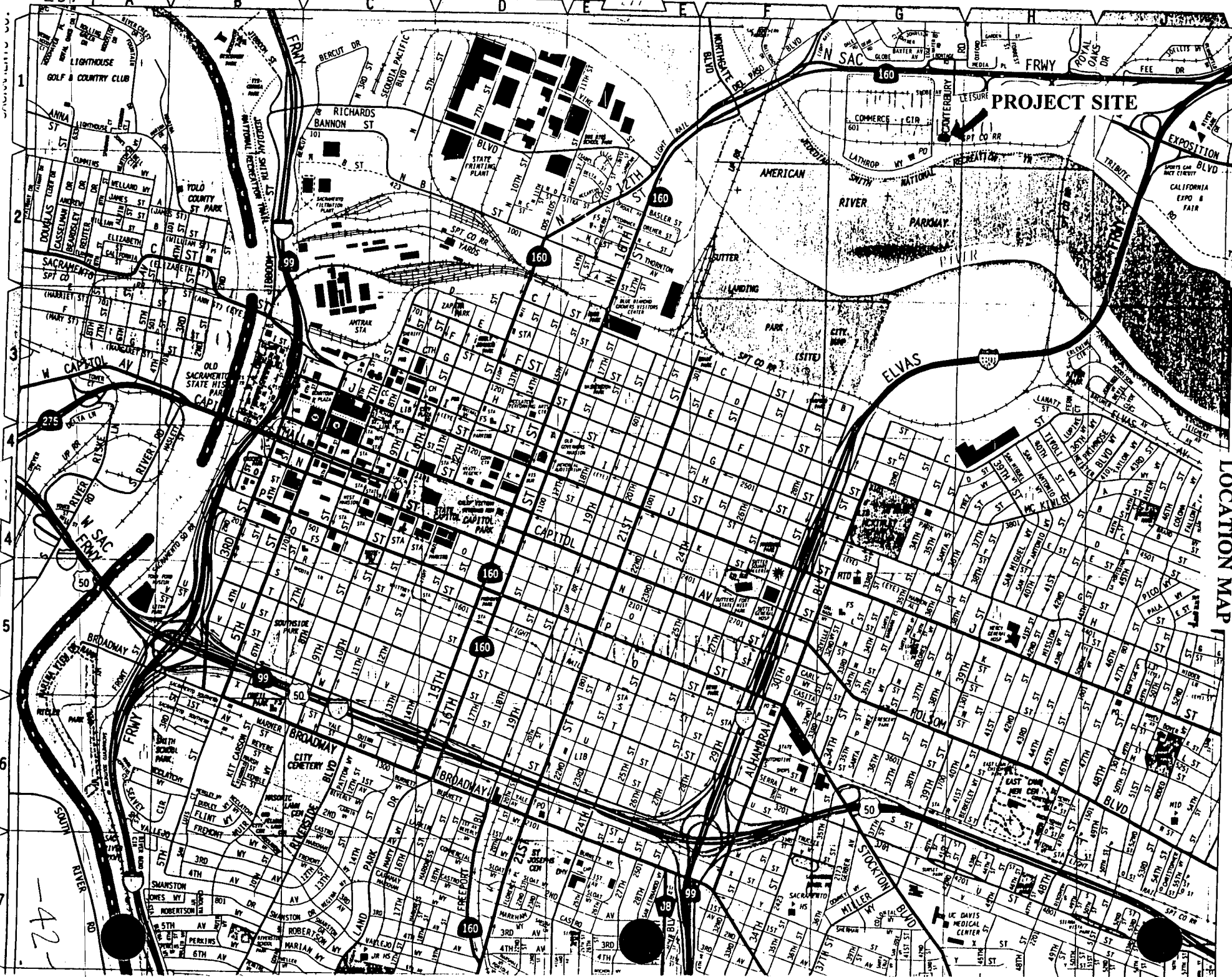
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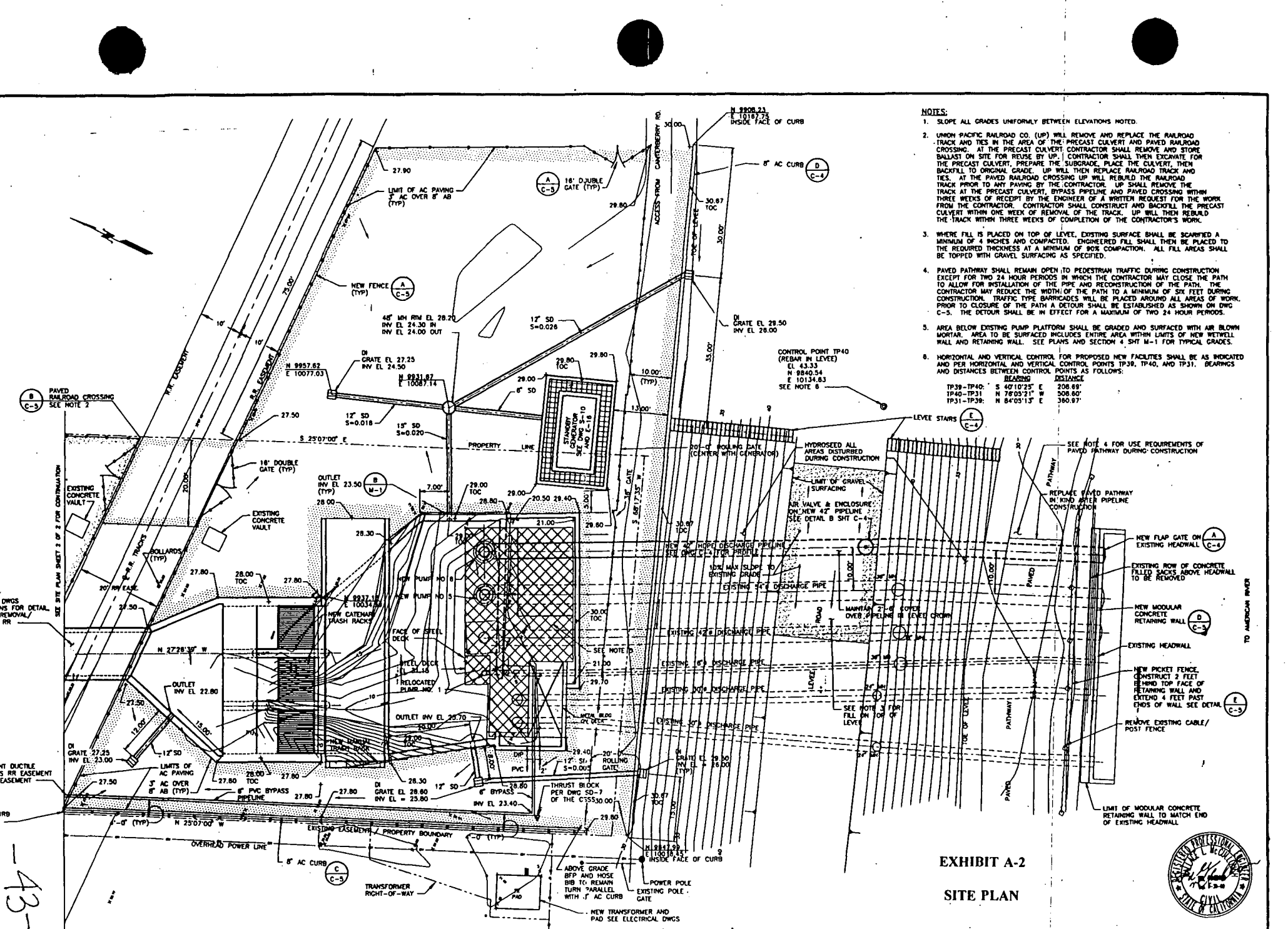
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Sycamore Environmental Consultants. 1994. Revised Biological Resources Report for Sump 151 Drainage Master Plan, Sacramento, California. Prepared for Hughes Environmental Consultants, Inc. December 8, 1994.



