RESOLUTION NO. 2008-053

Adopted by the Sacramento City Council

January 29, 2008

CERTIFYING THE ENVIRONMENTAL IMPACT REPORT AND ADOPTING THE MITIGATION MONITORING AND REPORTING PROGRAM FOR THE GREENBRIAR DEVELOPMENT PROJECT (M05-046/P05-069)

BACKGROUND

A. On October 11, 2007 and November 8, 2007, the City Planning Commission conducted a public hearing on, and forwarded to the City Council a recommendation to deny the Greenbriar Project. At the November 8, 2007 hearing, the Planning Commission also recommended that the City Council reconsider affordable housing ownership in the Inclusionary Housing Plan and disperse inclusionary housing units, rather than cluster them around the light rail station; reassess the proposed circulation system based on LOS D in the proposed General Plan, rather than LOS C in the current General Plan; and amend the PUD Guidelines to require Planning Commission review and approval of all commercial projects.

B. On January 22, 2008, the City Council conducted a public hearing, for which notice was given pursuant Sacramento City Code Section 17.20, and received and considered evidence concerning the Greenbriar Project.

BASED ON THE FACTS SET FORTH IN THE BACKGROUND, THE CITY COUNCIL RESOLVES AS FOLLOWS:

Section 1. The City Council finds that the Environmental Impact Report for the Greenbriar Project (herein EIR) which consists of the Draft EIR and the Final EIR (Response to Comments) (collectively the "EIR") has been completed in accordance with the requirements of the California Environmental Quality Act (CEQA), the State CEQA Guidelines and the Sacramento Local Environmental Procedures.

Section 2. The City Council certifies that the EIR was prepared, published, circulated and reviewed in accordance with the requirements of CEQA, the State CEQA Guidelines and the Sacramento Local Environmental Procedures, and constitutes an adequate, accurate, objective and complete Final Environmental Impact Report in full compliance with the requirements of CEQA, the State CEQA Guidelines and the Sacramento Local Environmental Procedures.

Section 3. The City Council certifies that the EIR has been presented to it, that the City Council has reviewed the EIR and has considered the information contained in the EIR prior to acting on the proposed Project, and that the EIR reflects the City Council's independent judgment and analysis.

Section 4. Pursuant to CEQA Guidelines Sections 15091 and 15093, and in support of its approval of the Project, the City Council adopts the attached Findings of Fact and Statement of Overriding Considerations in support of approval of the Project as set forth in the attached Exhibit A.

Section 5. Pursuant to CEQA section 21081.6 and CEQA Guidelines section 15091, and in support of its approval of the Project, the City Council adopts the Mitigation Monitoring and Reporting Program to require all reasonably feasible mitigation measures be implemented by means of Project conditions, agreements, or other measures, as set forth in the Mitigation Monitoring and Reporting Program as set forth in Exhibit B of this Record of Decision.

Section 6. The City Council directs that, upon approval of the Project, the City's Environmental Planning Services shall file a notice of determination with the County Clerk of Sacramento County and, if the Project requires a discretionary approval from any state agency, with the State Office of Planning and Research, pursuant to the provisions of CEQA section 21152.

Section 7. Pursuant to Guidelines section 15091(e), the documents and other materials that constitute the record of proceedings upon which the City Council has based its decision are located in and may be obtained from, the Office of the City Clerk at 915 I Street, Sacramento, California. The City Clerk is the custodian of records for all matters before the City Council.

Section 8 The entitlements for which the EIR was prepared are first stage legislative entitlements, and do not authorize any actual development. Before any actual development may occur, the following must be approved by Council: a development agreement, a tentative map, any subdivision modifications, and PUD development guidelines and any necessary changes to the PUD Schematic Plan and Guidelines, and any special permits or other entitlements required for development. Before the tentative map, development agreement and other entitlements are approved, and before a grading permit may be issued, a habitat conservation plan must be prepared and approved, and an incidental take permit issued, by U.S. Fish and Wildlife and California Department of Fish and Game.

Section 9 In recognition of the pending remapping by FEMA of the area in which the project is located, the project has been conditioned to prohibit vertical construction unless and until the property has at least 100 year flood protection.

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Adopted by the City of Sacramento City Council on January 29, 2008 by the following vote:

Ayes: Councilmembers Cohn, Fong, Hammond, McCarty, Pannell, Sheedy, Tretheway, Waters, and Mayor Fargo.

Noes: None.

Abstain: None.

Absent: None.

Heather Fargo
Mayor Heather Fargo

Attest:

Shirley Concolino
Shirley Concolino, City Clerk

Exhibit A

CEQA Findings of Fact and Statement of Overriding Considerations for the Greenbriar Project

Description of the Project

The Greenbriar Development Project ("Greenbriar" or "project") is a proposed mixed-use development project that includes: (1) 3,473 low, medium, and high density residential units, (2) 48.4 acres (net) of commercial development, (3) a 10-acre (net) elementary school site, (4) 48.4 acres (net) of neighborhood parks, and (5) a 39-acre (net) lake/detention basin that encircles the central portion of the project site. The project also includes the construction of a new east-west roadway, Meister Way, through the center of the site. A new light rail station and rail alignment is proposed to be constructed by Sacramento Regional Transit (RT) along this roadway near the center of the site. The rail alignment would connect the project site to the Metro Airpark development to the west and the North Natomas Community to the east across SR 70/99 via a new proposed overpass at SR 70/99. Higher density (than other parts of the project), mixed-use development (residential and retail/office land uses on same parcel) is proposed along Meister Way near the proposed light rail station. The project also includes a linear open space/buffer area that extends along the western boundary of the site, adjacent to Lone Tree Canal, proposed to protect potentially sensitive biological habitat. (DEIR, p. 1-1; FEIR, p. 1-1)

The project site is located west of the City of Sacramento's (City) North Natomas community within the Natomas Basin. The project site consists of approximately 577 acres of fallow agricultural land bounded by Interstate 5 (I-5) to the south, State Route 70 and 99 (SR 70/99) to the east, Elkhorn Boulevard to the north, and Lone Tree Canal to the west. The site, although fallowed at the time of the Notice of Preparation (NOP), has routinely been rotated from active to fallowed conditions to maintain productive cropping patterns. Crops previously and routinely cultivated at the site include rice and wheat. The project is located adjacent to existing agricultural uses (some fallow and some active) to the north and west. A residential development project (approximately 128 acres in size) is currently under construction east of the site across SR 70/99 within the North Natomas community. The project site is immediately adjacent and west of the City's North Natomas Community Plan (NNCP) area and was outside the City's jurisdictional boundary and sphere of influence (SOI). The SOI was amended, however, on September 19, 2007, to include the project site within the City's jurisdictional boundary. The recently approved Metro Air Park Special Planning Area (SPA) is located adjacent and west of the project site. An industrial business park is planned for development within this area. (DEIR, FEIR, p. 1-1.)

Because the project site was located outside the City's limits and its SOI, the project applicant sought approval from the Sacramento Local Agency Formation Commission (LAFCo) for amendment of the City's SOI and annexation of the site into the City. LAFCo approved the SOI Amendment on September 19, 2007. In addition, the project includes a request for service from the Sacramento Regional County Sanitation District (SRCSD) (wastewater) and County Sanitation District 1 (CSD-1) (sewer). Because the project site was also located outside SRCSD's SOI and CSD-1's SOI, the project applicant sought approval from LAFCo for amendment of SRCSD's SOI and CSD-1's SOI to encompass the project site. LAFCo approved these SOI amendments on September 19, 2007. (LAFCo Resolution No. LAFC 1345, 1346, 1347, and 1348.)

Project Location

The project site encompasses approximately 577 acres located northwest of the intersection of State Route 70/99 (SR 70/99) and Interstate 5 (I-5) in Sacramento County. The project site is located in the unincorporated portion of Sacramento County, adjacent to and west of the City of Sacramento and was outside the City of Sacramento's (City) existing Sphere of Influence (SOI). (DEIR, p. 3-1.) On September 19, 2007, however, Sacramento LAFCo amended the City's SOI to include the Greenbriar site. (LAFCo Resolution No. LAFC 1345, 1346, 1347, and 1348.)

Surrounding land uses include agricultural land uses to the north and south, new residential development in the North Natomas community to the east and south, and the recently approved Metro Air Park development project to the west. The Metro Air Park development consists of proposed commercial, hotel, and recreational (i.e., golf course) land uses. The North Natomas Community Plan (NNCP) area is located adjacent to the eastern boundary of the project site across SR 70/99. Future development in the North Natomas area includes residential and commercial land uses. Regional access to the project site is provided from SR 70/99 and I-5. Local access to the project site is provided by Elkhorn Boulevard. (DEIR, p. 3-1.)

The project site is located approximately 1 mile east of the Sacramento International Airport. The western two-thirds of the project site is located within the airport overflight safety zone. The airport overflight safety zone defines the area in which airplanes taking off or landing have the greatest opportunity to fly directly over the project site. (DEIR, p. 3-1.) It is important to note that the Overflight Zone is the area that generally coincides with the area overflown by aircraft during normal traffic pattern procedures. Development is not prohibited in the Overflight Zone; in fact, almost all land use categories are compatible with the Overflight Zone, including residential uses. Development is restricted, however, within the areas located under or near the runways, referred to as the Clear Zone and the Approach Departure Zone. The Clear Zone is near the end of the runway and is the most restrictive; the Approach-Departure Zone is located under the takeoff and landing slopes and is less restrictive. Clear Zone areas are based upon the Runway Protection Zone established by the Federal Aviation Administration. The Overflight Zone is the area under the traffic pattern and is the least restrictive. No portion of the project is located within the Clear Zone or the Approach Departure Zone, and in fact the project site lies well to the east of, and perpendicular to the north-south oriented runways.

Project Site

The project site consists of 12 parcels of land that have been in agricultural production and agricultural support uses. The site is currently fallow; however, the site has historically been rotated from fallow to active crop cultivation conditions. The majority of the site consists of former rice fields and associated water canals. Other crops that have been cultivated on-site include alfalfa and hay. A racehorse training facility was located in the northwest corner of the project site but it has since been demolished and only some remnant building foundations and the dirt racetrack remain. Other buildings that were present on the project site include agricultural outbuildings, greenhouses, and other support structures (e.g., wells). All on-site buildings have been demolished and removed from the site. (DEIR, p. 3-1.)

Project Characteristics

The project includes the construction of a range of housing types (e.g., high, medium, low density) that would be located within close proximity to public transportation systems. The

proposed land use plan is a predominantly residential development centered on a common lake/detention basin (approximately 39 acres). A total of 3,473 housing units and approximately 27.5 net acres of retail and commercial space would be provided on-site. A 10-acre (net) elementary school would be provided in the southeastern portion of the project site and would meet the school demands of the project site. A total of eight neighborhood parks (48.5 net acres) would be provided throughout the community and would be connected by the central lake/detention and pedestrian paths and trails. The project also incorporates a 250-foot linear open space/buffer along the western edge of the site adjacent to Lone Tree Canal (measured from the center of the canal) for the protection of giant garter snake habitat. This area is proposed to be preserved as natural habitat and would only undergo periodic maintenance activities to ensure that the primary objective of providing quality giant garter snake habitat is preserved. No facilities (e.g., trails, paths) or other activities would occur within this corridor. Two other groundwater wells would be constructed near the lake/detention basin and would be periodically used (if at all) to maintain adequate water levels in the lake/detention basin. The project applicant would also grant an avigation easement over the project site to the Sacramento International Airport. This easement would require title notification to future residents of the project site that aircraft operations occur less than 1-mile west of the site and those occupants could be subject to increased noise levels associated with aircraft overflights. (DEIR, p. 3-6.)

The project would also provide an age-restricted facility that provides housing for seniors and retirees to satisfy the requirements of the City's Inclusionary Housing Ordinance (Section 17.190 of City of Sacramento Zoning Code). The Inclusionary Housing Ordinance requires that 10% of housing units in new developments be affordable to very low income households and 5% of housing units affordable to low income households. Development of senior housing would create a retirement community that would serve very low and low income households and would increase the mixture of housing types within the project. (DEIR, p. 3-6.)

Medium and high density housing and retail land uses would be located in the center of the project site along a new arterial (Meister Way) that connects the project site to the North Natomas Community to the east via a new overpass over SR 70/99 and Metro Air Park to the west. Easements would be provided for a new light rail station to be constructed along this new roadway arterial by Sacramento Regional Transit (RT) and RT intends to provide a new light rail stop along RT's proposed Downtown-Natomas-Airport light rail line. Commercial development would be primarily located in the northeastern portion of the project site along Elkhorn Boulevard. The project includes the construction of 155,000 square feet of large-format retail uses (including a 10,000-square-foot garden center), 67,000 square feet of grocery uses, and 66,000 square feet of retail shops on the village and community commercial designated parcels for a total of 288,000 square feet of commercial services. (DEIR, p. 3-6.)

The project includes several park and open space features including, greenbelt areas along I-5, SR 70/99, and Elkhorn Boulevard, a 250-foot linear open space/buffer along Lone Tree Canal (measured from the center of the canal), for the protection of giant garter snake habitat, bike and pedestrian trails located throughout the proposed community, and 48.4 net acres of parks. A 10-acre neighborhood park would be located adjacent to the proposed elementary school in the southeast portion of the site. A total of six smaller park sites (i.e., park sites ranging from 2 to 6 acres) would be located in the eastern half of the project site north and south of Meister Way. A 23-acre community park site would be located in the northeast quadrant of the project site. (DEIR, p. 3-10.)

The project includes the construction of the Meister Way overpass over SR 70/99. This overpass would generally be located near the center of the project site and would connect the project site to the North Natomas Community east of the project site. In addition, Meister Way would be extended west of the project site once the Metro Air Park project is constructed. The proposed overpass would consist of two lanes (one lane in each direction) and pedestrian sidewalks on either side of the roadway. The overpass would extend from East Commerce Way east of the site to its first intersection within the project site. The project applicant would contribute its fair share to funding this improvement, which would ultimately be constructed under the direction of the City. (DEIR, p. 3-11.)

The project site is located along the proposed Downtown-Natomas-Airport light rail line and includes dedication of a corridor that could accommodate a future transit stop and light rail alignment located near the center of the project site along the proposed Meister Way roadway. The light rail station would provide public transportation access to downtown Sacramento, Sacramento Airport, and Metro Air Park. (DEIR, p. 3-11.)

Analysis of Project Climate Change Impacts

The cumulative global emissions of GHGs contributing to global climate change can be attributed to every nation, region, and city, and virtually every individual on Earth. The challenge in assessing the significance of an individual project's contribution to global GHG emissions and associated global climate change impacts is to determine whether a project's GHG emissions—which, it can be argued, are at a micro scale relative to global emissions—result in a cumulatively considerable incremental contribution to a significant cumulative macro-scale impact.

Because the effects of GHGs are global, a project that merely shifts the location of a GHG-emitting activity (e.g., where people live, where vehicles drive, or where companies conduct business) would result in no net change in global GHG emissions levels. For example, if a substantial portion of California's population migrated from the South Coast Air Basin (managed by the South Coast Air Quality Management District) to the San Joaquin Valley Air Basin (managed by the San Joaquin Valley Air Pollution Control District), this would likely result in decreased emissions in the South Coast Air Basin and increased emissions in the San Joaquin Valley Air Basin, but little change in overall global GHG emissions. However, if a person moves from one location where the land use pattern requires substantial vehicle use for day-to-day activities (commuting, shopping) to a new development that promotes shorter and fewer vehicle trips, more walking, and overall less energy usage, then it could be argued that the new development would result in a potential net reduction in global GHG emissions.

Every new resident at the project site would be moving from an existing location where their activities are contributing to CO2 emissions. It is also reasonable to expect that at least a portion of the businesses at the project site would be moving from an existing location to the project site and are not completely new business or commercial facilities. Thus, much of the CO2 emissions attributed to project residents and businesses would simply be from emissions sources that move from an existing location to the project site, not from new emissions sources relative to global climate change. The Greenbriar EIR analyzes the issue of climate change in several areas. Global climate change and its potential impacts on flooding in the Natomas Basin is addressed in the RDEIR (see RDEIR pp. 6.10-12, 6.10-22 to 6.10-25); and the project's potential to generate greenhouse gas emissions is addressed in the FEIR (see FEIR, pp. 4-504 to 4-508.) The DEIR also contains mitigation measures that will reduce the project's potential

emissions in the Air Quality and Transportation chapters. (See DEIR, pp. 6.1-1 to 6.1-90, 6.2-1 to 6.2-30; see also FEIR, p. 507.)

Discretionary Actions

Annexation and SOI Expansion

The project site was located in the County of Sacramento, adjacent to and west of the corporate limits and SOI of the City of Sacramento, and outside the City of Sacramento's SOI. The applicant has requested approval by the Sacramento Local Agency Formation Commission (LAFCo) for amendment of the City's SOI and annexation of the project site into the City. (DEIR, p. 3-6.) LAFCo approved the SOI Amendment on September 19, 2007, and the project site is now located within the City of Sacramento. (LAFCo Resolution No. LAFC 1345, 1346, 1347, and 1348.) Annexation will follow approval of project entitlements by the City.

A variety of public services would be provided to the project site by the City and other local/regional service agencies including the Sacramento Regional County Sanitation District (SRCSD) (wastewater), County Sanitation District 1 (CSD-1) (sewer), City of Sacramento (water, parks and recreation, fire, and police), Reclamation District Number 1000 (RD 1000) (stormwater), Rio Linda Union School District and Grant Joint Union High School District (schools), Sacramento Police Department, and Sacramento Fire Department. (DEIR, p. 3-6.)

At the time the project application was submitted, the project site was within the service area of these service providers with the exception of the SRCSD, CSD-1, and Sacramento Police Department. The project site was adjacent to and east of the SRCSD's and CSD-1's SOI. As such, before SRCSD and CSD-1 could provide service to the project site, the project required approval from LAFCo for the amendment of SRCSD's SOI and CSD-1's SOI to include the project site. LAFCo approved these SOI amendments on September 19, 2007. (LAFCo Resolution No. LAFC 1345, 1346, 1347, and 1348.) The City would be responsible for providing law enforcement services after annexation of the project site into the city. (DEIR, p. 3-9.)

General Plan Amendment, General Plan Update, and SACOG

The project would require the amendment of the City's existing general plan land use designations on the project site from AG-80 (agricultural cropland uses/80 acre minimum lot size) to land use designations that would be consistent with proposed land uses. The project would also amend the boundaries of the NNCP. The project includes the adoption of Planned Unit Development (PUD) Guidelines and the Greenbriar Finance Plan, which would guide development of the project. (DEIR, p. 3-9.)

The project would generally be consistent with the City of Sacramento General Plan Update Vision and Guiding Principles document adopted in November 2005, and SACOG's Seven Principles of Smart Growth used to develop the regional blueprint. The project's compliance with these two sets of broad policy directives will be described in the Planned Unit Development Design Guidelines prepared for the project. The City will consider adoption of the Planned Unit Development Design Guidelines as one of several discretionary actions necessary to approve the project. (DEIR, p. 3-10.)

Zoning Amendment

The project would also require a zoning amendment to change the City's existing zoning designations for the project site from the current designation of AG-80 (agricultural cropland uses / 80 acre minimum lot size) to zoning designations that are consistent with proposed land uses. (DEIR, p. 3-10.)

Planned Unit Development (PUD) Establishment

The project would require establishment of a PUD to create PUD Guidelines and a Schematic Plan for the Greenbriar PUD. A PUD is a development of land that is under unified control and is planned and developed in phases or as a whole in a single development operation. The purpose of a PUD is to provide greater flexibility in the design of integrated developments than is otherwise possible through strict application of zoning regulations. The intent of a PUD is to encourage the design of well-planned facilities that offer a variety of land use types and integrated open space areas through creative and imaginative planning.