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- NOTES:**
1. SLOPE ALL GRADES UNIFORMLY BETWEEN ELEVATIONS NOTED.
 2. UNION PACIFIC RAILROAD CO. (UP) WILL REMOVE AND REPLACE THE RAILROAD TRACK AND TIES IN THE AREA OF THE PRECAST CULVERT AND PAVED RAILROAD CROSSING. AT THE PRECAST CULVERT CONTRACTOR SHALL REMOVE AND STORE BALLAST ON SITE FOR REUSE BY UP. CONTRACTOR SHALL THEN EXCAVATE FOR THE PRECAST CULVERT, PREPARE THE SUBGRADE, PLACE THE CULVERT, THEN BACKFILL TO ORIGINAL GRADE. UP WILL THEN REPLACE RAILROAD TRACK AND TIES. AT THE PAVED RAILROAD CROSSING UP WILL REBUILD THE RAILROAD TRACK PRIOR TO ANY PAVING BY THE CONTRACTOR. UP SHALL REMOVE THE TRACK AT THE PRECAST CULVERT, BYPASS PIPELINE AND PAVED CROSSING WITHIN THREE WEEKS OF RECEIPT BY THE ENGINEER OF A WRITTEN REQUEST FOR THE WORK FROM THE CONTRACTOR. CONTRACTOR SHALL CONSTRUCT AND BACKFILL THE PRECAST CULVERT WITHIN ONE WEEK OF REMOVAL OF THE TRACK. UP WILL THEN REBUILD THE TRACK WITHIN THREE WEEKS OF COMPLETION OF THE CONTRACTOR'S WORK.
 3. WHERE FILL IS PLACED ON TOP OF LEVEL, EXISTING SURFACE SHALL BE SCARIFIED A MINIMUM OF 4 INCHES AND COMPACTED. ENGINEERED FILL SHALL BE PLACED TO THE REQUIRED THICKNESS AT A MINIMUM OF 90% COMPACTION. ALL FILL AREAS SHALL BE TOPPED WITH GRAVEL SURFACING AS SPECIFIED.
 4. PAVED PATHWAY SHALL REMAIN OPEN TO PEDESTRIAN TRAFFIC DURING CONSTRUCTION EXCEPT FOR TWO 24 HOUR PERIODS IN WHICH THE CONTRACTOR MAY CLOSE THE PATH TO ALLOW FOR INSTALLATION OF THE PIPE AND RECONSTRUCTION OF THE PATH. THE CONTRACTOR MAY REDUCE THE WIDTH OF THE PATH TO A MINIMUM OF SIX FEET DURING CONSTRUCTION. TRAFFIC TYPE BARRICADES WILL BE PLACED AROUND ALL AREAS OF WORK. PRIOR TO CLOSURE OF THE PATH A DETOUR SHALL BE ESTABLISHED AS SHOWN ON DWG C-5. THE DETOUR SHALL BE IN EFFECT FOR A MAXIMUM OF TWO 24 HOUR PERIODS.
 5. AREA BELOW EXISTING PUMP PLATFORM SHALL BE GRADED AND SURFACED WITH AIR BLOWN MORTAR. AREA TO BE SURFACED INCLUDES ENTIRE AREA WITHIN LIMITS OF NEW WETWELL WALL AND RETAINING WALL. SEE PLANS AND SECTION 4 SHT M-1 FOR TYPICAL GRADES.
 6. HORIZONTAL AND VERTICAL CONTROL FOR PROPOSED NEW FACILITIES SHALL BE AS INDICATED AND PER HORIZONTAL AND VERTICAL CONTROL POINTS TP39, TP40, AND TP31. BEARINGS AND DISTANCES BETWEEN CONTROL POINTS AS FOLLOWS:
 TP39-TP40: BEARING S 40°10'25" E DISTANCE 208.81'
 TP40-TP31: BEARING N 76°05'21" W DISTANCE 508.80'
 TP31-TP39: BEARING N 84°05'13" E DISTANCE 380.97'