Co-Lead Agencies

On November 1, 2005, the City and LAFCo entered into a MOU by which the two entities agreed to have a single EIR prepared to evaluate the environmental consequences of the proposed project. Under this MOU, the City and LAFCo established themselves as co-lead agencies for the EIR and defined their respective roles and responsibilities relating to the oversight and management of the EIR to ensure that it would adequately address the environmental issues reviewed by both the City and LAFCo. (FEIR, p. 1-1.)

The City is responsible for approving the project and its associated entitlements, while LAFCo is responsible for approving SOI amendment as the lead agency including the approval of SOI amendment for SRCSD's service area and annexations of the project site to the City as a responsible agency. (DEIR, p. 1-2.)

Findings Required Under CEQA

1. Procedural Findings

The City Council of the City of Sacramento finds as follows:

Based on the initial study conducted for the Greenbriar project, SCH # 2005062144, the City of Sacramento's Environmental Planning Services determined, on substantial evidence, that the Project may have a significant effect on the environment and prepared an environmental impact report ("EIR") on the Project. The EIR was prepared, noticed, published, circulated, reviewed, and completed in full compliance with the California Environmental Quality Act (Public Resources Code §21000 *et seq.* ("CEQA"), the CEQA Guidelines (14 California Code of Regulations §15000 *et seq.*), and the City of Sacramento environmental guidelines, as follows:

a. A Notice of Preparation of the Draft EIR was filed with the Office of Planning and Research and each responsible and trustee agency and each federal agency involved in approving or funding the Project on June 28, 2005, and was circulated for public comments from June 28, 2005 to July 29, 2005. The written comments received have been included in the EIR as Appendix A.

b. A public scoping meeting to receive comments regarding the issues to be covered in the EIR was held on July 13, 2005 at the Natomas Service Center in

Sacramento, California. The transcript of comments received have been included in the EIR as Appendix A.

c. A Recirculated Notice of Preparation of the Draft EIR was filed with the Office of Planning and Research and each responsible and trustee agency and each federal agency involved in approving or funding the Project on August 16, 2005, and was circulated for public comments from August 16, 2005 to September 16, 2005. The written comments received have been included in the EIR as Appendix A.

d. A Notice of Completion (NOC) and copies of the Draft EIR were distributed to the Office of Planning and Research on July 19, 2006, to those public agencies that have jurisdiction by law with respect to the Project, or which exercise authority over resources that may be affected by the Project, or which exercise authority over resources that may be affected by the Project, and to other interested parties and agencies as required by law. The comments of such persons and agencies were sought.

e. An official 45-day public comment period for the Draft EIR was established by the Office of Planning and Research. The public comment period began on July 19, 2006 and ended on September 5, 2006.

f. A Notice of Availability (NOA) of the Draft EIR was mailed to all interested groups, organizations, and individuals who had previously requested notice in writing on July 19, 2006. The NOA stated that the City of Sacramento and Sacramento LAFCo had completed the Draft EIR and that copies were available at the City of Sacramento, Development Services Department, New City Hall, 915 I Street, Third Floor, Sacramento, California 95814. The letter also indicated that the official 45-day public review period for the Draft EIR would end on September 5, 2006.

g. The NOA was advertised in the Daily Recorder, mailed to property owners within 500 feet of the Project boundaries, posted in the office of the Sacramento City Clerk and Sacramento County Clerk, and posted on the Project site.

h. Based on comments received regarding the Draft EIR, the co-lead agencies determined that certain portions of the Draft EIR should be revised and recirculated to address new information related to the ability of local levees to protect the site from flooding during the 100-year flood event, and additional information relating to exposure of project residents to diesel emissions from Interstate 5 and State Route 70/99. A Notice of Completion (NOC) and copies of the Recirculated Draft EIR (RDEIR) were distributed to the Office of Planning and Research on November 14, 2006, to those public agencies that have jurisdiction by law with respect to the Project, or which exercise authority over resources that may be affected by the Project, and to other interested parties and agencies as required by law. The comments of such persons and agencies were sought.

i. A Notice of Availability (NOA) of the RDEIR was mailed on November 14, 2006 to all interested groups, organizations, and individuals who had previously requested notice in writing. The NOA stated that the City of Sacramento and Sacramento LAFCo had completed the RDEIR and that copies were available at the City of

Sacramento, Development Services Department, New City Hall, 915 I Street, Third Floor, Sacramento, California 95814. The letter also indicated that the official forty-five (45) day public review period for the RDEIR would end on January 2, 2007.

j. The NOA was advertised in the Daily Recorder, mailed to property owners within 500 feet of the Project boundaries, posted in the office of the Sacramento City Clerk and Sacramento County Clerk and posted on the Project site.

k. Subsequent to publication of the RDEIR, the City and LAFCo reviewed new information regarding the potential for a new significant and unavoidable traffic impact to freeway ramps. The City and LAFCo therefore decided to prepare a Second RDEIR to address this issue.

l. The NOA for the Second RDEIR was mailed on April 10, 2007 to all interested groups, organizations, and individuals who had previously requested notice in writing. The NOA stated that the City of Sacramento and Sacramento LAFCo had completed the Second RDEIR and that copies were available at the City of Sacramento, Development Services Department, New City Hall, 915 I Street, Third Floor, Sacramento, California 95814. The letter also indicated that the official forty-five (45) day public review period for the Second RDEIR would end on May 25, 2007.

m. The NOA for the Second RDEIR was advertised in the Daily Recorder, mailed to property owners within 500 feet of the Project boundaries, posted in the office of the Sacramento City Clerk and Sacramento County Clerk and posted on the Project site.

n. A Water Supply Assessment was prepared pursuant to SB 610. The Water Supply Assessment was reviewed and approved by the Sacramento City Council on October 31, 2006.

o. Following closure of the public comment periods, all comments received on the Draft EIR, RDEIR, and Second RDEIR during the comment periods, the City's written responses to the significant environmental points raised in those comments, and additional information added by the City were added to the Draft EIR, RDEIR and Second RDEIR to produce the Final EIR.

LAFCo approved its own procedural findings of fact for its consideration of the SOI amendment on September 19, 2007. (LAFCo Resolution No. LAFC 1346.) LAFCo will also prepare and adopt its own procedural findings of fact for its consideration of the annexation, following the City's approval of project entitlements.

2. Record of Proceedings

For the purposes of CEQA, and the findings herein set forth, the administrative record for the Project consists of those items listed in Public Resources Code section 21167.6, subdivision (e). The record of proceedings for the City's decision on the Project consists of the following documents, at a minimum, which are incorporated by reference and made part of the record supporting these findings:

- The NOP and all other public notices issued by the City in conjunction with the Project;

- The Draft Environmental Impact Report for the Greenbriar Development Project and all documents relied upon or incorporated by reference;

- The Recirculated Draft Environmental Impact Report for the Greenbriar Development Project and all documents relied upon or incorporated by reference;

- The Second Recirculated Draft Environmental Impact Report for the Greenbriar Development Project and all documents relied upon or incorporated by reference;

- All comments submitted by agencies or members of the public during the 45-day comment period on the Draft EIR, the 45-day comment period for the RDEIR, and the 45-day comment period for the Second RDEIR;

- All comments and correspondence submitted to the City with respect to the Project, in addition to timely comments on the Draft EIR, RDEIR and Second RDEIR;

- The Final Environmental Impact Report for the Greenbriar Development Project, including the Planning Commission staff report, minutes of the Planning Commission public hearing; Resolution of the Planning Commission relating to the EIR; City Council staff report; minutes of the City Council public hearing; comments received on the Draft EIR, Recirculated Draft EIR and Second Recirculated Draft EIR; the City's responses to those comments; technical appendices; and all documents relied upon or incorporated by reference;

- The mitigation monitoring and reporting program for the Project;

- All findings and resolutions adopted by the City in connection with the Project, and all documents cited or referred to therein;

- All reports, studies, memoranda, maps, staff reports, or other planning documents relating to the Project prepared by the City, consultants to the City, or responsible or trustee agencies with respect to the City's compliance with the requirements of CEQA and with respect to the City's action on the Project;

- All documents submitted to the City by other public agencies or members of the public in connection with the Project, up through the close of the public hearings on January 22, 2008.

- Any minutes and/or verbatim transcripts of all information sessions, public meetings, and public hearings held by the City in connection with the Project;

- Any documentary or other evidence submitted to the City at such information sessions, public meetings and public hearings;

- All resolutions adopted by the City regarding the Project, and all staff reports, analyses, and summaries related to the adoption of those resolutions;

- The City of Sacramento General Plan, City of Sacramento, January, 1988 and all updates;

- Environmental Impact Report City of Sacramento General Plan Update, City of Sacramento, March, 1987 and all updates;

- Natomas Basin Habitat Conservation Plan, City of Sacramento, Sutter County, and Natomas Basin Conservancy, in association with Reclamation District No. 1000 and Natomas Central Mutual Water Company, April 2003;

- All Natomas Basin Habitat Conservation Plan, Implementation Annual Reports, prepared by the Natomas Basin Conservancy, 2001 and subsequent reports;

- Matters of common knowledge to the City, including, but not limited to Federal, State, and local laws and regulations;

- Findings of Fact and Statement of Overriding Considerations for the Adoption of the Sacramento General Plan Update, City of Sacramento, 1988 and all updates;

- Zoning Code of the City of Sacramento;

- Blueprint Preferred Scenario for 2050, Sacramento Area Council of Governments, December, 2004;

- Any documents expressly cited in these findings, in addition to those cited above; and

- Any other materials required for the record of proceedings by Public Resources Code section 21167.6, subdivision (e).

3. Findings

CEQA requires that the lead agency adopt mitigation measures or alternatives, where feasible, to substantially lessen or avoid significant environment impacts that would otherwise occur. Mitigation measures or alternatives are not required, however, where such changes are infeasible or where the responsibility for the project lies with some other agency. (CEQA Guidelines, § 15091, sub. (a), (b).)

With respect to a project for which significant impacts are not avoided or substantially lessened, a public agency, after adopting proper findings, may nevertheless approve the project if the agency first adopts a statement of overriding considerations setting forth the specific reasons why the agency found that the project's "benefits" rendered "acceptable" its "unavoidable adverse environmental effects." (CEQA Guidelines, §§ 15093, 15043, sub. (b); see also Pub. Resources Code, § 21081, sub. (b).)

In seeking to effectuate the substantive policy of CEQA to substantially lessen or avoid significant environmental effects to the extent feasible, an agency, in adopting findings, need not necessarily address the feasibility of *both* mitigation measures and environmentally superior alternatives when contemplating approval of a proposed project with significant impacts. Where a significant impact can be mitigated to an "acceptable" level solely by the adoption of feasible

mitigation measures, the agency, in drafting its findings, has no obligation to consider the feasibility of any environmentally superior alternative that could also substantially lessen or avoid that same impact — even if the alternative would render the impact less severe than would the proposed project as mitigated. (*Laurel Hills Homeowners Association v. City Council* (1978) 83 Cal.App.3d 515, 521; *see also Kings County Farm Bureau v. City of Hanford* (1990) 221 Cal.App.3d 692, 730-731; and *Laurel Heights Improvement Association v. Regents of the University of California ("Laurel Heights I")* (1988) 47 Cal.3d 376, 400-403.)

In these Findings, the City first addresses the extent to which each significant environmental effect can be substantially lessened or avoided through the adoption of feasible mitigation measures. Only after determining that, even with the adoption of all feasible mitigation measures, an effect is significant and unavoidable does the City address the extent to which alternatives described in the EIR are (i) environmentally superior with respect to that effect and (ii) "feasible" within the meaning of CEQA.

In cases in which a project's significant effects cannot be mitigated or avoided, an agency, after adopting proper findings, may nevertheless approve the project if it first adopts a statement of overriding considerations setting forth the specific reasons why the agency found that the "benefits of the project outweigh the significant effects on the environment." (Public Resources Code, Section 21081, sub. (b); *see also,* CEQA Guidelines, Sections 15093, 15043, sub.(b).) In the Statement of Overriding Considerations found at the end of these Findings, the City identifies the specific economic, social, and other considerations that, in its judgment, outweigh the significant environmental effects that the Project will cause.

The California Supreme Court has stated that "[t]he wisdom of approving ... any development project, a delicate task which requires a balancing of interests, is necessarily left to the sound discretion of the local officials and their constituents who are responsible for such decisions. The law as we interpret and apply it simply requires that those decisions be informed, and therefore balanced." (*Goleta II* (1990) 52 Cal.3d 553 at 576.)

In support of its approval of the Project, the City Council makes the following findings for each of the significant environmental effects and alternatives of the Project identified in the EIR pursuant to Section 21080 of CEQA and section 15091 of the CEQA Guidelines:

A. Significant or Potentially Significant Impacts Mitigated to a Less Than Significant Level.

The following significant and potentially significant environmental impacts of the Project, including cumulative impacts, are being mitigated to a less than significant level and are set out below. Pursuant to section 21081(a)(1) of CEQA and section 15091(a)(1) of the CEQA Guidelines, as to each such impact, the City Council, based on the evidence in the record before it, finds that changes or alterations incorporated into the Project by means of conditions or otherwise, mitigate, avoid or substantially lessen to a level of insignificance these significant or potentially significant environmental impacts of the Project. The basis for the finding for each identified impact is set forth below.

1. *TRANSPORTATION AND CIRCULATION*

Impact 6.1-1 Impacts to Study Intersections. Traffic volumes associated with the project would cause several study area intersections (i.e., Elverta Road and SR 70/99, Elkhorn Boulevard and Lone Tree Road, SR 70/99 NB Ramps and Elkhorn

Boulevard, Elkhorn Boulevard and East Commerce Way, Elkhorn Boulevard and Project Street 1, Elkhorn Boulevard and Project Street 1, and Elkhorn Boulevard and Project Street 1) to operate unacceptably and exceed City and County thresholds of significance for intersection operations. Because study area intersections would operate unacceptably as a result of the project, this would be a ***potentially significant*** impact that would be reduced to *less than significant* with mitigation. (DEIR, p. 6.1-50)

Mitigation Measures: Implementation of the following mitigation measures would reduce this impact to a *less than significant* level:

6.1-1a: Develop a Finance Plan (City of Sacramento and LAFCo)

The applicant shall be required to develop the Greenbriar Finance Plan for review and approval by the City prior to annexation. The plan shall identify the financing mechanisms for all feasible transportation improvements defined as mitigation measures, including but not limited to, new roadways, roadways widening, traffic signals, and public transit. The project applicant shall coordinate the preparation of the finance plan with the City of Sacramento, Sacramento County, and the Metro Air Park Public Facilities Financing Plan. All mitigation measures with "fair share" contributions would be implemented through the proposed financing mechanism(s) indicated in the finance plan or by some other mechanism as determined by the City of Sacramento in consultation with the Sacramento County. A copy of the Draft Greenbriar Finance Plan is included in Appendix C of the DEIR.

6.1-1b: Meister Way Overpass (City of Sacramento)

The project applicant in coordination with the City shall ensure that the Meister Way overpass is constructed and in operation on or before 65% buildout of the project based on total project trips. With implementation of this improvement, operating conditions at study area intersections would substantially improve as shown in Table 6.1-30 of the DEIR. Exhibit 6.1-16 of the DEIR shows the Baseline plus Project peak-hour turning movement volumes with the Meister Way overpass and Exhibit 6.1-17 of the DEIR shows the Baseline plus Project lane configurations with Meister Way overpass.

Table 6.1-30 of the DEIR compares the peak-hour intersection operating conditions for Baseline No Project conditions with that of Baseline plus Project conditions with the Meister Way – SR 70/99 overpass.

Construction of this improvement would primarily occur on the project site; therefore, site specific environmental impacts have been evaluated throughout the DEIR. However, this improvement would also extend east of SR 70/99 to East Commerce Way. Areas east of the project site are developed or are currently developing with urban land uses. The City has recently purchased the right-of-way for this improvement. Impacts associated with construction of this improvement would generally consist of construction-related air, noise, and traffic impacts and operational traffic impacts (e.g., re-distribution of local traffic trips). Construction-related impacts would be similar to the project's construction-related impacts and no new significant impacts would occur. Mitigation recommended for the project would also substantially reduce construction-related impacts associated with this measure. Operational impacts associated with this improvement have been evaluated and are described in Table 6.1-30 of the DEIR and throughout the DEIR (i.e.,

air, noise, and biological resources). Because land for this improvement has been secured by the City, a financing mechanism would be established to ensure the funding (see Mitigation Measure 6.1-1a), and construction of this improvement, and no new significant environmental impacts not already identified or evaluated in the DEIR would occur, this improvement would be considered feasible.

Although this improvement would substantially reduce the project's impacts to study area intersections, some intersections would continue to operate unacceptably and additional mitigation would be required to improve these intersections to an acceptable operation level. Further, other traffic improvements are necessary to ensure the safe operation of the local roadway network. As described in Table 6.1-30 of the DEIR, with implementation of this recommended measure, the intersection of SR 70/99 southbound ramps and Elkhorn Boulevard would improve to LOS D during the p.m. peak hour and the intersection of Elkhorn Boulevard and Project Street 2 would improve to LOS D during the a.m. peak hour. The following mitigation measures would further reduce impacts to remaining study area intersections.

6.1-1c: Elverta Road and SR 70/99 (City of Sacramento, Caltrans, County)

Before issuance of the first occupancy permit, the project applicant shall restripe the westbound Elverta Road approach to provide two left turn lanes, and a shared through-right turn lane (currently, a left turn lane, a shared left turn-through lane, and a right turn lane). Available right-of way currently exists at this intersection to implement this mitigation measure. Construction outside existing right-of-way would not be required. Based on "windshield surveys" of the project area, the site proposed for this improvement is substantially similar to the project site. Construction-related impacts would be similar to the project's construction-related impacts and no new significant impacts would occur. Mitigation recommended for the project would also substantially reduce construction-related impacts associated with this measure. With implementation of this mitigation measure, operation of this intersection would improve to LOS D, which is acceptable based on Caltrans and County standards. Therefore, impacts to this intersection would be reduced to a ***less-than-significant*** *level.*

6.1-1d: Elkhorn Boulevard and Lone Tree Road (City of Sacramento and County)

On or before 50% buildout of the project based on total project trip generation, the project applicant shall construct a traffic signal at the Elkhorn Boulevard and Lone Tree Road intersection. Existing right-of-way is available to accommodate this improvement. Based on "windshield surveys" of the project area, the site proposed for this improvement is substantially similar to the project site. Construction-related impacts would be similar to the project's construction-related impacts and no new significant impacts would occur. Mitigation recommended for the project would also substantially reduce construction-related impacts associated with this measure. With implementation of this mitigation measure, the operation of this intersection would improve to LOS B under Baseline plus Project conditions, which is acceptable based on City and County standards. Therefore, impacts to this intersection would be reduced to a ***less-than-significant*** *level.*

6.1-1e: SR 70/99 Northbound Ramps and Elkhorn Boulevard (City of Sacramento and Caltrans)

Prior to project approval, the project applicant in coordination with the City, shall prepare a City Council-approved Finance Plan to fund necessary traffic mitigation. This funding mechanism shall be in conformance with the Draft Greenbriar Finance Plan presented in Appendix C of the DEIR. This funding mechanism shall ensure that the project applicant will pay their fair-share costs (determined in consultation with the City) toward the installation of a traffic signal at the SR 70/99 Northbound Ramps and Elkhorn Boulevard intersection. The Draft Greenbriar Finance Plan identifies 100% of the funding needed to construct this improvement including funds collected through the Metro Air Park Finance Plan and the North Natomas Public Facilities Finance Plan. Existing right-of-way is available to accommodate this improvement. Based on "windshield surveys" of the project area, the site proposed for this improvement is substantially similar to the project site. Construction-related impacts would be similar to the project's construction-related impacts and no new significant impacts would occur. Mitigation recommended for the project would also substantially reduce construction-related impacts associated with this measure. With implementation of this mitigation measure, the operation of this intersection would improve to LOS D under Baseline plus Project conditions, which is acceptable based on City and County standards. Therefore, impacts to this intersection would be reduced to a ***less-than-significant*** *level.*

6.1-1f: Elkhorn Boulevard and E. Commerce Way (City of Sacramento)

Before project approval, the project applicant shall in coordination with the City, prepare a City Council-approved Finance Plan to fund necessary traffic mitigation. This funding mechanism shall be in conformance with the Draft Greenbriar Finance Plan presented in Appendix C of the DEIR. This funding mechanism shall ensure that the project applicant will pay their fair-share costs (determined in consultation with the City) toward the installation of a traffic signal at the Elkhorn Boulevard/East Commerce Way intersection. The Draft Greenbriar Finance Plan identifies 100% of the funding needed to implement this improvement. Existing right-of-way is available to accommodate this improvement. Based on "windshield surveys" of the project area, the site proposed for this improvement is substantially similar to the project site. Construction-related impacts would be similar to the project's construction-related impacts and no new significant impacts would occur. Mitigation recommended for the project would also substantially reduce construction-related impacts associated with this measure. With implementation of this mitigation measure, the operation of this intersection would improve to LOS C under Baseline plus Project conditions, which is acceptable based on City standards. Therefore, impacts to this intersection would be reduced to a ***less-than-significant*** *level.*

6.1-1g: Elkhorn Boulevard and Project Street 1 (City of Sacramento)

On or before the issuance of the first occupancy permit, the project applicant shall install a traffic signal at the Elkhorn Boulevard/Project Street 1 intersection. With implementation of this mitigation measure the operation of this intersection would improve to LOS A under Baseline plus Project conditions, which is acceptable based on City standards. Therefore, impacts to this intersection would be reduced to ***a less-than-significant*** *level.*

6.1-1h: Elkhorn Boulevard and Project Street 2 (City of Sacramento)

On or before the issuance of the first occupancy permit, the project applicant shall install a traffic signal at the Elkhorn Boulevard/Project Street 2 intersection. With implementation of this mitigation measure the operation of this intersection would improve to LOS A under Baseline plus Project conditions, which is acceptable based on City standards. Therefore, impacts to this intersection would be reduced to a ***less-than-significant*** *level.*

6.1-i: Elkhorn Boulevard and Project Street 3 (City of Sacramento)

On or before issuance of the first occupancy permit, the project applicant shall make revisions to the project plans so that this intersection will be restricted to right in/ right out access only. With implementation of this mitigation measure the operation of this intersection would improve to LOS B under Baseline plus Project conditions, which is acceptable based on City standards. Therefore, impacts to this intersection would be reduced to a ***less-than-significant*** *level.*

(DEIR, pp. 6.1-56 to 6.1-58.)

Finding: Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant environmental effect as identified in the Final EIR.

Because the project would either cause an intersection that currently operates unacceptably to exceed the City or County's applicable thresholds or would cause intersections that currently operate acceptably to degrade to an unacceptable condition, the project would result in significant impacts to study area intersections. With implementation of the above mitigation measures however, the intersection of SR 70/99 southbound ramps and Elkhorn Boulevard would improve to LOS D during the p.m. peak hour and the intersection of Elkhorn Boulevard and Project Street 1 would improve to LOS D during the a.m. peak hour which is acceptable based on Caltrans and County standards The operation of the intersection of Elverta Road and SR 70/99 would improve to LOS D and the operation of the intersection of Elkhorn Boulevard and Lone Tree Road would improve to LOS B under Baseline plus Project conditions which is acceptable based on Caltrans and Sacramento County standards. The operation of the intersection of Elkhorn Boulevard and E. Commerce Way would improve to LOS D under Baseline plus Project conditions. Additionally, with the installation of two traffic signals at the Elkhorn Boulevard/Project Street 1 and Elkhorn Boulevard/ Project Street 2 intersections and restricting the traffic operation at the intersection of Elkhorn Blvd and Project Street 3 to right in/right out access only, the operation of these intersections would improve to LOS A under Baseline plus Project conditions. Therefore, all of the project's study intersections would operate at acceptable levels and these impacts would be reduced to a ***less-than-significant*** level. Please see also Response to Comment 3-3 in the Final EIR. (FEIR, pp. 4-20 to 4-22.)

Impact 6.1-2 **Impacts to Study Area Roadway Segments**. The proposed project would increase traffic volumes on study area roadway segments (i.e., Elkhorn Boulevard west of SR 70/99 Interchange and Meister Way west of SR 70/99) and would cause these segments to degrade from an acceptable operating condition (i.e., LOS A) to an unacceptable operating condition (i.e., LOS F). Because study area roadway segments would operate unacceptably as a result of the project, this would be a ***potentially significant*** impact that would be reduced to *less than significant* with mitigation. (DEIR, p. 6.1-58.)

Mitigation Measures: The following mitigation measures have been adopted to address this impact:

6.1-2a: Meister Way Overpass (City of Sacramento)

> *The project applicant shall implement Mitigation Measure 6.1-1b above (i.e., construct Meister Way overpass). Table 6.1-32 of the DEIR summarizes the roadway segment operation conditions for Baseline No Project conditions and Baseline plus Project conditions with the Meister way overpass. As shown in the table, even with implementation of the Meister Way overpass, two of the project's study roadway segments (i.e., Elkhorn Boulevard west of SR 70/99 Interchange and Meister Way west of SR 70/99) would continue to operate unacceptably under Baseline plus Project conditions. Therefore, additional measures are required for these intersections.*

6.1-2b: Elkhorn Boulevard west of SR 70/99 Interchange (City of Sacramento and County)

> *On or before 60% total buildout of the project based on trip generation, the project applicant shall widen Elkhorn Boulevard west of SR 70/99 interchange to Lone Tree road to provide two travel lanes in each direction. Right-of-way for the recommended widening is currently available and has been secured by the City. Based on "windshield surveys" of the project area, the site proposed for this improvement is substantially similar to the project site. Construction-related impacts would be similar to the project's construction-related impacts and no new significant impacts would occur. Mitigation recommended for the project would also substantially reduce construction-related impacts associated with this measure. With the implementation of this mitigation measure, this roadway segment would improve to LOS A under Baseline plus Project conditions, which is acceptable based on City standards. Therefore, impacts to this intersection would be reduced to a* ***less-than-significant*** *level.*

6.1-2c: Meister Way west of SR 70/99 (City of Sacramento)

> *On or before 66% total buildout of the project based on trip generation, the project applicant shall widen Meister Way west of SR 70/99 to provide two travel lanes in each direction from the first street intersection of SR70/99 (Meister Way and 28 Street/36 Street [identified on the tentative map]) west to Lone Tree Road. Right-of-way for the recommended widening is currently available on-site. Based on "windshield surveys" of the project area, the site proposed for this improvement is substantially similar to the project site. Construction-related impacts would be similar to the project's construction-related impacts and no new significant impacts would occur. Mitigation recommended for the project would also substantially reduce construction-related impacts associated with this measure. With implementation of this mitigation measure, this roadway segment would improve to LOS D under Baseline plus Project conditions, which is acceptable based on City standards. Therefore, impacts to this intersection would be reduced to a* ***less-than-significant*** *level.*

Finding: Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant environmental effect as identified in the Final EIR.

Implementation of the project would result in the project's study roadway segments degrading from LOS A to LOS F, which is unacceptable based on City operating standards. With implementation of the above mitigation measures Elkhorn Boulevard and Meister Way west of

SR 70/99 would operate at an acceptable LOS A. Therefore, these impacts would be reduced to a ***less-than-significant*** level. (DEIR, p. 6.1-59.)

Impact 6.1-5 **Cumulative Traffic Impacts to Study Area Intersections**. Traffic volumes associated with the project in combination with other reasonably foreseeable cumulative projects would cause several study area intersections to operate unacceptably and exceed City County, and Caltrans thresholds of significance for intersection operations. This would be a ***potentially significant*** cumulative impact and the project's contribution to this impact would be cumulatively considerable and (for impacts to SR 70/99 Southbound Ramps and Elkhorn Boulevard, SR 70/99 Northbound Ramps and Elkhorn Boulevard, Metro Air Parkway and I-5 Northbound Ramps, and Meister Way and E. Commerce Way intersections) would be reduced to *less than significant* with mitigation. (DEIR, p. 6.1-67.)

Mitigation Measures: The following mitigation measures have been adopted to address this impact to the extent feasible:

6.1-5a Elkhorn Boulevard and Lone Tree Road (City of Sacramento and County)

The project applicant shall provide an expanded intersection with a right turn pocket length of 200 feet for vehicles turning right onto northbound Lone Tree Road from the westbound Elkhorn Boulevard approach if Elkhorn Boulevard is widened to the ultimate six-lane arterial road and the right-of-way is made available. With implementation of this mitigation measure, the project would increase the average delay at this intersection by only 2.8 seconds, which is below City standards (i.e., 5 seconds). Construction associated with this mitigation measure would require the acquisition of additional right-of-way. Based on "windshield surveys" of the project area, the site proposed for this improvement is substantially similar to the project site and therefore no new environmental impacts would occur. The applicant in consultation with the City shall coordinate with County to secure additional right-of-way for this improvement. However, because this intersection is located within the County and is not subject to the City's jurisdiction, implementation of this measure can not be guaranteed. Therefore, this impact would be considered ***significant and unavoidable****.*

6.1-5b SR 70/99 Southbound Ramps and Elkhorn Boulevard (City of Sacramento and Caltrans)

Concurrent with project approval, the project applicant shall, in coordination with the City, prepare a City Council-approved Finance Plan to fully fund necessary traffic mitigation. This funding mechanism shall be in conformance with the Draft Greenbriar Finance Plan presented in Appendix C of the DEIR. This funding mechanism shall ensure that the project applicant will pay their fair-share costs (determined in consultation with the City and Caltrans) toward the restriping of the SR 70/99 southbound off-ramp approach to provide a left-turn lane, a shared left turn-right turn lane, and two right-turn lanes (cumulative base lane geometry assumes two left turn and two right turn lanes). The Draft Greenbriar Finance Plan identifies 100% of the funding needed to construct this improvement. Sufficient right-of-way would be available with the future intersection configuration to accommodate these improvements without resulting in substantial alteration or expansion of this intersection. Based on "windshield surveys" of the project area, the site proposed for this improvement is substantially similar to the project site. Construction-related impacts would be similar to the project's construction-

related impacts and no new significant impacts would occur. Mitigation recommended for the project would also substantially reduce construction-related impacts associated with this measure. With implementation of this mitigation measure, this intersection would operate at LOS D and this impact would be reduced to a ***less-than-significant*** *level.*

6.1-5c: SR 70/99 Northbound Ramps and Elkhorn Boulevard (City of Sacramento and Caltrans)

Concurrent with project approval, the project applicant shall, in coordination with the City, prepare a City Council-approved Finance Plan to fully fund necessary traffic mitigation. This funding mechanism shall be in conformance with the Draft Greenbriar Finance Plan presented in Appendix C of the DEIR. This funding mechanism shall ensure that the project applicant will pay their fair-share costs (determined in consultation with the City) toward the restriping of the SR 70/99 northbound off-ramp approach to provide two left-turn lanes, a shared left turn-right turn lane, and a right-turn lane (cumulative base lane geometry assumes two left turn and two right turn lanes). The Draft Greenbriar Finance Plan identifies 100% of the funding needed to construct this improvement. Sufficient right-of-way would be available with the future intersection lane configuration to accommodate these improvements without resulting in substantial alteration or expansion of this intersection. Based on "windshield surveys" of the project area, the site proposed for this improvement is substantially similar to the project site. Construction-related impacts would be similar to the project's construction-related impacts and no new significant impacts would occur. Mitigation recommended for the project would also substantially reduce construction-related impacts associated with this measure. With implementation of this mitigation measure, this intersection would operate at LOS E in the a.m. peak hour and this impact would be reduced to a ***less-than-significant*** *level.*

6.1-5d: Metro Air Parkway and I-5 Northbound Ramps (City of Sacramento and Caltrans)

Concurrent with project approval, the project applicant shall, in coordination with the City, prepare a City Council-approved Finance Plan to fully fund necessary traffic mitigation. This funding mechanism shall be in conformance with the Draft Greenbriar Finance Plan presented in Appendix C of the DEIR. This funding mechanism shall ensure that the project applicant will pay their fair-share costs (determined in consultation with the City) toward the restriping of the I-5 northbound off-ramp approach to provide a left-turn lane, a shared left turn-right turn lane and two right-turn lanes (cumulative base lane geometry assumes two left turn and two right turn lanes). The Draft Greenbriar Finance Plan identifies 100% of the funding needed to construct this improvement. This improvement would not require any additional right-of-way and would not in substantial alteration or expansion of this intersection. With implementation of this mitigation measure, this intersection would operate at LOS F in the a.m. and LOS E in the p.m. peak hour and this impact would be reduced to a ***less-than-significant*** *level.*

6.1-5e Meister Way and Metro Air Parkway (City of Sacramento)

Adding a left-turn lane and restriping the westbound Meister Way approach to provide two left-turn lanes and a shared, through right-turn lane (cumulative base lane geometry assumes a left turn lane, a through lane, and a right turn lane) would mitigate this impact to a less-than-significant level. However, construction of this mitigation measure would require the acquisition of additional right-of-way which is not controlled by the applicant. Although implementation of this measure would reduce the project's cumulative impacts

to this intersection to a less-than-significant level, it is unknown whether additional right-of-way could be secured and whether this measure would be implemented. Therefore, for purposes of CEQA this impact is considered ***significant and unavoidable****.*

6.1-5f: Meister Way and Lone Tree Road (City of Sacramento)

Adding a left-turn lane for the eastbound and westbound Meister Way approaches, and southbound Lone Tree Road approach would improve the operations of this intersection to LOS C and would reduce this impact to a less-than-significant level. Sufficient right-of-way could be secured by the applicant for the westbound approach; however, right-of-way along eastbound and southbound approach is controlled by the County and not within the City's jurisdiction. Although implementation of this measure would reduce the project's cumulative impacts to this intersection to a less-than-significant level, it is unknown whether additional right-of-way could be secured and whether this measure would be implemented. Therefore, for purposes of CEQA, this impact is considered ***significant and unavoidable****.*

6.1-5g: Meister Way and E. Commerce Way (City of Sacramento)

On or before 65% buildout of the project based on the project's total trips, the project applicant shall revise the improvement plan to provide a left-turn lane for the northbound East Commerce Way approach, an additional lane for the eastbound Meister Way approach, and restripe the eastbound Meister Way approach to provide a left-turn lane and a right-turn lane (base cumulative lane geometry assumed to have a shared left turn-right turn lane for the eastbound approach). Sufficient right-of-way is currently available to accommodate these improvements without resulting in substantial alteration or expansion of this intersection. Based on "windshield surveys" of the project area, the site proposed for this improvement is substantially similar to the project site. Construction-related impacts would be similar to the project's construction-related impacts and no new significant impacts would occur. Mitigation recommended for the project would also substantially reduce construction-related impacts associated with this measure. With implementation of this mitigation measure, this intersection would operate at LOS C and this impact would be reduced to a ***less-than-significant*** *level.*

6.1-5h: Elkhorn Boulevard and Project Street 1 (City of Sacramento)

Construction of an additional through lane for the eastbound and westbound Elkhorn Boulevard approaches (cumulative base lane geometry assumes three through lanes in each direction on Elkhorn Boulevard) would reduce this impact to a less-than-significant level. However, this measure would require the acquisition of additional right-of-way beyond the maximum right-of-way proposed by the City/County for this roadway. No other feasible measures are available to reduce this impact because of limited right-of-way. Therefore, this impact is considered ***significant and unavoidable.***

6.1-5i: Elkhorn Boulevard and Project Street 2 (City of Sacramento)

Construction of an additional through lane for the eastbound and westbound Elkhorn Boulevard approaches (cumulative base lane geometry assumes three through lanes in each direction on Elkhorn Boulevard) would reduce this impact to a less-than-significant level. However, this measure would require the acquisition of additional right-of-way beyond the maximum right-of-way proposed by the City/ County for this roadway. No

other feasible measures are available to reduce this impact because of limited right-of-way. Therefore, this impact is considered ***significant and unavoidable****.*

6.1-5j: Elkhorn Boulevard and Project Street 3 (City of Sacramento)

Construction of an additional through lane for the eastbound and westbound Elkhorn Boulevard approaches (cumulative base lane geometry assumes three through lanes in each direction on Elkhorn Boulevard) would reduce this impact to a less-than-significant level. However, this measure would require the acquisition of additional right-of-way beyond the ultimate right-of-way proposed by the City for this roadway. To improve the operations of this intersection under cumulative conditions, before buildout of the project, the project applicant shall restrict the left turn in/out movement at this intersection so that it will be right in/ right out movement only with a stop sign control on the side street. Although the operation of this intersection would improve, it would not cause this intersection to operate at an acceptable level (e.g., LOS D or better). No other mitigation is available to reduce this impact. As a result, this impact would remain ***significant and unavoidable****.*

Finding: Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant environmental effect for the SR 70/99 Southbound Ramps and Elkhorn Boulevard, SR 70/99 Northbound Ramps and Elkhorn Boulevard, Metro Air Parkway and I-5 Northbound Ramps, and Meister Way and E. Commerce Way intersections, as identified in the Final EIR. With implementation of the above mitigation measures, the SR 70/99 Southbound and SR 70/99 Northbound Ramps and Elkhorn Boulevard intersection would operate at an acceptable LOS D and E respectively based on Caltrans and County standards. Metro Air Parkway and I-5 Northbound Ramps would operate at LOS E in the p.m. which is acceptable based on Sacramento County Thresholds of Significance, and Meister Way and E. Commerce Way would operate at an acceptable LOS C. Therefore, the project's cumulative impacts would be reduced to a ***less-than-significant*** level. (DEIR, p. 6.1-72)

The impacts to Elkhorn Boulevard and Lone Tree Road, Meister Way and Metro Air Parkway, Meister Road and Lone Tree Road, Elkhorn Boulevard and Project Street 1, Elkhorn Boulevard and Project Street 2, and Elkhorn Boulevard and Project Street 3, each of which remains significant and unavoidable, are discussed in Section C of these findings. For these impacts, changes or alterations have been required in, or incorporated into, the project that substantially lessen, but do not avoid, the potentially significant environmental effect associated. No mitigation is available to render the effects less than significant. The effects (or some of the effects) therefore remain ***significant and unavoidable***.

Impact 6.1-6 **Cumulative Impacts to Study Area Roadway Segments**. The proposed project in combination with cumulative projects would increase traffic volumes on study area roadway segments and would cause these segments (i.e., Elkhorn Boulevard west of SR 70/99 Interchange, Metro Air Parkway north of I-5 Interchange, and Meister Way west of SR 70/99) to degrade from an acceptable operating condition (i.e., LOS A) to an unacceptable operating condition (i.e., LOS F). Because study area roadway segments would operate unacceptably as a result of the project, this would be a ***potentially significant*** impact that (for impacts to Meister Way west of SR 70/99) would be reduced to *less than significant* with mitigation. (DEIR, p. 6.1-72.)