**EXHIBIT A-2
SITE PLAN**



CITY OF SACRAMENTO DEPARTMENT OF UTILITIES		SUMP 151 IMPROVEMENTS		W B S T YOST & ASSOCIATES		DRAWING C-2		SHEET 3 OF 3	
SCALE HORIZ. 1"=10' VERT. 1"=4'		DESIGN BY: SLM R.C.E. 49409 DATE: 1-17-97		CHECKED BY: BW R.C.E. 24118 DATE: 1-17-97		SITE PLAN - SHEET 1 OF 2		43-	

AGREEMENT REGARDING PROPOSED STREAM ALTERATION

THIS AGREEMENT, entered into between the State of California, Department of Fish and Game, hereinafter called the Department, and William Busath representing the City of Sacramento - Department of Utilities of Sacramento, State of California, hereafter called the Operator, is as follows:

WHEREAS, pursuant to Division 2, Chapter 6 of California Fish and Game Code, the Operator, on the 4th day of October, 1996, notified the Department that he intends to substantially divert or obstruct the natural flow of, or substantially change the bed, channel, or bank of, or use material from the streambed of, the following water: unnamed tributary to the America River (Woodlake Drain), in the County of Sacramento, State of California.

WHEREAS, the Department (represented by Gary L. Hobgood has made an inspection of subject area on the 24th day of October, 1996, and) has determined that such operations may substantially adversely affect existing fish and wildlife resources including: Water quality, aquatic and terrestrial plant and wildlife species.

THEREFORE, the Department hereby proposes measures to protect fish and wildlife during the Operator's work. The Operator hereby agrees to accept the following recommendations as part of his work:

This agreement pertains to the Sump 151 Access/Forbay Project. The project involves rebuilding the wetwell, replacing the culverts under the R/R tracks, lining the entrance channel for about 100 feet, reconfiguring the pumps, placing a new outfall pipe through the levee and other minor improvements.

1. The time limit for completing the work within the normal high water area of Woodlake Drain, hereafter called the stream zone, shall be restricted to periods of low stream flow and dry weather and shall be confined to the period of April 15 to October 31. If the Operator finds more time is needed to complete the authorized activity, the Operator shall submit a written request for a time extension to the Department 7 to 10 days before the above date is reached. The time extension request shall detail the extent of work already completed and the scope of work remaining and time required to complete operations within the stream zone. Time extensions are issued at the discretion of the Department.
2. All work shall be done according to the plans submitted to the Department. The Operator shall notify the Department of any modifications made to the project plans submitted to the Department. At the discretion of the Department, minor plan modifications may require an amendment to this agreement. At the discretion of the Department, if substantial modifications are made to the original plans, this agreement becomes void and the Operator must submit a new application. The Department, within 21 days of receipt of such plan modifications or within a time determined by mutual agreement, shall provide to the Operator its proposals as to measures necessary to protect fish and wildlife.
3. In the event that the project scope, nature, or environmental impact is altered by the imposition of subsequent permit conditions by any lead agency, special district or federal regulatory authority, the applicant may be required to resubmit a notification to the Department and seek a new agreement to proceed. See condition number 2 above for handling of modification made to the

Operator's Initials WB

Notification Number II-614-96
Woodlake Drain

project plans.

4. The Operator/Contractor shall notify the Department two working days prior to beginning work within the stream zone of this project on the Woodlake Drain. Notification may be made by phone (916-983-5162), by FAX transmittal (FAX # 916-983-5162) or by mail (Department of Fish and Game, 1701 Nimbus Road, Suite A, Rancho Cordova, CA 95670). Refer to Notification Number II-614-96 when notifying the Department.
5. A copy of this agreement must be provided to the Contractor and all subcontractors who work within the stream zone and must be in their possession at the work site. The Contractor and subcontractors selected for this project shall sign this agreement prior to working within the stream zone. The Operator shall submit a copy of the signature page of this agreement bearing the Contractor's signature and subcontractor's signatures to the Department. Fax or mail the signature page to Warden Gary Hobgood. FAX # 916-983-5162 Mailing address, Department of Fish and Game, 1701 Nimbus Road, Suite A, Rancho Cordova, CA 95670. A crew supervisor shall be on site the entire time the crew is working near the stream zone. The supervisor shall be completely familiar with the terms and conditions of this agreement, shall ensure compliance with all terms and conditions, and shall have a copy of the agreement on site.
6. A sandbag barrier shall be placed in the stream to isolate the work area from the flowing or standing water in the channel. The sandbags shall be filled with clean sand. The sandbags shall be placed and removed by hand. The sandbag barrier shall remain in place until all stream channel work is complete. The flow in the Woodlake Drain may be blocked for the time required to complete operations or may be pumped over the America River levee into to existing channel.
7. The Operator/Contractor shall check daily for stranded aquatic life as the water level in the dewatering area drops. All reasonable efforts shall be made to capture and move all stranded aquatic life observed in the dewatered areas. Capture methods may include fish landing nets, dip nets, buckets and by hand. Captured aquatic life shall be released immediately in the closest body of water adjacent to the work site.
8. All contaminated (including muddy) water from the excavation and/or project activities that must be removed to complete operations shall be pumped into a holding facility or into a settling pond located in flat stable areas outside of the stream channel or pumped up on a stable grassy area where the water clears prior to flowing back into the stream.
9. Upon Department determination that turbidity/siltation levels resulting from project related activities constitute a threat to aquatic life, activities associated with the turbidity/siltation, shall be halted until effective Department approved control devices are installed, or abatement procedures are initiated.
10. Raw cement/concrete or washings thereof, asphalt, paint or other coating material, oil or other petroleum products, or any other substances which could be hazardous to aquatic life, resulting from project related activities, shall be prevented from contaminating the soil and/or entering the waters of the state. Any of these materials, placed within or where they may enter a stream or lake,