Mitigation Measures: The following mitigation measures have been adopted to address this impact to the extent feasible:

6.1-6a Elkhorn Boulevard west of SR 70/99 Interchange (City of Sacramento)

> *Widening Elkhorn Boulevard to eight lanes (4 in each direction) would reduce this impact to a less-than-significant level. The City includes widening of Elkhorn Boulevard to six lanes within its General Plan; widening to eight lanes is not feasible nor planned by the City. Therefore, concurrent with project approval, the project applicant shall, in coordination with the City, establish a funding mechanism to fully fund necessary traffic mitigation. This funding mechanism shall be in conformance with the Draft Greenbriar Finance Plan presented in Appendix C of the DEIR. This funding mechanism shall ensure that the project applicant will pay their fair-share costs towards widening Elkhorn Boulevard to six lanes west of the SR 70/99 Interchange (the number of lanes planned by the City of Sacramento). The City and developers of the MAP project have identified 100% of the funding necessary to widen the Elkhorn Boulevard/SR 70/99 overpass to six lanes. No other feasible mitigation is available to reduce this impact. Therefore, while reduced, this impact would remain* ***significant and unavoidable****.*

6.1-6b Meister Way west of SR 70/99 (City of Sacramento)

> *The project applicant shall implement Mitigation measure 6.1-2c. With implementation of this mitigation measure, this segment would operate at LOS B and this impact would be reduced to a* ***less-than-significant*** *level.*

Finding: Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant environmental effect for Meister Way west of SR 70/99. With implementation of the above mitigation measures, the Meister Way west of SR 70/99 segment would operate at acceptable LOS B under cumulative conditions and the project's cumulative impacts would be reduced to a ***less-than-significant*** level. (DEIR, p. 6.1-74)

However, no feasible mitigation is available to reduce the project's cumulative impacts to the Elkhorn Boulevard west of SR 70/99 interchange segment. Therefore, as is discussed in Section C of these findings, while changes or alterations have been required in, or incorporated into, the project that substantially lessen, but do not avoid, the potentially significant environmental effect, no mitigation is available to render the effects less than significant. The effects (or some of the effects) therefore remain ***significant and unavoidable***.

Impact 6.1-9 **Pedestrian and Bicycle Circulation Impacts**. The project would add pedestrian demands within the project site and to and from proposed commercial, retail, and light-rail land uses. Specific information on improvements to on and off-site bicycle and pedestrian facilities is not available at this time. Because the project would add demand for pedestrians and bicycle facilities for which facilities may not be available, this would be a ***potentially significant*** bicycle and pedestrian circulation impact that would be reduced to *less than significant* with mitigation. (DEIR, p. 83.)

Mitigation Measures: The following mitigation measures have been adopted to address this impact:

6.1-9 Bicycle and Pedestrian Facilities (City of Sacramento)

a. *Prior to recordation of the first map, the project applicant shall coordinate with the City of Sacramento Development Engineering Division to identify the necessary on- and off-site pedestrian and bicycle facilities to serve the proposed development. These facilities shall be incorporated into the project and could include: sidewalks, stop signs, in-pavement lighted crosswalks, standard pedestrian and school crossing warning signs, lane striping to provide a bicycle lane, bicycle parking, signs to identify pedestrian and bicycle paths, marked and raised crosswalks, and pedestrian signal heads.*

b. *Circulation and access to all proposed parks and public spaces shall include sidewalks that meet Americans with Disability Act Standards.*

c. *The project applicant shall dedicate a buffer along the edges of the project site (south, east, and west) to the City of Sacramento. This buffer shall be landscaped by the project applicant and shall provide space for future 10-foot off-street bikeways that would connect residents and employees to the NNCP area and other Class I bike facilities. The buffer on the western edge of the project site shall not encroach on the 250-foot linear open space/buffer proposed for giant garter snake habitat.*

d. *The project applicant shall provide on-street bicycle lanes 5-6-feet wide within the community. Details on the design and siting of these bike lanes shall be done in consultation with the City of Sacramento Development Engineering Division.*

e. *Bicycle parking shall conform to City standards and shall be located in high visibility areas to encourage bicycle travel. Class I (i.e., bicycle lockers) and Class II (i.e., racks) bicycle facilities shall be provided throughout the commercial areas of the project, at a ratio of 1 bicycle storage space for every 20 off-street vehicle parking spaces required. Fifty percent of the storage spaces shall be Class I facilities and the remaining 50% shall be Class II facilities.*

f. *The project applicant shall provide residents, tenants, and employees of the project site with information regarding the Sacramento Area Council of Government's (SACOG) Rideshare bicycle commuting program.*

Finding: Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant environmental effect as identified in the Final EIR.

The project would construct sidewalks and pedestrian paths throughout the development. These sidewalks would provide pedestrian connections within the site and to the proposed commercial, retail, and light rail land uses. Further, a pedestrian sidewalk would be provided along the Meister Way overpass and would allow pedestrians to access areas east of SR 70/99. With implementation of this mitigation measure, adequate bicycle and pedestrian facilities would be provided at the project site in accordance with City standards. This impact would be reduced to a ***less-than-significant*** level. (DEIR, p. 6.1-84)

Impact 6.1-10 **Demand for Public Transportation**. Public transit is not currently provided to the project site. At the time the project application was submitted to the City, no plans for the provision of public transit services were proposed. The project would increase demands for public transit facilities, none of which are proposed to be provided to the project site. Therefore, the project would result in a ***potentially significant*** public transportation impact that would be reduced to *less than significant* with mitigation. (DEIR, p. 6.1-84.)

Mitigation Measures: The following mitigation measures have been adopted to address this impact:

6.1-10 (City of Sacramento)

a. *Prior to the construction and operation of RT's proposed LRT station along Meister Way, the project applicant shall fund and operate an interim shuttle/bus transportation service for residents and patrons of the project site. The project applicant shall develop this interim transit service in consultation with the City of Sacramento and the RT. The interim transit service shall provide transit services for peak commute periods. To promote the use of public transit services, the project applicant at the sale of proposed residences shall promote the availability of transit services. Once demand for public transit services reaches 50 service requests, the project applicant shall begin to provide transit services and shall increase those services in proportion to the development levels and increased rider ship levels occurring on the project site.*

b. *The transit service shall take residents to the Central Business District (CBD) (i.e., downtown Sacramento) where they can transfer to light rail, bus, or train and connect to anywhere in greater Sacramento region and to the Bay Area. The transit service shall connect residents to the following transit services: Sacramento Regional Transit, El Dorado Transit, Yuba-Sutter Transit, Yolo Bus, Placer County Transit, San Joaquin Transit, Fairfield/Suisun Transit, Amador Transit, Roseville Transit, ETRAN (Elk Grove), and the Capitol Corridor/Amtrak. Midday service shall also be considered as development and rider ship demands increase. (DEIR, p. 6.1-85)*

c. *Final design and operation of the transit service will be subject to the approval of the City and other proposed operating agencies (e.g., RT). (DEIR, p. 6.1-85)*

Finding: Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant environmental effect as identified in the Final EIR.

With implementation of interim public transportation services, the project would ensure that public transportation demands would be adequately met until public transportation services are provided to the project site by RT. See also Response to Comment 29-59 regarding funding, administration, and termination of the interim service. (FEIR, p. 4-496.) This impact would be reduced to a ***less-than-significant*** level. (DEIR, p. 6.1-84)

Impact 6.1-11 **Construction-Related Impacts**. Construction activities for the project would result in the generation of 50 one-way truck trips per day associated with construction activities and 500 one-way vehicle trips (250 construction workers on-site on a worst-case basis) associated with construction personnel. All construction personnel and vehicles would access the project site from Elkhorn Boulevard and would park in designated areas on the project site. No on-street parking would occur. Although the construction trips would be temporary, because of the size of this project and the large number of personnel required on a daily basis, the project's construction trips could substantially increase local roadway volumes and interfere with the safe and efficient operation of these roadways. This would be a ***potentially significant*** impact, that would be reduced to *less than significant* with mitigation. (DEIR, p. 6.1-85.)

Mitigation Measures: The following mitigation measures have been adopted to address this impact:

6.1-11: (City of Sacramento)

a. *Prior to issuance of grading permits for the project site, the project applicant shall prepare a detailed Traffic Management Plan that will be subject to review and approval by the City Department of Transportation, Caltrans, Sacramento County, and local emergency services providers including the City of Sacramento fire and police departments. The plan shall ensure that acceptable operating conditions on local roadways and freeway facilities are maintained. At a minimum, the plan shall include:*

- *the number of truck trips, time an day of street closures,*
- *time of day of arrival and departure of trucks,*
- *limitations on the size and type of trucks, provision of a truck staging area with a limitation on the number of trucks that can be waiting,*
- *provision of a truck circulation pattern,*
- *provision of driveway access plan along Elkhorn Boulevard so that safe vehicular, pedestrian, and bicycle movements are maintained (e.g., steel plates, minimum distances of open trenches, and private vehicle pick up and drop off areas),*
- *maintain safe and efficient access routes for emergency vehicles,*
- *manual traffic control when necessary,*
- *proper advance warning and posted signage concerning street closures, and*
- *provisions for pedestrian safety.*

b. *A copy of the construction traffic management plan shall be submitted to local emergency response agencies and these agencies shall be notified at least 14 days before the commencement of construction that would partially or fully obstruct local roadways.*

Finding: Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant environmental effect as identified in the Final EIR.

Implementation of the construction traffic management plan would ensure the safe and efficient operation of the local roadway system and would reduce the project's construction-related transportation impacts to a ***less-than-significant*** level. (DEIR, p. 6.1-86)

Impact 6.1-12 **Conformity with City Parking Requirements**. A detailed parking plan has not been submitted by the project applicant. As a result, it is unknown whether adequate parking would be provided on the project site for residential, commercial, and retail land uses. Therefore, this would be a ***potentially significant*** impact that would be reduced to *less than significant* with mitigation. (DEIR, pp. 6.1-86 to 6.1-87.)

Mitigation Measures: The following mitigation measure has been adopted to address this impact:

6.1-12: (City of Sacramento)

> *The project applicant shall submit a detailed parking plan for each proposed land use at the time development entitlements (e.g., building permits or special permits) are sought. The parking plan shall ensure that parking provided on the project site would meet the City's most current parking standards for the proposed land use and it shall identify the number and location of proposed parking spaces including proposed handicap parking spaces. If a light rail station is constructed within project site, then a park and ride lot or park and ride spaces shall be allocated in the retail zoned area in the vicinity of the proposed LRT station. The parking plan shall be subject to the review and approval by the City Development Engineering Division.*

Finding: Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant environmental effect as identified in the Final EIR.

The proposed project intends to provide parking facilities for on-site residences, the proposed school, public park facilities, the proposed light rail station, and proposed commercial and retail land uses. Proposed single-family residences would consist of 2- and 3-car garages in addition to on-street parking spaces. The light rail station, school, commercial, and retail land uses would also provide parking areas for employees and patrons to these land uses. However, the project applicant has not submitted a detailed parking plan to the City for review. Therefore, it is unknown whether adequate parking in conformance with the City's parking standards would be provided on-site. Therefore, the project would result in a potentially significant parking impact. (DEIR, p. 6.1-87)

With implementation of this mitigation measure, the applicant is required to provide adequate parking on-site in accordance with the City's standards. This impact would be reduced to a ***less-than-significant*** level. (DEIR, p. 6.1-87)

Impact 6.1-13 **Project Site Access Impacts**. The project would construct 5 new access points to the project site along Elkhorn Boulevard and Lone Tree Road and 3 access points along Meister Way. With implementation of the project and recommended traffic improvements, access from Elkhorn Boulevard and Lone Tree Road would be adequate. However, access points along Meister Way would be uncontrolled and with project build out could result in unsafe site access conditions (e.g., long queues of vehicles, left-turns across free flow traffic). Therefore, this would be a ***potentially significant*** site access impact

that would be reduced to *less than significant* with mitigation. (DEIR, p. 6.1-87.)

Mitigation Measures: The following mitigation measure(s) has been adopted to address this impact:

6.1-13: (City of Sacramento)

a. *Prior to 40% buildout of the project site based on total project trips, an exclusive left turn lane and a shared through-right turn lane for the project side streets with stop control shall be provided at the three four-legged project intersections along Meister Way.*

b. *An exclusive left turn lane for vehicles turning left from the eastbound and westbound Meister Way approaches shall be provided at these intersections. Exhibit 6.1-18 of the DEIR shows the proposed traffic controls throughout the project site.*

c. *Final design and siting of these improvements shall be subject to the approval of the City Development Engineering Division, Development Services Department.*

Finding: Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant environmental effect as identified in the Final EIR.

With implementation of the mitigation measure, site access impacts along Meister Way would be improved to provide adequate turning opportunities along Meister Way. This impact would be reduced to a ***less-than-significant*** level. (DEIR, p. 6.1-88)

Impact 6.1-14 **Impacts to Internal Circulation**. Some elements of the internal roadway network (e.g., long, straight streets) could encourage vehicle speeding, which could lead to vehicle safety impact. This would be a ***potentially significant*** internal circulation impact that would be reduced to *less than significant* with mitigation. (DEIR, p. 88.)

Mitigation Measures: The following mitigation measure(s) has been adopted to address this impact:

6.1-14: Traffic Calming Measures (City of Sacramento)

During review of the project's tentative map and project entitlements, the project applicant shall coordinate with the City to identify roadways where traffic calming measures including but not limited to narrow travel lanes, speed bumps, round-a-bouts, raised intersections, and stop controls are needed to ensure the orderly, efficient, and safe flow of traffic. Design and siting of these facilities would be subject to approval by the City Development Engineering Division, Development Services Department.

Finding: Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant environmental effect as identified in the Final EIR.

With implementation of the above mitigation measure, safe driving conditions within the project site would be ensured and would be consistent with the City's standards for internal circulation. This impact would be reduced to a ***less-than-significant*** level. (DEIR, p. 6.1-90)

Impact 6.1-15 **Impacts to Emergency Vehicle Access**. The project would provide adequate emergency access to the project site. However, construction vehicles could temporarily obstruct local roadways, which could impair the ability of local agencies to respond to an emergency in the project area. This would be a ***potentially significant*** impact that would be reduced to *less than significant* with mitigation. (DEIR, p. 6.1-90.)

Mitigation Measures: The following mitigation measures has been adopted to address this impact:

6.1-15: Emergency Access (City of Sacramento)

a. *During review of the project's tentative map and project entitlements, the project applicant shall coordinate with the City Development Engineering Division, Development Services Department, Fire Department, and Police Department staff to ensure that the roadways provide adequate access for emergency vehicles (i.e., turning radii, lane width).*

b. *The project applicant shall implement mitigation measure 6.1-12 (Construction Traffic Management Plan).*

Finding: Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant environmental effect as identified in the Final EIR.

With implementation of the above mitigation measure, adequate emergency access would be provided to the project site during construction and operation of the project. This mitigation would reduce the project's emergency access impacts to a ***less-than-significant*** level. (DEIR, p. 6.1-90)

2. *AIR QUALITY*

Impact 6.2-4 **Exposure of Sensitive Receptors to Toxic Air Contaminant Emissions**. Implementation of the proposed project could result in the exposure of existing sensitive receptors to minor increases in short-term construction emissions and future residents to TAC emissions from airport operations; vehicle emissions to I-5 and SR 70/99; mobile-source TAC emissions on the site; and TACs from on-site commercial and other activities. Exposure to short term construction emissions would be temporary and would not result in substantial health hazards; the impact would be ***less than significant***.

Exposure to TACs from airport operations is an issue that is being studied on a national level, but no conclusions have been reached as to whether such exposure would be a health hazard, therefore the EIR could not reach a conclusion of significance.

An analysis using both screening criteria and calculations of incremental risk to residents from exposure to TACs for residents along the margins closest to

the freeways shows that the project would not result in substantial health risk. Further, in view of the on-going state and federal regulatory programs which have demonstrated significant reductions in health risks from toxic air contaminants in the Sacramento area (as well as throughout the state), and forecasted future improvements as a result of continued implementation of these existing regulatory programs, this impact would be ***less than significant***.

Given that proposed on-site commercial land uses have not yet been identified, and given the potential proximity of nearby sensitive receptors, exposure of nearby on-site receptors to mobile-source TACs associated with commercial and other activities on the site would be considered ***potentially significant.*** (RDEIR, pp. 6.2-24 to 6.2-30.)

Mitigation Measures:

6.2-4: (City of Sacramento and LAFCo)

On-site Mobile Sources. The following mitigation measures shall be implemented:

a. *Proposed facilities that would require the long-term use of diesel equipment and heavy-duty trucks shall develop and implement a plan to reduce emissions, which may include such measures as scheduling such activities when the residential uses are the least occupied, and requiring such equipment to be shut off when not in use and prohibiting heavy-trucks from idling. The plan shall be submitted to and approved by the City before loading dock activities begin. Copies of the plan shall be provided to all residential dwellings located within 1,000 feet of loading dock areas.*

b. *Proposed commercial/convenience land uses (e.g., loading docks) that have the potential to emit toxic air emissions shall be located as far away as feasibly possible from existing and proposed sensitive receptors.*

Off-site Mobile Sources: The following mitigation measure shall be implemented:

c. *The project applicant shall include in landscape plans, planting of fine-needled conifer trees in the buffer area between the I-5 and SR 70/99 freeways and proposed residential uses. Total numbers, exact species, box-size at planting, spacing and placement will be determined in consultation with SMAQMD prior to adoption of a Tentative Map.*

Finding: Regarding exposure to TACs from freeways adjacent to the site, the EIR applied the protocol adopted by SMAQMD for determining potential risk from exposure to mobile-source TACs. (RDEIR, pp. 6.2-26 to 6.2-29.) The analysis in the EIR shows that under all considerations (current and improved future background TAC exposure), the project does not expose residences to an incremental (i.e., additional over background) cancer risk of 10 in 1 million and does not result in exposure to an acute and chronic hazard index of 1.0 or greater. SMAQMD testified in support of the project at the October 11, 2007 Planning Commission hearing and requested that the applicant use finely-needled trees in strategic places along the boundary of the project, in order to enhance the project features that already reduce impacts from TACs. The project applicant has agreed to this measure, as reflected above.. See also

Response to Comments R7-12 and R7-13 in the Final EIR. (FEIR, pp. 5-35 to 5-37.) Consequently, this impact is concluded to be ***less-than-significant.*** (RDEIR, p. 6.2-29)

As discussed in Section C, implementation of the above mitigation measures would reduce health-related risks associated with on-site mobile-source TACs, but not necessarily to a less-than-significant level. Exposure to mobile-source TAC emissions from on-site mobile sources are, therefore, considered ***significant and unavoidable***. This conclusion is because of the uncertainty associated with on-site commercial land use activities and the proximity of sensitive receptors to such uses. This conclusion may, therefore, change as more detailed information regarding proposed on-site commercial uses becomes available. (RDEIR, p. 6.2-31)

Impact 6.2-5 **Exposure to Odor Emissions**. Operation of the proposed project could result in the frequent exposure of on-site receptors to substantial objectionable odor emissions. As a result, this impact would be considered ***potentially significant*** and would be reduced to *less than significant* with mitigation. (DEIR, p. 6.2-29.)

Mitigation Measures: The following mitigation measure(s) has been adopted to address this impact:

6.2-5: (City of Sacramento and LAFCo)

a. To the extent feasible, proposed commercial/convenience land uses that have the potential to emit objectionable odor emissions shall be located as far away as possible from existing and proposed receptors.

b. When permitting the facility that would occupy the proposed commercial/convenience space, the City shall take into consideration its odor-producing potential.

c. If an odor-emitting facility is to occupy space in the commercial/convenience area, the City shall require odor control devices (e.g., wet chemical scrubbers, activated carbon scrubbers, biologically-active filters, enclosures) to be installed to reduce the exposure of receptors to objectionable odor emissions.

Finding: Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant environmental effect as identified in the Final EIR.

Implementation of the above-mentioned mitigation measures would prevent high numbers of odor complaints by ensuring that odor sources are located near sensitive receptors and reduce the affects of any odor-generating facilities by addressing odors at the source. Thus, implementation of Mitigation Measure 6.2-5 would reduce this impact to a ***less-than-significant*** level. (DEIR, p. 6.2-30)

No major sources of odors have been identified in the project area that would result in the exposure of on-site receptors to existing odorous emissions. Minor sources of odors associated with the proposed project would be primarily associated with the construction of the proposed land uses. The predominant source of power for construction equipment is diesel engines. Exhaust odors from diesel engines, as well as emissions associated with asphalt paving and the application of architectural coatings, may be considered offensive to some individuals. However, because odors would be temporary and would disperse rapidly with distance from the source,

construction-generated odors would not result in the frequent exposure of on-site receptors to objectionable odorous emissions. As a result, short-term construction-related odors would be considered ***less than significant***. (DEIR, p. 6.2-29)

3. *NOISE*

Impact 6.3-1 **Short-term Construction Noise**. Short-term construction-generated noise levels could exceed City of Sacramento Noise Code standards (Table 6.3-9) or result in a noticeable increase in ambient noise levels at existing nearby off-site sensitive land uses as well as on-site residences that are constructed and inhabited before other portions of the project are complete. This would be a **potentially *significant*** impact that would be reduced to *less than significant* with mitigation. (DEIR, p. 6.3-21.)

Mitigation Measures: The following mitigation measure(s) has been adopted to address this impact:

6.3-1. (City of Sacramento and LAFCo)

Construction operations shall be limited to the hours between 7 a.m. to 6 p.m. Monday through Saturday, and 9 a.m. to 6 p.m. on Sunday.

Finding: Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant environmental effect as identified in the Final EIR.

Noise from construction activities between the hours of 7 a.m. to 6 p.m., Monday through Saturday, and 9 a.m. to 6 p.m. on Sunday are exempt from the provisions of the City of Sacramento Noise Code. The mitigation measure discussed above would ensure that construction operations are consistent with the exemption provided by the City of Sacramento Noise Control Code and that construction would not result in a noticeable increase in ambient noise levels at noise-sensitive receptors during the more noise-sensitive hours of the day, thereby reducing potential impacts to a ***less-than-significant*** level. (DEIR, p. 6.3-22)

Impact 6.3-4 **Land Use Compatibility of Proposed Residential and School Uses with On-site Daily and Hourly Average (Ldn/CNEL and Leq) Noise Levels**. With implementation of the proposed project, residential land uses (sensitive receptors) proposed on the project site would be exposed to future noise levels generated by area traffic that exceed applicable noise standards. Traffic noise along the bordering segments of I-5, SR 70/99, Elkhorn Boulevard, Lone Tree Road, and on-site Meister Way is estimated to exceed the City's 60 dBA Ldn/CNEL exterior noise standard in backyards of single-family homes proposed by the project. Also, the interiors of residential land uses located along these transportation routes would be exposed to interior noise levels that exceed applicable maximum interior noise level standards established by the City of Sacramento General Plan. Therefore, exposure of proposed residential land uses to noise generated by traffic would be a ***potentially significant*** impact that would be reduced to *less than significant* with mitigation. (DEIR, p. 6.3-26.)

Noise levels within the project area are influenced by traffic noise associated with vehicle traffic on area roadways, light rail operations, aircraft operations associated with nearby Sacramento

International Airport, and agricultural operations on adjacent properties. The levels of noise typically associated with these sources and their compatibility with the proposed sensitive land uses are discussed in detail in the EIR, starting at page 6.3-27.

Mitigation Measures: The following mitigation measure(s) has been adopted to address this impact:

6.3-4: (City of Sacramento and LAFCo)

The project shall implement the following measures before the occupancy of any proposed uses in the related impact areas, to reduce the exposure of sensitive receptors to significant noise associated with surface transportation:

a. *For noise impact/mitigation area A (see Exhibit 6.3-6 of the DEIR), a solid (e.g., earth, concrete, masonry, wood, and other materials) noise barrier shall be constructed of 10 feet in height relative to backyard elevation at the residences located nearest to the southern boundary, stepping down linearly to 6 feet at its northwestern terminus. The wrapped portion of the barrier along the southeast corner shall also step down to 6 feet in height at its terminus.*

b. *For noise impact/mitigation area B (see Exhibit 6.3-6 of the DEIR), the drainage opening shall be shifted to the north by two lots to close the acoustic opening.*

c. *For noise impact/mitigation area C (see Exhibit 6.3-6 of the DEIR), the spaces between the residences shall be bridged with solid noise barriers (e.g., earth, concrete, masonry, wood, and other materials) of 6 feet in height, rather than conventional wood privacy fences. Gates constructed for access into the rear yard spaces shall be constructed so as not to create appreciable acoustic leaks (e.g., constructed of solid wood, sealed to prevent sound and be continuous in length and height with minimal gap at the ground).*

d. *For noise impact/mitigation area D (see Exhibit 6.3-6 of the DEIR), all identified side-on residences shall be reoriented so that they face the roadways and the backyard spaces would be shielded by the residences. Following the reorienting of the side-on residences, the side space adjacent to the residences shall be bridged in same manner as specified above under c. Furthermore, the side yard privacy fences at end lots shall be replaced with solid noise barriers (e.g., earth, concrete, masonry, wood, and other materials) 7 feet in height to adequately shield backyard spaces.*

e. *For noise impact/mitigation area E (see Exhibit 6.3-6 of the DEIR), it would not be feasible to utilize the types of noise mitigation described above (e.g., walls between individual units), to achieve satisfaction with City noise standards due to the orientation and shape of the residences. As a result, a solid barrier (e.g., earth, concrete, masonry, wood, and other materials) consisting of a berm, a wall, or combination thereof, shall be constructed at the approximate location shown in Exhibit 6.3-6 of the DEIR. The barrier shall be 10 feet in height relative to pad elevations of the residences behind the barrier.*

f. *For noise impact/mitigation area F (see Exhibit 6.3-6 of the DEIR), a solid noise barrier of 8 feet in height shall be constructed to adequately shield Meister Way*

traffic noise. In addition, because no discrete outdoor activity areas are identified with the higher density residential developments on the north and south sides of Meister Way near the eastern portion of the site, a solid barrier shall be constructed along both sides of Meister Way at these locations (see exhibit 6.3-6 of the DEIR). Where Meister Way becomes elevated at the portion heading east over Highway 99, the barrier shall extend along the top of the cut (at the roadway elevation), to provide efficient shielding to the residences below.

g. *For noise impact/mitigation area H (see Exhibit 6.3-6 of the DEIR), a solid noise barrier or berm/wall combination of 12 feet in height shall be constructed along Elkhorn Boulevard to adequately shield residences which back up to this roadway. In addition, because no discrete outdoor activity areas are identified with the higher density residential developments on the south side of Elkhorn at the northeast corner of the project site, a solid noise barrier or berm/wall combination of 12 feet in height shall be constructed along Elkhorn Boulevard at these locations (see Exhibit 6.3-6 of the DEIR). The barriers shall be extended inward along the project site access roads.*

h. *For noise impact/mitigation area I (see Exhibit 6.3-6 of the DEIR), a solid noise barrier of 6 feet in height shall be constructed along Lone Tree Road to adequately shield residences which back up to the canal east of and adjacent to this roadway.*

i. *Prior to issuance of any building permits, site-specific acoustical analyses shall be conducted once construction plans are available for residential developments located with the 60 dBA Ldn contours (see Exhibit 6.3-5 of the DEIR) to ensure satisfaction with the City of Sacramento interior noise level standards. The acoustical analyses shall evaluate exposure of proposed noise-sensitive receptors to noise generated by surface transportation sources, in accordance with adopted City of Sacramento interior noise standards (Table 6.3-8 of the DEIR). These site-specific acoustical analyses shall also include site-specific design requirements to reduce noise exposure of proposed on-site receptors and all feasible design requirements shall be implemented into the final site design. Noise reduction measures and design features may include, but are not limited to the use of increased noise-attenuation measures in building construction (e.g., dual-pane, sound-rated windows; mechanical air systems; and exterior wall insulation). Given the predicted future traffic noise environment at the exterior facades of the residences nearest to Highway 99 and Interstate 5, upgrades to windows will likely be required at many residences, as well as the use of stucco siding or the acoustic equivalent. Implementation of these design measures would ensure interior noise levels meet the City's noise standards.*

Finding: Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant environmental effect as identified in the Final EIR.

Noise barriers, as well as any of the other above measures, would achieve an approximate 5 dB noise level reduction where the line-of-sight from the nearby roadways to the proposed residences would be broken and 1.5 dB of additional noise level reduction for each meter of barrier height beyond the line-of-sight. In addition, as shown in Exhibit 6.3-7 of the DEIR, the partial shielding of backyards would result in an approximate 5 dB reduction; walls between

residences an additional 3 dB, and the reorientation of side-on lots to front-on lots an 8 dB reduction. (DEIR, p. 6.3-39)

Implementation of the above mitigation measures of items (a) through (i) would be effective in reducing interior and exterior noise levels of new development to ***less-than-significant*** levels. (DEIR, p. 6.3-39)

Impact 6.3-5 **Land Use Compatibility of Proposed Residences and School with On-site Aircraft SENL Noise Levels**. Exposure of the project site to SENLs generated by aircraft overflights could result in substantial annoyance to on-site sensitive receptors in the forms of speech interference and sleep disruption. Sleep disruption would be infrequent, and an overflight easement disclosing that the project would be subject to sleep and speech disruption would be required. This is a less-than-significant impact. However, students could be exposed to noise generated by aircraft overflights that would result in speech and classroom disruption; this would be a ***potentially significant*** impact and would be reduced to *less than significant* with mitigation. (DEIR, p. 39.)

Mitigation Measures: The following mitigation measures has been adopted to address this impact:

6.3-5: (City of Sacramento and LAFCo)

a. Prior to issuance of any building permits, site-specific acoustical analyses shall be conducted once construction plans are available for the proposed school to ensure satisfaction with the City of Sacramento interior noise level standards. This site-specific acoustical analyses shall include site-specific design requirements to reduce noise exposure of proposed on-site receptors and all feasible design requirements shall be implemented into the final site design. Noise reduction measures and design features may include, but are not limited to the use of increased noise-attenuation measures in building construction (e.g., dual-pane, sound-rated windows; mechanical air systems; and exterior wall insulation). Implementation of these design measures would ensure interior noise levels meet the City's noise standards and ANSI standard, including the ANSI standard that the interior of schools shall not exceed 40 dBA Leq and measured during the peak hour of noise during school operations.

*This mitigation would reduce the impact to a **less-than-significant** level because the interior of school classrooms would be insulated from noise to the degree that speech disruption would not occur. (DEIR, p. 6.3-42; FEIR, p. 7-12)*

Finding: Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant environmental effect as identified in the Final EIR.

The City of Sacramento and County of Sacramento have not established any SENL standards, and no definitive SENL guidelines currently exist nationwide. Notably, neither the FAA nor the Federal Interagency Committee on Aviation Noise (FICAN) has recommended a threshold for SENL. In fact, FICAN and the California Airport and Land Use Planning Handbook continue to use CNEL as the primary tool for the purpose of land use compatibility planning. One agency, the City of Los Angeles, adopted a SENL significance threshold of 10% of the population being

awakened once every 10 days for use in the LAX Master Plan EIR/EIS. However, that document specifically cautioned that the threshold was for use in the LAX EIR/EIS only and should not be used for other projects.

The City of Sacramento General Plan's exterior noise standard at residential land uses for noise generated by aircraft activity associated with a metropolitan airport is 60 dBA CNEL. No portion of the project is located within the 60 dBA CNEL aircraft noise contour. Therefore, aircraft noise levels at all of the land uses proposed on the project site would be considered "normally acceptable" with respect to the City's General Plan land use compatibility noise levels. The impact from aircraft noise is therefore less than significant.

However, because CNEL noise levels essentially represent a weighted daily average, there is an argument that CNEL metrics may not adequately identify some aspects of noise exposure effects from individual flights such as speech interference and sleep disturbance. The EIR therefore analyzed potential impacts (sleep disturbance and speech interference) caused by exposure of the project to Single Event Noise Levels (SENLs) generated by aircraft overflights. Notably, the project lies partially beneath only two departure routes, which is considerably fewer than many other residential areas within the City. To analyze the potential impacts, the EIR relies upon studies conducted by FICAN, which indicate 10% of the population will be awakened when the SENL interior noise levels are 81 dBA and above. Using FICAN formulas, the EIR analyzes potential sleep disturbances, assuming that windows in residences would be open. The results indicate that the project site does not produce sound levels that would awaken more than 10% of the population. Thus, even if the conservative threshold used at LAX was applied to Greenbriar, it would likely suggest that the impacts from overflights, as they relate to sleep disruption, would be less than significant. In effect, the EIR assumes the LAX 10% sleep disturbance as a "de facto" threshold in the absence of any other threshold or similar guidance from the City, the County, or the FAA.

The applicant is proposing to dedicate an overflight easement over the entire project site. The exact wording of the easement is proposed to be agreed to by the applicant and SCAS. At a minimum, the overflight easement will grant a right-of-way for free and unobstructed passage of aircraft through the airspace over the property at any altitude above an imaginary surface specified in the easement (usually set in accordance with Federal Aviation Regulation Part 77 criteria). The overflight easement will also grant a right to subject the property to noise and vibration associated with normal airport activity. (DEIR, p. 6.3-41)

In addition, recorded deed notices are proposed to be required to ensure that initial and subsequent prospective buyers, lessees, and renters of property on the project site, particularly residential property, are informed that the project site is subject to routine overflights and associated noise by aircraft from Sacramento International Airport, that the frequency of aircraft overflights is routine and expected to increase through the year 2020 and beyond in accordance with the Sacramento International Airport Master Plan, and that such overflights could cause occasional speech interference, sleep disruption that could affect more than 10 percent of all residents at any one time, and other annoyances associated with exposure to aircraft noise. The wording of the easement will also be agreed upon by the applicant and the SCAS. Furthermore, the applicant is proposing to require the posting of signs on all on-site real estate sales office and/or at key locations on the project site that alert the initial purchases about the overflight easement and the required deed notices. (DEIR, p. 6.3-41, 42)

The overflight easement and recorded deed notices would not change the noise environment; however, they would notify people with above-average sensitivity to aircraft overflights (as well

as all other prospective residents)—people who are highly annoyed by overflights—that they are choosing to live in a location where frequent overflights occur. This strategy involves making people more aware of an airport's proximity and its current and future potential aircraft noise exposure before prospective buyers, lessees, and tenants move to the project site. The recorded deed notices (item b) also comply with California state real estate law, which requires that sellers of real property disclose "any fact materially affecting the value and desirability of the property" (California Civil Code, Section 1102.1(a)). (DEIR, p. 6.3-42)

Thus, although residents on the project site will be exposed to annoyance from aircraft overflights, due to occasional speech interruption and sleep disturbance the relative low magnitude of these occurrences coupled with the proposed disclosure to future residents that they are subject to overflights would render this a less-than-significant impact. (DEIR, p. 6.3-42)

Exposure of students to occasional overflights could result in speech disruption and classroom disturbance. Speech disturbance begins when the SENL exceeds 60 dBA. Given the typical exterior-interior noise reduction 25 dBA, any noise events above 85 SENL could result in speech disturbance at the site. As shown in Table 6.3-14 of the DEIR, the site would be subject to several types of military aircraft that operate on occasion from the airport, and produce overflights during daytime hours where the noise would exceed 85 dBA SENL. Some overflights would be expected to generate noise as loud as 110 dBA SENL. This could adversely affect the learning environment. This is a significant impact. (DEIR, p. 6.3-42) See also Responses to Comments 20-5 through 20-11. (FEIR, pp. 4-234 to 4-4-237.)

Although outdoor areas at proposed residential land uses and the proposed school would be exposed to occasional annoying noise events, the disclosure ensures that residents of the site are knowingly choosing to accept this annoyance. Further, noise standards would not be exceeded, including at schools. As a result, this impact would be mitigated to a ***less-than-significant*** level. (DEIR, p. 6.3-42)

Impact 6.3-6 **Exposure of sensitive receptors or generation of excessive vibration levels**. Short-term construction-generated vibration levels would exceed Caltrans recommended standard of 0.2 in/sec peak particle velocity (PPV) with respect to the prevention of structural damage for normal buildings and could exceed the federal transit administration's (FTA) maximum acceptable vibration standard of 80 velocity decibels (VdB) with respect to human response for residential uses (i.e., annoyance) at on-site residential dwellings that are developed and inhabited before nearby construction is completed. This would be a ***potentially significant*** impact that would be reduced to *less than significant* with mitigation. (DEIR, p. 6.3-43.)

Mitigation Measures: The following mitigation measure has been adopted to address this impact:

6.3-6: (City of Sacramento and LAFCo)

> *Operation of heavy construction equipment (i.e., with engines greater than 50 horsepower) shall not be operated within 60 feet of inhabited residences or within 15 feet of uninhabited structures. (DEIR, p. 6.3-44)*

Finding: Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant environmental effect as identified in the Final EIR.

The above mitigation measure is considered feasible because the order in which facilities are constructed and/or inhabited on the project site could be arranged such that operation of heavy construction equipment does not occur within the setbacks prescribed above. For instance, activities that require heavy construction equipment such as grubbing, grading, dozing, and excavation, could be performed before any nearby structures are erected and/or inhabited. Thus, this measure would ensure that construction operations are consistent with the both the structural-damage standards established by Caltrans and the human-response standards of the FTA, thereby reducing potential impacts to a ***less-than-significant*** level. (DEIR, p. 6.3-44)

4. *UTILITIES*

Impact 6.4-5 **Increased Demand for Storm Drainage**. The project would increase the volume of stormwater generated at the project site. However, RD 1000's plant #3 does not have sufficient pumping capacity to pump stormwater generated from the project site. Therefore, development of the project would result in a ***potentially significant*** impact related to storm drainage, and would be reduced to *less than significant* with mitigation. (DEIR, p. 6.4-15.)

Mitigation Measures: The following mitigation measures has been adopted to address this impact:

6.4-5: (City of Sacramento and LAFCo)

> *The project applicant shall fully fund the installation of a new pump that would increase pumping capacity at the RD 1000's plant #3 by 75 cubic feet per second.*

Finding: Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant environmental effect as identified in the Final EIR.

With implementation of Mitigation Measure 6.4-5, pumping capacity at RD 1000 plant #3 would be increased to sufficiently pump stormwater generated on the project site. Therefore, this storm drainage impact would be reduced to ***less-than-significant***. (DEIR, p. 6.4-15)

5. *PUBLIC SERVICES*

Impact 6.5-1 **Increased Demand for Fire and Emergency Medical Services**. Although SFD is planning to construct a new fire station near the project site and with this facility SFD would provide services to the project site within acceptable standards, the timing of the construction of this facility is currently unknown. Because it is unknown whether adequate fire protection facilities would be in place at the time the first occupancy permit is issued, the project could result in residents living in an area where inadequate fire and emergency response services are provided. This would be a ***potentially significant*** impact that would be reduced to *less than significant* with mitigation. (DEIR, p. 6.5-5)

Mitigation Measures:

6.5-1: (City of Sacramento and LAFCo)

a. *The project applicant shall coordinate with the City of Sacramento to determine the timing of construction of a new fire station that would serve the proposed project. The project applicant shall enter into an agreement with SFD to ensure that adequate fire protection services would be in place before the issuance of the project's first occupancy permit. Potential options for adequate services could include construction of a new fire station or an agreement for temporary dedicated services to serve the project site.*

b. *The project's Finance Plan shall identify necessary public facility improvements needed to serve the project, 100% of the costs required, and all the project's fair-share costs associated with provision of these facilities and services. The project applicant shall pay into a fee program, as established by the Greenbriar Finance Plan, that identifies the funding necessary to construct needed public facilities (e.g., police, fire, water, wastewater, library, and schools). The Draft Greenbriar Finance Plan is provided in Appendix C of the DEIR. The Finance Plan would be structured to ensure that adequate public facilities are in place as development occurs. (DEIR, p. 6.5-5, 6)*

Finding: Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant environmental effect to fire services as identified in the Final EIR.