Operator's Initials MB

Notification Number II-614-96
Woodlake Drain

by Operator or any party working under contract, or with the permission of the Operator, shall be removed immediately. The Department shall be notified immediately by the Operator of any spills and shall be consulted regarding clean-up procedures.

11. During construction, the contractor shall not dump any litter or construction debris within the stream zone. All such debris and waste shall be picked up daily and properly disposed of at an appropriate site. All construction debris and associated materials shall be removed from the work site upon completion of this project.
12. Any work area or access point left barren of vegetation as a result of the construction activities shall be restored to its natural state by seeding with a blend native and non-native erosion control grass seeds. Revegetation shall be completed as soon as possible after construction activities in those areas cease. Seeding placed after October 15 must be covered with broadcast straw.
13. All provisions of this Agreement remain in force throughout the term of the Agreement. Any provisions of the Agreement may be amended or the Agreement may be terminated at any time provided such amendment and/or termination is agreed to in writing by both parties.
14. Stream alteration construction work authorized by this agreement expires on December 31, 1998. This agreement shall remain in effect for that time necessary to satisfy the terms/conditions of the agreement including mitigation measures.
15. Requests for **Renewals, Extensions, or Amendments** must be submitted in writing to the Department prior to expiration of the agreement, conclusion of the work period, or commencement of changed work design, respectively. **Renewals, Extensions, and Amendments** are issued at the discretion of the Department.
16. The Department reserves the right to suspend and/or revoke this agreement if the Department determines that the circumstances warrant. The circumstances that could require a reevaluation include, but are not limited to, the following: A) Failure to comply with the terms/conditions of this agreement. B) The information provided by the operator in support of the agreement/notification is determined by the Department to be incomplete, or inaccurate. C) When new information becomes available to the Department representative(s) that was not known when preparing the original terms/conditions of this agreement. D) The project as described in the notification/agreement has changed, or conditions affecting fish and wildlife resources change.
17. If, in the opinion of the Department, conditions arise or change in such a manner as to be considered deleterious to aquatic life, operations shall cease until corrective measures are taken.

Operator's Initials WB

Page 3 of 4 pages.

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SIGNATURE PAGE

The Operator, as designated by the signature on this agreement, shall be responsible for the execution of all elements of this agreement. A copy of this agreement must be provided to contractor and subcontractors and must be in their possession at the work site.

Failure to comply with the provisions of this agreement and with other pertinent Code Sections, including but not limited to Fish and Game Code Sections 5650, 5652 and 5948, may result in prosecution.

Nothing in this agreement authorizes the Operator to trespass on any land or property, nor does it relieve the Operator of responsibility for compliance with applicable federal, state, or local laws or ordinances.

THIS AGREEMENT IS NOT INTENDED AS AN APPROVAL OF A PROJECT OR OF SPECIFIC PROJECT FEATURES BY THE DEPARTMENT OF FISH AND GAME. INDEPENDENT REVIEW AND RECOMMENDATIONS WILL BE PROVIDED BY THE DEPARTMENT AS APPROPRIATE ON THOSE PROJECTS WHERE LOCAL, STATE, OR FEDERAL PERMITS OR OTHER ENVIRONMENTAL REPORTS ARE REQUIRED.

This agreement becomes effective on receipt of signed agreement by all parties. This agreement terminates on December 31, 1998 for project construction activities only. This agreement shall remain in effect for that time necessary to satisfy the terms/conditions of the agreement including mitigation measures.

Operator Mr. O. Bunk _____ Gary L. Hobgood _____
Title ASSOCIATE ENGINEER Title Fish and Game Warden
Department Representative

Organization CITY OF SACRAMENTO Department of Fish and Game
DEPT OF UTILITIES State of California
Date 11-5-96 Date 11-1-96

Contractor _____ Contractor _____
Title _____ Title _____
Company _____ Company _____
Date _____ Date _____