With implementation of the above mitigation, the project's impact to fire services would be reduced to a ***less-than-significant*** level. However, the mitigation proposed (i.e., construction of a new fire station) could result in construction-related environmental effects including increased air emissions, traffic trips, conversion of agricultural lands and open space areas, and impacts to special-status species and wildlife. Further, operation of the station could result in potential land use conflicts including increased noise associated with engine operations, increased roadway traffic volumes, and increased safety hazards. The proposed station would be located within the North Natomas area. Resources within the North Natomas area are generally similar to resources found within the project site. Mitigation recommended for the project would also substantially reduce impacts associated with construction and operation of this facility. However, it is unknown whether mitigation would reduce impacts to a less-than-significant level. Therefore, construction of the proposed new fire station, which would be required to provide adequate fire protection services at the project site, could result in significant and unavoidable environmental effects. Therefore, as discussed in Section C of these findings, this would be a ***significant and unavoidable*** impact. (DEIR, p. 6.5-6) Please see also Response to Comment 9-1 in the Final EIR. (FEIR, p. 4-209.)

7. *AESTHETICS*

Impact 6.7-4 **Impacts from Lighting and Reflective Surfaces**. The project would require lighting of new development and could construct facilities with reflective surfaces that could inadvertently cause light and glare for motorists on I-5 and SR 70/99 under day and nighttime conditions. In addition, the degree of darkness in the City of Sacramento and on the project site would diminish as a result of development. This impact would be ***potentially significant*** and would be reduced to *less than significant* with mitigation. (DEIR, p. 6.7-10.)

Mitigation Measures: The following mitigation measure has been adopted to address this impact:

6.7-4: (City of Sacramento and LAFCo)

a. *The project applicant shall install light fixtures that have light sources aimed downwards and install shielded lighting outside to prevent glare or reflection or any nuisance, inconvenience, and hazardous interference of any kind on adjoining streets or property.*

b. *The project applicant shall adhere to all requirements of the City of Sacramento design guidelines regarding appropriate building materials, lighting, and signage in the office/commercial areas to prevent light and glare from adversely affecting motorists and adjacent land uses. All proposed development plans shall be approved by the City. (DEIR, p. 6.7-11)*

Finding: Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant environmental effect as identified in the Final EIR.

By directing light sources away from adjacent properties and directing light downward and adhering to the City's design guidelines for building materials (e.g., reflective surfaces), implementation of Mitigation Measure 6.7-4 would substantially reduce impacts related to light and glare to a ***less-than-significant*** level because proposed lighting sources would not substantially obscure views of the night sky. (DEIR, p. 6.7-11)

8. *PUBLIC HEALTH AND HAZARDS*

Impact 6.8-2 **Potential for Health Hazards from Soils Contaminated by Previously Unknown USTs or by Other Sources at Former Two Jakes Park Site**. According to the Phase 1 ESA performed for the project site, there are no registered USTs, ASTs, or records of hazardous materials on-site, and no evidence of soil contamination was found at the horse training facility, Two Jakes Park. However, unknown USTs could be discovered during construction, potentially resulting in exposure to contaminated soils. While no soil contamination was immediately evident during a June 2005 site visit, the scope of the examination was limited. Search of an EPA database by EDAW revealed no contamination, but it is possible that some residual soil contamination could be present on the former site of Two Jakes Park, resulting in the potential for exposure of construction workers to associated health hazards. For these reasons, this impact would be ***potentially significant*** and would be reduced to *less than significant* with mitigation. (DEIR, p. 6.8-17.)

Mitigation Measures: The following mitigation measure has been adopted to address this impact:

6.8-2: (City of Sacramento)

In the event of discovery of an undocumented or unknown UST or residual soil contamination (e.g., stained or odiferous soil) on the project site, construction activities adjacent to the UST or in the area of the soil contamination shall cease and the County EMD shall be contacted immediately. Any USTs discovered during construction shall be

removed and any contaminated soils shall be excavated and treated according to County EMD procedures before the resumption of construction. (DEIR, p. 6.8-17, 18)

Finding: Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant environmental effect as identified in the Final EIR.

Implementation of the above mitigation measure would remove any unknown UST's and contaminated soil from the site in accordance with County standards and would reduce the potential hazards associated with unknown USTs and potential residual contamination at the former Two Jakes Park to a ***less-than-significant*** level. (DEIR, p. 6.8-18)

Impact 6.8-4 **Potential for Airspace Safety Hazards Associated with Project Water Feature**. The proposed project would include an on-site lake/detention basin, which could attract large numbers of birds, thereby potentially creating a flyway between the site and the Sacramento River and interfering with existing aircraft flight routes. Birds are recognized by the Sacramento International Airport CLUP as a potential hazard to aircraft because of the remote potential for high-speed collisions with birds, as well as the ingestion of birds into aircraft engines. This impact would be ***potentially significant*** and would be reduced to *less than significant* with mitigation. (DEIR, p. 6.8-20.)

Mitigation Measures: The following mitigation measures have been adopted to address this impact:

6.8-4: (City of Sacramento and LAFCo)

a. *To ensure that the final location and design of the lake/detention basin is consistent with the recommendations of the ALUC regarding wildlife hazards to aviation, the project applicant shall prepare a design and management plan for this proposed water feature. This plan shall be prepared in coordination with the Sacramento International Airport Operations Manager before commencement of construction. The plan shall determine an appropriate size for the lake/detention basin and incorporate specific design measures deemed sufficient by SCAS and the ALUC to minimize bird strikes and other wildlife-related airspace safety hazards in the vicinity of the project area. The plan shall include information sufficient to satisfy requirements for preparation of a Wildlife Hazard Management Plan and shall be prepared by a qualified wildlife hazard damage biologist. The project applicant shall submit a detailed design drawing of the proposed lake/detention basin to SCAS for review.*

b. *To reduce bird attractants associated with the lake/detention basin, the Wildlife Hazards Management Plan for the lake/detention basin and surrounding landscape shall include the following:*

   i. *To minimize growth of aquatic vegetation that attracts waterfowl, the lake shall be sufficiently deep to prevent growth of cattails and other aquatic plants. Lake edges shall be lined and maintained to prevent vegetation growth;*
   ii. *Concrete bulkheads approximately 1 to 2 feet high shall be constructed along the lake's perimeter. A detailed description of the design of the bank edge shall be submitted to SCAS for review;*

iii. *Any vegetation planted in the vicinity of the lake shall consist of plant species that do not provide birds with opportunities for cover, nesting, perching, or feeding. A detailed design plan for landscaping surrounding the lake/detention basin shall be submitted to SCAS for review;*

iv. *Barriers (e.g., walls, fences) shall be constructed a minimum of 48 inches high and be located between the lake and nearby grassy areas to dissuade geese or other waterfowl from walking to the lake.*

v. *Signs shall be placed at regular intervals around the perimeter of the lake prohibiting the public from feeding birds. The project proponent shall maintain such signs in good order and replace such signs as necessary. This responsibility shall transfer to the Homeowner's Association (HOA) and shall be articulated in the covenants, conditions, and restrictions (CC&Rs).*

vi. *Trash receptacles with covers shall be placed at regular intervals around the lake and be designed to prevent access to refuse by birds. The CC&Rs shall specify that the project proponent and HOA shall be responsible for ensuring trash receptacles with covers are provided and properly emptied on a regular basis and replaced as necessary.*

vii. *Installation of structures near the lake that could serve as perches for gulls and other birds shall be minimized. The CC&Rs shall prohibit the future installation of such structures.*

viii. *The project applicant shall prohibit all activities and uses that could conflict with implementation of the wildlife hazard management program.*

c. *An Adaptive Management Plan shall be prepared and incorporated into the Wildlife Hazard Management Plan. The Adaptive Management Plan shall provide for the long-term management of nuisance birds around the lake. The management plan shall involve perpetual monitoring and employment of various techniques for controlling birds using adaptive information and bird control products. The Homeowner's Association shall be responsible for ensuring the implementation and continued enforcement of the Adaptive Management Plan and provision of adequate funding. This requirement shall be specified in the CC&Rs. The Adaptive Management Plan shall include the following components:*

i. *Bird control program that involves use of the most efficient and effective bird control techniques available that are practicable and compatible with surrounding land uses and recreational uses of the lake,*

ii. *Monitoring program that involves patrolling of the lake and assessment of the effectiveness of bird control measures, the presence of potential bird attractants, and the need for modifying or increasing bird control measures,*

iii. *Funding mechanism such as use of an endowment fund or assessment district to fund the long-term monitoring and adaptive management program.*

iv. *Any use of the lake that conflicts with the wildlife control program shall be prohibited.*

d. *The Adaptive Management Plan shall include the best available information on various bird control techniques, an explanation of the situations in which various techniques are best employed, and instructions for implementing such techniques. The entity responsible for implementing the management plan shall*

employ a qualified and experienced Wildlife Damage Biologist/Manager (Manager) who shall be responsible for determining which bird control techniques to implement based on information provided in the management plan and the best scientific and commercial information available. The Manager shall be trained in bird control techniques by the U.S. Department of Agriculture-Wildlife Services (USDA). The initial cost of such training shall be borne by the project proponent. The cost of subsequent training shall be borne by the HOA. The Manager shall have the discretion to use new technologies or information regarding bird control provided they are practicable and within the management budget, and do not conflict with surrounding land uses or the recreational and flood control functions of the lake.

e. *The monitoring and maintenance portion of the Adaptive Management Plan shall include the following:*

   i. *patrol to ensure the lake area is kept clean and free of refuse and other such material that may attract birds;*
   ii. *patrol to ensure the public is abiding by rules prohibiting feeding of birds;*
   iii. *control of vegetative growth around the lake to minimize any vegetation that would attract birds for purpose of cover, nesting, perching, or food;*
   iv. *remove all nesting material prior to completion of nest if any birds attempt to nest in areas surrounding the lake. All nest removal activities must comply with provisions of the Migratory Bird Treaty Act, the California Endangered Species Act, and the federal Endangered Species Act;*
   v. *inspect the lake area to determine whether additional measures are needed to reduce bird use of the lake; and*
   vi. *aggressively haze wildlife to discourage use of the lake.*

f. *If monitoring efforts reveal that additional control efforts are necessary, the Bird Control Program Manager may implement one or more control techniques outlined in the Adaptive Management Plan, or other techniques based on best available scientific and commercial information. Bird control techniques currently being used at airports, on agricultural lands, and in other areas where birds pose a hazard or nuisance shall be described in the Adaptive Management Plan. The Bird Control Program Manager shall have discretion of using any one or more of the techniques based on the need, practicability, and land use compatibility. These techniques may include, but are not limited to:*

   i. *Allowing grass to grow over 8 inches in height (currently being employed at some airports).*

g. *In addition to these control techniques, the Adaptive Management Plan shall outline an education program for the Homeowner's Association to implement ensuring that the public is aware of the importance of eliminating bird attractants from the area around the lake. The public shall be prohibited from feeding birds around the lake and engaging in any other activities within the boundaries of the development project which may attract wildlife hazards to aircraft operations. The public shall be made aware of the purpose and importance of various bird control measures being implemented by the Bird Control Program Manager.*

h. Prohibited Uses of Lake: all activities and uses of the lake/detention basin that may conflict with the wildlife control program shall be expressly prohibited.

i. Post signs prohibiting swimming in the lake/detention basin.

j. Review by Sacramento County Airport System: If the SCAS determines that conditions in the Greenbriar/ Arbor Landing Development are not consistent with the above listed Management Program, SCAS may take the following actions:

- *i. notify the property owner that the wildlife control measures are out of compliance;*
- *ii. the County Airport System may, at its option, initiate control measures at the site, with the costs of such measures billed to the owner; and*
- *iii. in the event of an immediate threat to aircraft safety, County Airport System personnel can take immediate action to remedy the air hazard emergency.*

k. To reduce attractants for Canada geese, American coots, or gulls associated with the lake/detention basin and surrounding landscape the Management Plan shall include the following:

- *i. Signs shall be posted and identify that feeding birds is prohibited.*
- *ii. A 30-foot barrier strip of tall grass (6 inches or more) adjacent to the lakeshore; or a fence or other barrier (e.g., dense hedges) shall be constructed between the lakeshore and surrounding grasslands.*
- *iii. Any nest building activity associated with birds shall be removed including all nesting materials.*

l. To prevent the establishment of resident populations of Canada geese on the project site, the Bird Control Program Manager shall take the following, but not limited to, actions:

- *i. Chase birds from site,*
- *ii. Use of noise generators (e.g., pyrotechnic devices, blank cartridges),*
- *iii. Use of visual devices (e.g., flags, scarecrows, water sprays)*
- *iv. Use of chase dogs,*
- *v. Live trapping or netting, and/or*
- *vi. Use of chemical repellants.*

Finding: Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant environmental effect as identified in the Final EIR.

The project would convert former rice fields (sometimes, but not always, in rice production) to urban development. Thus, the project would not introduce a new hazard to aircraft, and would reduce the density of expected waterfowl compared with historic use of the site. The project would, nonetheless, result in the construction of a lake/detention basin at a location less than the minimum FAA-recommended siting distance for such facilities and could result in potential airspace hazards to aircraft. (DEIR, pp. 6.8-20, 21) See also Response to Comment 19-6. (FEIR, pp, 4-224 to 4-225.)

With implementation of this mitigation measure, potential hazards associated with the lake/detention basin and its potential to attract hazardous wildlife would be reduced to the maximum extent practicable and consistent with FAA guidelines. In a memorandum dated August 29, 2006, Sacramento County Airport System (SCAS) stated that it had examined this proposed mitigation measure and concurred that the potential impacts have been reduced to a less than significant level. SCAS also stated that the potential wildlife hazards associated with the project water feature have been adequately addressed and congratulated the project applicant for incorporating all of the corrective measures recommended by SCAS. (FEIR, pp. 4-238 to 4-239.) Therefore, this impact would be reduced to a ***less-than-significant*** level. (DEIR, p. 6.8-24)

Impact 6.8-6 **Potential for Public Health Hazards from Mosquitoes Associated with Project Water Feature**. The proposed project would include an on-site lake/detention basin, which could attract mosquitoes and other water-borne vectors, thereby potentially creating a public health hazard. This impact would be ***potentially significant*** and would be reduced to *less than significant* with mitigation. (DEIR, p. 6.8-24.)

Mitigation Measures: The following mitigation measure has been adopted to address this impact:

6.8-6: (City of Sacramento)

a. *To ensure that operation and design of the lake/detention basin is consistent with the recommendations of the MVCD regarding mosquito control, the project applicant shall prepare a Vector Control Plan. This plan shall be prepared in coordination with the MVCD and shall be submitted to the MVCD for approval before issuance of the grading permit for the lake/detention basin. The plan shall incorporate specific measures deemed sufficient by MVCD to minimize public health risks from mosquitoes. The plan shall include the following:*

   1. *Description of the project*
   2. *Description of lake/detention basin and all facilities that would control on-site water levels*
   3. *Goals of the plan*
   4. *Description of the water management elements and features that would be implemented:*
      a. *Best management practices that would implemented on-site*
      b. *Public education and awareness*
      c. *Sanitary methods used (e.g., disposal of garbage)*
      d. *Mosquito control methods used (e.g., fluctuating water levels, biological agents, pesticides, larvacides, circulating water)*
      e. *Stormwater management (consistent with Stormwater Management Plan)*
   5. *Long-term maintenance of the lake/detention basin and all related facilities (e.g., specific ongoing enforceable conditions or maintenance by a homeowner's association)*

b. *To reduce the potential for mosquitoes to reproduce in the lake/detention basin, the project applicant shall coordinate with the MVCD to identify and implement*

BMPs based on their potential effectiveness for project site conditions. Potential BMPs that the applicant could implement include, but not limited to, the following:

- *Stock the lake/detention basin with mosquito fish, guppies, backswimmers, flatworms, and/or other invertebrate predators.*
- *Maintain a stable water level the lake/detention basin to reduce water level fluctuation resulting from evaporation, transpiration, outflow, and seepage.*

Finding: Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant environmental effect as identified in the Final EIR.

Hazards to public health could result from project features that could perpetuate mosquito populations. The project is designed to develop urban uses around a 39-acre lake/detention basin that could provide suitable habitat for breeding of mosquitoes. The lake/detention basin would be designed to provide continuous circulation and positive flow in all portions of the lake/detention basin. Design features of the lake/detention basin would include:

- Maintaining a depth of between 8 and 12 feet which would keep water temperatures low and discourage growth of algae.
- Long and narrow shape of the lake/detention basin would encourage water circulation and flow.
- Change in depth of the lake/detention basin from the north end (highest elevation, lowest depth) to the southern outfall (lowest elevation, highest depth) to induce water circulation.
- Construction and operation of two groundwater wells adjacent to the lake/detention basin to maintain adequate water levels (minimum 8-foot depth) throughout the year.

To reduce the threat from mosquito-borne threats to human health, the MVCD requests projects designed with permanent wetlands to incorporate best management practices (BMPs) or other preventive biological measures to reduce mosquito populations, production rates, or the timing of mosquito hatching. With implementation of the above mitigation measure, potential health hazards associated with the lake/detention basin serving as an attractant to mosquitoes would be reduced to the maximum extent practicable and consistent with MVCD guidelines. Therefore, this impact would be reduced to a ***less-than-significant*** level. (DEIR, p. 6.8-26)

9. *GEOLOGY AND SOILS*

Impact 6.9-1 **Risks to People and Structures Caused by Seismic Hazards, Including Strong Ground Shaking and Liquefaction**. The project site is not located within an earthquake fault zone. Surface rupture from faulting is therefore not expected to occur on the project site. However, the project site is located in an area considered by the California Geological Survey to be a relatively moderate ground shaking zone. Ground shaking, as a result of seismic activity from nearby or distant earthquake faults, could cause seismic-related ground failure. The water-saturated alluvial soils occurring on the project site are considered to possess low strength and could potentially liquefy during a seismic event. Thus, development of the project site with homes and other structures has the potential to expose people to substantial adverse effects from seismic hazards, including ground shaking and liquefaction. This impact would be ***potentially significant*** and would be reduced to *less than*

significant with mitigation. (DEIR, p. 6.9-11.)

Mitigation Measures: The following mitigation measure has been adopted to address this impact:

6.9-1. (City of Sacramento)

a. *Before issuance of a grading permit, a geotechnical report shall be prepared by a qualified geotechnical engineer. This report shall be completed to assess the extent to which the recommendations are appropriate and sufficient for construction of the buildings described in the final project design plans. The geotechnical engineer shall prepare a comprehensive site-specific geotechnical report with specific design recommendations sufficient to ensure the safety of soil conditions (e.g., percent subsidence/expansive soils impacts), project structures, and site occupants.*

b. *All water supply and wastewater pipelines shall be designed per City standards to minimize the potential for damage in the event of strong ground shaking and potential liquefaction.*

c. *During project design and construction, all measures outlined in the preliminary geotechnical report for the project as well as specific design measures included in the geotechnical report shall be implemented, at the direction of the City engineer, to prevent significant impacts associated with seismic activity. A geotechnical engineer shall be present on-site during earthmoving activities to ensure that requirements outlined in the geotechnical reports are adhered to for proper fill and compaction of soils.*

d. *Should the construction schedule require continued work during the wet weather months (e.g., October through April), the project applicant shall consult with a qualified civil engineer and implement any additional recommendations provided, as conditions warrant. These recommendations would include but not be limited to (1) allowing a prolonged drying period before attempting grading operations at any time after the onset of winter rains; and (2) implementing aeration or lime treatment, to allow any low-permeability surface clay soils intended for use as engineered fill to reach a moisture content that would permit the specified degree of compaction to be achieved. (DEIR, pp. 6.9-12, 13)*

Finding: Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant environmental effect as identified in the Final EIR.

Review of construction plans and onsite supervision by a geotechnical engineer and consultation with a civil engineer, if needed, would reduce significant impacts under the proposed project associated with seismic hazards to a ***less-than-significant*** level. (DEIR, p. 6.9-12) Implementation of this mitigation measure would ensure that the appropriate design-specific geotechnical measures are incorporated into project plans to design project features in compliance with relevant building standards and codes and ensure that potential seismic hazards at the project site are minimized to levels allowable under current building standards.

Impact 6.9-2 **Construction-Related Erosion Hazards**. Excavation and grading of soil could result in localized erosion during project construction. Further,

dewatering may be required during some excavation activities as a result of high groundwater levels, which could increase the potential for construction-related erosion. This would be a ***potentially significant*** impact that would be reduced to *less than significant* with mitigation. (DEIR, p. 6.9-13.)

Mitigation Measures: The following mitigation measure has been adopted to address this impact:

6.9-2: (City of Sacramento)

a. *A grading and erosion control plan shall be prepared by a California Registered Civil Engineer and submitted to the City of Sacramento Development Services Department for approval prior to issuance of the first building permits. The plan shall be consistent with the California Building Standards Code grading requirements and shall identify the site-specific grading to be used for new development. All grading shall be balanced on-site, where feasible.*

b. *To ensure soils do not directly or indirectly discharge sediments into surface waters as a result of construction activities, the project applicant shall develop a Stormwater Pollution Prevention Plan (SWPPP) as discussed in Section 6.10, "Hydrology, Drainage, and Water Quality." The SWPPP shall identify Best Management Practices that would be used to protect stormwater runoff and minimize erosion during construction. The project applicant shall prepare plans to control erosion and sediment, shall prepare preliminary and final grading plans, and shall prepare plans to control urban runoff from the project site during construction, in compliance with the City of Sacramento Grading, Erosion, and Sediment Control Ordinance. (DEIR, p. 6.9-13)*

Finding: Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant environmental effect as identified in the Final EIR.

Preparation and approval of a grading and erosion control plan that would require measures to prevent on- and off-site erosion and SWPPP would reduce significant impacts related to construction erosion hazards to a ***less-than-significant*** level. (DEIR, p. 6.9-13)

Impact 6.9-3 **Potential for Subsidence or Compression of Unstable Soils**. Although the project site is not located in a known subsidence area as denoted by the County General Plan, it is located on soils that exhibit the potential to subside because of their high shrink-swell potential and low strength. This impact would be ***potentially significant*** and would be reduced to *less than significant* with mitigation. (DEIR, p. 6.9-14.)

Mitigation Measures: The following mitigation measure has been adopted to address this impact:

6.9-3: (City of Sacramento)

The project applicant shall implement Mitigation Measure 6.9-1, described above, to reduce the risks to people and structures from subsidence or compression of unstable soils at the project site.

Finding: Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant environmental effect as identified in the Final EIR.

Review of construction plans and onsite supervision by a geotechnical engineer would reduce significant impacts under the proposed project associated with subsidence or compression of unstable soils to a ***less-than-significant*** level. (DEIR, p. 6.9-14)

Impact 6.9-4 **Potential for Damage Associated with Expansive Soils**. Soils on portions of the project site are moderately susceptible to expansive soil behavior. Expansive soils may cause differential and cyclical foundation movements that can cause damage and/or distress to overlying structures. In addition, the groundwater table is shallow, which enhances the potential for shrink and swell. This impact would be ***potentially significant*** that would be reduced to *less than significant* with mitigation. (DEIR, p. 6.9-14.)

Mitigation Measures: The following mitigation measure has been adopted to address this impact:

6.9-4: (City of Sacramento)

> *The project applicant shall implement Mitigation Measure 6.9-1, described above, to reduce the potential for damage associated with expansive soils. (DEIR, p. 6.9-15)*

Finding: Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant environmental effect as identified in the Final EIR.

Implementation of the above mitigation measure would ensure properly designed on-site features and would reduce significant impacts under the proposed project associated with expansive soils to a ***less-than-significant*** level. (DEIR, p. 6.9-15)

10. *HYDROLOGY, DRAINAGE, AND WATER QUALITY*

Impact 6.10-1 **Construction-related and Operational Water Quality and Erosion Impacts.** Operation of the project would not result in any water quality or erosion impacts because the project would implement design features that would be consistent with the City of Sacramento Stormwater Quality Standards for Development Projects. However, project construction activities (grading, excavation, etc.) could generate sediment, erosion, and other nonpoint source pollutants in on-site stormwater, which could drain to off-site areas degrading local water quality. Further, on-site earthmoving and soil stockpiling activities could result in sheet erosion during rain events. This would be a ***potentially significant*** impact that would be reduced to *less than significant* with mitigation. (DEIR, p. 6.10-17.)

Mitigation Measures: The following mitigation measure has been adopted to address this impact:

6.10-1: (City of Sacramento)

> *a. The project applicant shall demonstrate compliance through its grading plans with all requirements of the City's Grading, Erosion, and Sediment Control*

Ordinance (Title 15, Chapter 15.88 of the City Code) including preparing erosion, sediment, and pollution control plans for each construction phase and postconstruction, if necessary. The project's grading plans shall be submitted to the City of Sacramento Development Services Department and approved by the City of Sacramento, Department of Utilities.

b. *The project applicant shall demonstrate compliance through its grading plans with all requirements of the City's Stormwater Management and Control Code, which regulates stormwater and prohibits nonstormwater discharges except where regulated by an NPDES permit. The project applicant shall implement measures including the use of soil stabilizers, fiber rolls, inlet filters, and gravel bags to prevent pollutants from being carried off-site in stormwater generated on the project site. These measures shall be designed to accommodate stormwater discharges associated with proposed measures that would be implemented to control on-site dust generation (e.g., wheel washing, active watering).*

c. *The project applicant shall consult with the Central Valley RWQCB to acquire the appropriate regulatory approvals that may be necessary to obtain Section 401 water quality certification, SWRCB statewide NPDES stormwater permit for general construction activity, Central Valley RWQCB NPDES permit for construction dewatering activity, and any other necessary site-specific waste discharge requirements.*

d. *As required under the NPDES stormwater permit for general construction activity, the project applicant shall prepare and submit the appropriate Notice of Intent and prepare the SWPPP and other necessary engineering plans and specifications for pollution prevention and control. The SWPPP and other appropriate plans shall identify and specify the use of erosion sediment control BMPs, means of waste disposal, implementation of approved local plans, nonstormwater management controls, permanent post-construction BMPs, and inspection and maintenance responsibilities. The SWPPP would also specify the pollutants that are likely to be used during construction and that could be present in stormwater drainage and nonstormwater discharges. A sampling and monitoring program shall be included in the SWPPP that meets the requirements of SWRCB Order 99-08-DWQ to ensure the BMPs are effective.*

e. *Construction techniques shall be identified that would reduce the potential runoff, and the plan shall identify the erosion and sedimentation control measures to be implemented. The SWPPP shall also specify spill prevention and contingency measures, identify the types of materials used for equipment operation, and identify measures to prevent or clean up spills of hazardous materials used for equipment operation and hazardous waste. Emergency procedures for responding to spills shall also be identified. BMPs identified in the SWPPP shall be used in subsequent site development activities. The SWPPP shall identify personnel training requirements and procedures that would be used to ensure that workers are aware of permit requirements and proper installation and performance inspection methods for BMPs specified in SWPPP. The SWPPP shall also identify the appropriate personnel responsible for supervisory duties related to implementation of the SWPPP. All construction contractors shall retain a copy of the approved SWPPP on the construction site.*

f. *The project applicant shall prepare and submit a Notice of Intent and acquire authorization for a Central Valley RWQCB NPDES permit for construction dewatering activities that may be necessary for foundation and utility installations within the project site. (DEIR, p. 6.10-19)*

Finding: Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant environmental effect as identified in the Final EIR.

Water quality would not deteriorate post-construction or during operation of site-specific land uses as a result of implementation of required City of Sacramento Stormwater Quality Standards for Development Projects (May 18, 2006). Specifically, stormwater quality source controls, such as storm drain signage at outdoor storage areas and within loading/unloading areas, would be implemented on-site by individual development projects to prevent the degradation of the water quality runoff. With implementation of required source controls, water quality impacts during operation of the project would be less than significant. (DEIR, p. 6.10-18)

With implementation of the above measures, the project's construction-related water quality and erosion impacts would be reduced to a ***less-than-significant*** level because sufficient measures would be in place to prevent the release of pollutants in stormwater off-site and would minimize to the maximum extent practicable erosion of on-site soils. (DEIR, p. 6.10-19)

Impact 6.10-4 **Result in an On-site Flooding Hazard**. Project implementation would increase the amount of impervious surfaces on-site and would increase surface runoff and the need for discharge to the West Drainage Canal. However, the proposed project includes a stormwater runoff collection system sufficient to protect the project site during a 24-hour and 10-day 100-year flood event and avoid increases in off-site flooding. Therefore, development of the project site would not result in an on-site flooding hazard. This impact would be ***potentially significant*** and would be reduced to *less-than-significant* with mitigation. (DEIR, p. 6.10-21.)

Mitigation Measures: The following mitigation measure has been adopted to address this impact:

6.10-4: (City of Sacramento and LAFCo)

a. *The project applicant shall submit grading plans to the City Department of Utilities that demonstrate that Elkhorn Boulevard has been sufficiently raised to provide 1 foot of freeboard above Lone Tree Canal during a 100-year storm event. Approximately 1,800 linear feet of Elkhorn Boulevard would need to be raised to provide sufficient localized flood protection.*

b. *The project applicant shall submit drainage and infrastructure plans to the City Department of Utilities that provide for the installation of a 48-inch culvert in Lone Tree Canal at Elkhorn Boulevard. Construction of this improvement could result in impacts to riparian and other native habitat; impacts to biological resources including giant garter snake habitat, and construction-related air quality (NOX, PM10), noise, transportation, and stormwater quality impacts. These impacts would be mitigated to less-than-significant levels with implementation of mitigation recommended for the project and presented in this Draft EIR. As a*

result, no new significant environmental impacts would occur with implementation of this improvement. (DEIR, p. 6.10-22)

Finding: Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant environmental effect as identified in the Final EIR.

With implementation of the above mitigation measure, the project's on-site flooding impacts would be reduced to a ***less-than-significant*** level because the project site would be graded to ensure that all stormwater flows would be conveyed to appropriate drainage facilities and these drainage facilities would be sized to accommodate on- and off-site stormwater flows. (DEIR, p. 6.10-22)

12. *BIOLOGICAL RESOURCES*

Impact 6.12-1 **Effects to Giant Garter Snake**. Implementation of the proposed project would result in impacts to 58.75 acres of potential giant garter snake habitat. This impact would include the permanent loss of 55.56 acres of potential giant garter snake habitat and temporary impacts to 3.31 acres of potential giant garter snake habitat. Direct and indirect impacts could include loss of individuals, effects on connectivity, displacement of snakes currently occupying the site, effects related to increased contaminants, predation by domestic and feral animals, effects related to human encroachment, and road mortality. These impacts would result in ***potentially significant*** adverse effects to giant garter snake, which impacts would be reduced to *less than significant* with mitigation. (DEIR, p. 6.12-22.)

Mitigation Measures: The following mitigation measures have been adopted to address this impact:

6.12-1: (City of Sacramento and LAFCo)

a. *To mitigate impacts to giant garter snake, the project applicant shall prepare an HCP, pursuant to Section 10(a) of ESA, and shall obtain appropriate authorization for incidental take of giant garter snake from USFWS and DFG. (DFG would issue permits through Section 2081 of the Fish and Game Code.) The HCP shall include a comprehensive giant garter snake conservation strategy, developed through consultation with USFWS and DFG. This strategy shall be consistent with the goals of the regional basin-wide conservation program described in the NBHCP, and shall advance the NBHCP's regional conservation strategy. This conservation strategy shall be designed to include avoidance, minimization and compensation measures that are adequate to assure that the proposed project shall not compromise the effectiveness of the NBHCP.*

b. *The conservation strategy shall include habitat preservation and restoration consistent with the NBHCP's strategy of establishing an interconnected reserve system composed of marshlands, uplands, and rice fields in the Natomas Basin. Key elements of the giant garter snake conservation shall include on-site/off-site habitat preservation, restoration, and creation, and on-site avoidance and minimization measures. The conservation strategy that would ultimately be implemented as mitigation would by developed through consultation with DFG*

and USFWS as part of the permitting process. Refinements may occur through the USFWS/DFG consultation process, to the extent that the NBHCP regional conservation strategy is advanced.

1. *Habitat Creation, Preservation, and Management in the Lone Tree Canal Linear Open Space/Buffer Area*

    a. *To ensure that the project does not diminish habitat connectivity for giant garter snake between the southwest and northwest zones identified in the NBHCP, approximately 30.6 acres along Lone Tree Canal shall be protected and managed as giant garter snake habitat. This on-site habitat preservation shall protect an approximately 250-foot wide corridor of giant garter snake habitat that includes the canal and approximately 200 feet of adjacent uplands. Uplands within the linear open space/buffer area shall be managed as perennial grassland as described below. Additional aquatic habitat for giant garter snake shall be created along the east bank of Lone Tree Canal by construction and maintenance of a 2.7 acre tule bench. The habitat shall be managed in perpetuity as high-quality habitat for giant garter snake. Compliance and biological effectiveness monitoring shall be performed and annual monitoring reports prepared within six months of completion of monitoring for any given year. This monitoring, reporting, and adaptive management shall be performed as described in Section IV of the NBHCP.*

    b. *To ensure that the project does not diminish giant garter snake movement along Lone Tree Canal, all new road crossings of Lone Tree Canal shall be designed to minimize obstacles to giant garter snake movement. The use of culverts under new road crossings on Lone Tree Canal shall be prohibited unless it can be demonstrated that the culverts will not diminish the potential for giant garter snake movement through the section of Lone Tree Canal protected by the setback fence and conservation easement.*

    c. *Upland giant garter snake habitat within the Lone Tree Canal linear open space/buffer area shall be created and managed to provide cover, basking areas, and refugia during the winter dormant period. Hibernaculae would be constructed at regular intervals by embedding concrete or coarse rock in the bank or in a berm along the Lone Tree Canal corridor to provide additional winter refugia. Upland habitat with the linear open space/buffer areas shall be converted to native perennial grassland and managed, in perpetuity, as perennial grassland habitat.*

    d. *Aquatic habitat shall be maintained throughout the giant garter snake active season in Lone Tree Canal, in perpetuity. This is the legal responsibility and obligation of Metro Air Park property owners (MAP). The MAP HCP includes provisions for maintaining water in the canal such that the basic habitat requirements of the giant garter snake are met. The MAP HCP also provides a road map, through "Changed Circumstances", to address procedures to follow if water is not being maintained in the canal to meet these requirements. As described in the MAP HCP, the MAP is legally*

obligated to assure these requirements are met, and financial and procedural mechanisms are included in the MAP HCP to enforce this. It is, therefore, assumed that MAP will provide water to Lone Tree Canal, as required by the MAP HCP and ITP, in perpetuity. It is also assumed that USFWS will use all reasonable means available to it, to enforce this MAP HCP requirement. If water is not provided to Lone Tree Canal by the MAP to meet the habitat requirements of giant garter snake, as required by the MAP HCP, and USFWS exhausts its enforcement responsibilities, the project applicant shall assume the responsibility of providing suitable giant garter snake aquatic habitat throughout the section of Lone Tree Canal protected by the fence and conservation easement. However, as stated herein, the project applicant shall only assume this responsibility if it has been sufficiently demonstrated to the City that USFWS has exhausted all reasonable means to compel MAP to comply with the relevant conditions of the MAP ITP. Specific requirements related to ensuring suitable aquatic habitat in Lone Tree Canal is present, in perpetuity, throughout the giant garter snake active season shall be developed through consultation with DFG and USFWS, and included in the new or amended HCP for Greenbriar, and may include mechanisms, such as installation of a well, to assure water is provided in the canal to meet habitat requirements.

e. *A barrier shall be installed between the giant garter snake habitat linear open space/buffer area and the adjacent Greenbriar development to ensure that giant garter snakes do not enter the development area, and to prohibit humans and pets from entering the giant garter snake habitat. The design of this barrier shall be subject to USFWS and CDFG review and approval. The entire length of the barrier, which shall be bordered by yards rather than roadways, shall be maintained on the preserve side by a nonprofit land trust to ensure that vegetation or debris does not accumulate near the barrier and provide opportunities for wildlife and pets to climb over the barrier. On the development side, Covenants, Codes and Restrictions (CCRs) shall prohibit accumulation of vegetation or debris adjacent to the barrier. Chain link fencing shall be placed at both ends of the corridor, with locked gates permitting entry only by RD 1000 and NMWD for channel maintenance, and by the preserve manager for habitat monitoring and maintenance purposes.*

f. *Specific requirements associated with the barrier shall be developed through consultation with USFWS and DFG, and may include the following and/or other specifications that DFG and USFWS consider to be equally or more effective: (DEIR, p. 6.12-27)*

    - *Adequate height and below-ground depth to prevent snakes or burrowing mammals from providing a through-route for snakes by establishing burrows from one side to the other crossing;*

- *Constructed using extruded concrete or block construction extending a minimum of 36-inches above ground level;*
- *Maintenance to repair the barrier and to prevent the establishment of vegetation or collection of debris that could provide snakes with a climbing surface allowing them to breech the barrier;*
- *A cap or lip extending at least two-inches beyond the barrier's vertical edge to prevent snakes from gaining access along the barrier's top edge; and*
- *Signage to discourage humans and their pets from entering the area.*

g. *The Lone Tree Canal linear open space/buffer area shall be protected in perpetuity under a conservation easement and managed to sustain the value of this area for giant garter snake habitat connectivity. Compliance and biological effectiveness monitoring shall be performed and annual monitoring reports prepared. This monitoring, reporting, and adaptive management shall be performed as described in Section IV of the NBHCP or following procedures developed in formal consultation with USFWS and DFG and contained in an ESA Incidental Take Permit for the Greenbriar project.*

2. *Off-site Habitat Preservation, Restoration, and Creation*

a. *The project applicant shall dedicate giant garter snake habitat to the Natomas Basin Habitat Conservancy (TNBC) at off-site locations identified as having high regional conservation value, and contributing to an interconnected regional reserve system as envisioned in the NBHCP. The project applicant shall dedicate property in accordance with the Open Space, Species and Agriculture: Project Impacts and Mitigation chart attached to the MMRP to ensure that implementation of the proposed project would result in no net loss of overall giant garter snake habitat value. The habitat shall be managed in perpetuity as high-quality habitat for giant garter snake. Compliance and biological effectiveness monitoring shall be performed and annual monitoring reports prepared. This monitoring, reporting, and adaptive management shall be performed as described in Section IV of the NBHCP. After acquisition and dedication, TNBC would choose appropriate land within its land pool for creating the project's required acreage of managed marsh and upland habitat.*

The Spangler Site is located in northern Sacramento County along the Sutter County line, northeast of the Sacramento Airport and west of SR 70/99 (Exhibit 6.12-4 of the DEIR). This site is currently in irrigated rice. It is surrounded by agriculture (primarily rice) on all sides. Existing water channels provide potential habitat connectivity for giant garter snake between the Spangler Site and Lone Tree Canal. A minimum of 190 acres of managed marsh, including 55.2 acres of upland habitat, shall be created and preserved for giant garter snake on the Spangler Site. The 55.2

acres of upland habitat shall also serve as mitigation for impacts to Swainson's hawk described under Impact 6.12-2. To further reduce impacts to Swainson's hawk, a minimum 45.4 acres of high-quality Swainson's hawk foraging habitat (e.g., alfalfa) shall be created and managed on the Spangler Site, as further discussed below.

The North Natomas 130 Site is adjacent to the Natomas Basin Conservancy's Cummings preserve to the south, Fisherman's Lake to the east, rice land to the north, and the Sacramento River to the west. Because it is surrounded by compatible land uses and habitat expected to persist in the future, this site has long-term conservation value. The Natomas 130 Site provides potential habitat connectivity for giant garter snake to existing preserves and Lone Tree Canal via a series of water drainage and delivery channels. A minimum of 14.2 acres of managed marsh, including 4.3 acres of upland habitat, shall be created and preserved for giant garter snake on the North Natomas 130 Site. The 4.3 acres of upland habitat shall also serve as mitigation for impacts to Swainson's hawk described under Impact 6.12-2. To further reduce impacts to Swainson's hawk, 14.2 acres of high-quality foraging habitat shall be managed to provide Swainson's hawk foraging habitat on the North Natomas 130 Site. Habitat created and preserved on the North Natomas 130 Site shall also include 1.9 acres of riparian, which could provide potential nesting sites for Swainson's hawk.

b. *The off-site conservation lands shall be restored with giant garter snake habitat consisting of a mosaic of habitat types with variations in topography and an abundance of edges within and between habitat types. The managed marsh shall consist of seasonal marsh with shallow and deep water configurations, permanent marsh, and upland habitats in the form of buffers, islands, and other high-ground habitats scattered throughout the marsh's wetland component. A significant portion of the upland component shall be above winter flood levels to protect giant garter snakes in their winter retreats. Vegetation shall be natural marsh vegetation such as cattails, spike rush, tule clumps, and thimbleberry, placed to maximize protected resting and basking sites and escape cover for the snakes.*

3. *On-Site Avoidance and Minimization Measures*
The measures described below shall be incorporated into the giant garter snake conservation strategy to avoid and minimize take of giant garter snakes during construction activities, including construction of managed marsh habitat:

a. *All grading activity within giant garter snake habitat (aquatic habitat and uplands within 200 feet of aquatic habitat) shall be restricted to a period between May 1 and September 30. Because this is during the snakes' active stage, it would allow snakes to*

actively move away from danger and thereby reduce chances of snake mortality. Additionally, this restriction is timed to avoid grading during the snakes' breeding, dispersal, fall foraging and over-wintering periods, when they are most vulnerable to disturbance. If grading cannot be scheduled between May 1 and September 30, the Applicant shall contact the USFWS to determine whether additional measures are necessary to avoid and/or minimize take of giant garter snake. Grading shall only occur during the period between October 1 and April 30 upon written USFWS approval.

b. *A qualified biologist with experience identifying giant garter snakes shall survey the construction area for giant garter snakes no more than 24 hours prior to the start of construction activities. If construction activities stop on the project site for a period of two weeks or more, a new giant garter snake survey shall be completed no more than 24 hours prior to the re-start of construction activities.*

c. *Between April 15 and September 30, all irrigation ditches, canals, or other aquatic habitat within the construction area shall be completely dewatered, with no ponded water remaining, for at least 15 consecutive days prior to the excavation or filling in of the dewatered habitat. The purpose of dewatering the aquatic habitat prior to filling is to compel giant garter snakes to leave the area on their own. A qualified biological monitor shall ensure that dewatered habitat does not continue to support giant garter snake prey, which could attract snakes into the area. Netting and salvage of prey may be necessary if a site cannot be completely dewatered.*

d. *Construction activity shall be avoided within the approximately 250-foot Lone Tree Canal linear open space/buffer area, except for the purpose of habitat restoration activities carried out under the direction of a qualified biological monitor with experience identifying giant garter snakes. To minimize habitat disturbance during construction of the urban development, the approximate 250-foot wide corridor shall be bordered on the outer edge with exclusionary fencing that shall prevent giant garter snakes from entering the construction area, but shall allow any giant garter snakes within the construction area, that may have otherwise been trapped, to cross into the canal corridor. Movement of heavy equipment associated with construction of the urban development shall be restricted to the construction area outside the corridor, except for approved restoration activity within the corridor.*

e. *Clearing and grading shall be confined to the minimum area necessary to facilitate construction activities as determined by a qualified biologist. Habitat that will be avoided shall be cordoned off, clearly flagged, and designated as an "Environmentally Sensitive Area" by a qualified biologist. An exclusion fence shall*

be erected between the development area and the Lone Tree Canal linear open space/buffer area prior to and during construction to prevent giant garter snake entry into the construction zone. The fence shall be erected prior to the onset of the dormant season preceding construction when giant garter snakes are less likely to occupy upland retreats on the project site. The interior or project side of the exclusion fence shall be routinely monitored for giant garter snakes stranded by the fence. Snakes encountered should be relocated to the nearest suitable habitat off-site by a qualified biologist.

f. All construction personnel shall receive worker environmental awareness training from a USFWS-approved biologist prior to commencing any construction-related activities on the project site. This training shall instruct workers on how to identify the giant garter snake and its habitat, and what to do if a giant garter snake is encountered during construction activities.

g. A USFWS-approved biological monitor shall be present during grading activities within 200 feet of aquatic giant garter snake habitat to ensure that construction activities do not encroach into unauthorized areas. If a live giant garter snake is found during construction activities, the biological monitor shall immediately notify USFWS. The biological monitor shall have the authority to stop construction in the vicinity of the snake. The snake shall be monitored and given a chance to leave the area on its own. If the snake does not show signs of leaving, then the biological monitor shall slowly move toward the snake to flush it toward adjacent habitat away from the construction area. Potential escape routes for giant garter snakes shall be determined in advance of construction. If the garter snake does not leave on its own within 1 working day, the biological monitor shall consult with the USFWS to determine necessary additional measures. Any giant garter snake mortality shall also be reported by the biological monitor within 1 working day to USFWS. Any project-related activity that results in giant garter snake mortality shall cease so that this activity can be modified to the extent practicable to avoid future mortality.

h. Upon completion of construction activities, construction debris shall be completely removed from the site. If this material is situated near existing giant garter snake aquatic habitat, it shall be inspected by a qualified biologist prior to removal to assure that giant garter snakes are not using it for hibernaculae or temporary refuge.

i. No plastic, monofilament, jute, or similar erosion control matting that could entangle snakes shall be placed on a project site when working within 200 feet of snake aquatic or rice habitat. Possible substitutions include coconut coir matting, tactified hydroseeding

compounds, or other material approved by DFG and USFWS. (DEIR, p. 6.12-30)

In addition, the project applicant has agreed to the following mitigation measure:

c. The project applicant shall mitigate for impacts to species habitat by providing mitigation land in the amounts specified in the Greenbriar Open Space, Species and Agriculture: Project Impacts and Mitigation chart attached to the Mitigation Monitoring and Reporting Program, approved by the City Council along with these findings. The acreages shown in the mitigation chart shall control.

Finding: Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant environmental effect as identified in the Final EIR.

The potential effects to giant garter snakes and their habitat from project implementation are considered significant. (DEIR, p. 6.12-26) Implementation of Mitigation Measure 6.12-1 would reduce impacts to giant garter snake and its habitat to a ***less-than-significant*** level. With mitigation incorporated, the project would not adversely affect the giant garter snake. The proposed mitigation would include preservation and creation of 235.1 acres of giant garter snake habitat. On-site mitigation would include creation, protection, and management of 27.9 acres of suitable uplands and 2.7 acres of suitable aquatic habitat, within a 250-foot wide linear open space/buffer along Lone Tree Canal. In addition, permanent and temporary impacts to 58.75 acres of giant garter snake habitat on-site would be offset by the increased habitat quality resulting from the creation and preservation of 144.7 acres of managed marsh and 59.5 acres of suitable upland habitat off-site. Habitat connectivity would not be diminished and could be enhanced along Lone Tree Canal through assuring adequate surface water is present in the canal and creation of a 2.7-acre tule bench along the west bank of the canal. In addition, the on-site avoidance and minimization measures would minimize the potential for direct harm of individuals. Any take of giant garter snake would require prior approval by DFG and USFWS in compliance with CESA and ESA. (DEIR, p. 6.12-30) Please see also Responses to Comments 1-9, 32-5, 32-12 through 32-25 and R9-31 in the Final EIR. (FEIR, pp. 4-14, 4-530 to 4-533, 5-70.)

Impact 6.12-2 **Effects to Swainson's Hawk**. Implementation of the proposed project would result in the permanent removal of approximately 546 acres of potential Swainson's hawk foraging habitat on-site and could disturb nesting in the vicinity of the project site. This impact would be ***potentially significant*** and would be reduced to *less than significant* with mitigation. (DEIR, p. 6.12-30.)

No Swainson's hawks have been observed or detected on-site, and no suitable nesting sites are present. However, in 2004, a total of 5 nests were located within one mile of the Greenbriar site, two of which were active. The project site includes an estimated 546 acres of potential Swainson's hawk foraging habitat that could be affected. In 2005, 115 acres of idle agricultural land on the project site was considered moderate-quality foraging habitat. The balance of the site, approximately 431 acres, was wheat fields, disturbed uplands, and seasonal wetlands, which are considered low-quality foraging habitat. (DEIR, p. 6.12-31)

Mitigation Measures: The following mitigation measures have been adopted to address this impact:

6.12-2: (City of Sacramento and LAFCo)

a. *The project applicant shall implement Mitigation Measure 6.12-1. The project shall include a conservation strategy which shall be designed to include avoidance, minimization and compensation measures that are adequate to assure that the proposed project shall not compromise the effectiveness of the NBHCP. Implementation of this mitigation measure would require preservation of 27.9 acres of on-site managed grassland within the Lone Tree Canal linear open space/buffer area, which would provide low-quality Swainson's hawk foraging habitat, and would require off-site habitat at several locations Off-site mitigation for impacts to Swainson's hawk foraging habitat on the Spangler Site would include creation and management of 55.2 acres of upland habitat that would provide moderate-quality foraging habitat, and creation and management of 45.4 acres of high-quality foraging habitat. Off-site mitigation on the North Natomas 130 Site would include creation and preservation of 4.3 acres of moderate-quality foraging habitat and 14.2 acres of high-quality foraging habitat. Off-site mitigation at the North Natomas 130 site also includes creation and preservation of 1.9 acres of riparian habitat that could provide potential nesting sites for Swainson's hawks.*

In addition to creation and management of foraging habitat provided by Mitigation Measure 6.12-1, the project applicant shall acquire a minimum of 49 acres of land enhanced and managed to provide high-quality foraging habitat so that the cumulative value of on-site and off-site habitat is of equal or greater value to Swainson's hawk than that lost through project development. Swainson's hawk habitat acquired off-site shall either be located within 1 mile of the Swainson's hawk zone or an existing TNBC reserve, or, with USFWS and DFG concurrence, within two miles of more than one active Swainson's hawk nests.)

Thus, in total, 27.9 acres of low-quality, 59.5 acres of moderate-quality, 108.6 acres (including the additional 49 acres referenced above) of high-quality, and 1.9 acres of potential nesting habitat would be provided as mitigation for the loss of approximately 546 acres of low- and moderate-quality foraging habitat.

The totals described above represent the acreage, of the quality described, likely to mitigate the loss of habitat value associated with the proposed project. This represents potential acreage within a range that could be used to mitigate loss of habitat value. Acquired and preserved acreage could range up to a replacement of 1:1 (or higher) ratio, if needed to replace lost habitat value. Alternatively, a lesser acreage that is enhanced and managed as high-quality foraging habitat (e.g., alfalfa) for Swainson's hawk in perpetuity, as proposed herein, would be acceptable provided that USFWS and DFG concur that, with the replacement habitat, the project would provide equal or greater value to the species than would the foraging habitat present at the project site. Compliance and biological effectiveness monitoring shall be performed and annual monitoring reports shall be prepared. This monitoring, reporting, and adaptive management shall be performed as described in Section IV of the NBHCP.

b. *In addition, the following avoidance and minimization measures shall be implemented:*

1. *Pre-construction surveys shall be conducted for Swainson's hawk and other raptors no more than 14 days and no less than 7 days prior to the beginning of any construction activity between March 15 and August 15. The survey area shall include all potential nesting sites located within ½ mile of the project and mitigation-sites.*

2. *Should nesting be discovered within the survey area, a qualified biologist shall notify DFG and no new disturbance shall occur within ½ mile of the nest until the nest is no longer active or appropriate avoidance measures are approved by DFG to ensure that the nest is adequately protected. Potential mitigation measures may include visual screening and timing restrictions for construction activity. Monitoring (funded by the project applicant) of active nests by a DFG-approved raptor biologist shall be required to determine if project construction is disturbing Swainson's hawks at the nest site. Exact implementation of this measure shall be based on specific information at the project site. (DEIR, p. 6.12-32)*

In addition, the project applicant has agreed to the following mitigation measure:

c. The project applicant shall mitigate for impacts to species habitat by providing mitigation land in the amounts specified in the Greenbriar Open Space, Species and Agriculture: Project Impacts and Mitigation chart attached to the Mitigation Monitoring and Reporting Program, approved by the City Council along with these findings. The acreages shown in the Mitigation chart shall control.

Finding: Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant environmental effect as identified in the Final EIR.

Implementation of Mitigation Measure 6.12-2 would reduce impacts to Swainson's hawk and its habitat to a ***less-than-significant*** level, because the combination of on-site habitat creation and preservation, and off-site habitat acquisition and preservation would provide greater or equal habitat value to the species. As proposed, an estimated 115 acres of moderate-quality and 431 acres of low-quality foraging habitat would be removed by the project. With mitigation incorporated, the project would provide 27.9 acres of on-site low-quality foraging habitat for Swainson's hawk. Off-site mitigation would include creation and preservation of a minimum of 59.5 acres of moderate-quality, and 108.6 acres of high-quality, foraging habitat. This replacement of overall higher quality acreage would be expected to provide as rich a food source and other attributes such that overall habitat value is replaced. In addition, the effect of construction-related activities on Swainson's hawks that could nest in the project vicinity would be reduced to a less-than-significant level through implementation of avoidance and minimization measures. With the implementation of these measures, this impact would be reduced to a less-than-significant level because adequate replacement habitat would be provided for Swainson's hawk that could forage on the project site. (DEIR, p. 6.12-32) Please see also Response to Comment 1-9 and Response to Comment Letter 30 in the Final EIR. (FEIR, p. 4-14, 4-515 to 4-519.)

Impact 6.12-3 Loss and Degradation of Wetlands and Waters of the United States. Implementation of the proposed project would result in fill of jurisdictional

waters of the United States, including wetlands subject to USACE jurisdiction under the federal Clean Water Act, and the potential loss and degradation of isolated wetland habitats protected under state regulations. Placement of fill in these waters would require a Section 404 permit from USACE and compliance with Porter-Cologne and Section 401 of the Clean Water Act, and Section 1600 of the California Fish and Game Code. This impact would be ***potentially significant*** and would be reduced to *less-than-significant* with mitigation. (DEIR, p. 6.12-32.)

Foothill Associates identified 25.95 acres of wetlands on the project site (Foothill Associates 2006) and determined that 14.15 acres met the USACE jurisdictional definition of waters of the United jurisdictional. An additional 8.56 acres of features were reviewed at the request of the USACE. These areas were determined by Foothill to be uplands based on an absence of wetland hydrology and therefore would not be subject to USACE jurisdiction. The delineation prepared by Foothill has not been verified by USACE; therefore, these figures are subject to change. If the USACE reaches different conclusions regarding the 11.80 acres of isolated wetlands and 8.56 upland acres presumed non-jurisdictional then it could exercise jurisdiction over up to 34.51 acres on the project site. (DEIR, pp. 6.12-23, 33)

Mitigation Measures: The following mitigation measure has been adopted to address this impact:

6.12-3: (City of Sacramento and LAFCo)

a. *The project applicant shall implement Mitigation Measure 6.12-1 to avoid impacts to waters of the United States and wetlands associated with Lone Tree Canal.*

b. *Prior to project approval, the project applicant shall obtain a verified wetland delineation from USACE. Based on the results of the verified delineation, the project applicant shall commit to replace, restore, or enhance on a "no net loss" basis, in accordance with USACE and the Central Valley RWQCB, as appropriate for each agency's jurisdiction, the acreage of all waters of the United States and wetland habitats, including isolated wetlands that would be removed with implementation of the project. Wetland restoration, enhancement, and/or replacement shall be at a location and by methods acceptable to the USACE, DFG, and Central Valley RWQCB, as determined during the Section 404, Section 1600, and Section 401 permitting processes.*

c. *In conjunction with preparation and implementation of the giant garter snake mitigation described under Mitigation Measure 6.12-1, the project applicant shall prepare and submit a habitat mitigation and monitoring plan to USACE for the creation of jurisdictional waters at a mitigation ratio no less than 1:1 acres of created water of the United States, including wetlands, to each acre filled. The mitigation plans shall demonstrate how the USACE criteria for jurisdictional waters will be met through implementation. Wetland mitigation achieved through implementation of Mitigation Measure 6.12-1 can satisfy this mitigation measure if conducted in such a way that it meets both habitat function and the USACE criteria for creation of waters of the United States. The wetland creation section of the habitat mitigation and monitoring plan shall include the following:*

    - *target areas for creation,*

- *a complete biological assessment of the existing resources on the target areas,*
- *specific creation and restoration plans for each target area,*
- *performance standards for success that will illustrate that the compensation ratios are met, and*
- *a monitoring plan including schedule and annual report format.*

d. *The project applicant shall secure the following permits and regulatory approvals, as necessary, and implement all permit conditions before implementation of any construction activities associated with the proposed project:*

1. *Authorization for the fill of jurisdictional waters of the United States shall be secured prior to placing any fill in jurisdictional wetlands from the USACE through the CWA Section 404 permitting process. Timing for compliance with the specific conditions of the 404 permit shall be per conditions specified by the USACE as part of permit issuance. It is expected that the project would require an individual permit because wetland impacts would total more than 0.5 acre. In its final stage and once approved by the USACE, this mitigation plan is expected to detail proposed wetland restoration, enhancement, and/or replacement activities that would ensure no net loss of jurisdictional wetlands function and values in the project vicinity. As required by Section 404, approval and implementation of the wetland mitigation and monitoring plan shall ensure no net loss of jurisdictional waters of the United States, including jurisdictional wetlands. Mitigation for impacts to isolated wetlands shall be included in the same mitigation plan. All mitigation requirements identified through this process shall be implemented before construction begins in any areas containing wetland features.*
2. *Prior to construction in any areas containing wetland features, the project applicant shall obtain water quality certification pursuant to Section 401 of the Clean Water Act for the project. Any measures required as part of the issuance of water quality certification shall be implemented.*
3. *The project applicant shall obtain a Streambed Alteration Agreement under Section 1600 et seq. of the California Fish & Game Code for impacts to Waters of the State as defined under Section 1602 of the California Fish & Game Code.*
4. *The project applicant shall file a report of waste discharge with the Central Valley RWQCB for activities affecting waters of the state. For other mitigation measures aimed at maintaining water quality, including obtaining National Pollutant Discharge Elimination System (NPDES) permits, see Mitigation Measure 6.10-1 in "Hydrology, Drainage and Water Quality." (DEIR, p. 6.12-34)*

Finding: Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant environmental effect as identified in the Final EIR.

While a loss of wetlands would occur, wetlands associated with Lone Tree Canal would be protected as part of the giant garter snake habitat conservation area described under Mitigation Measure 6.12-1. The managed marsh habitat provided for the giant garter snake will compensate for this loss and contribute to improved water quality. (DEIR, p. 6.12-33)

With the implementation of the above mitigation measures, impacts on waters of the United States, including wetlands, would be ***less-than-significant*** because no net loss of jurisdictional wetlands would occur, and compliance with state and federal statutes protecting wetland would be achieved. (DEIR, p. 6.12-34)

Impact 6.12-4 **Disturbance or Removal of Special-status Plant Species**. Implementation of the proposed project could result in the disturbance or loss of Delta tule pea and Sanford's arrowhead. Delta tule-pea and Sanford's arrowhead could be present in the freshwater marsh habitat within the wetland habitats on the project site. The potential loss of a special-status plant population would be considered a ***potentially significant*** impact that would be reduced to *less-than-significant* with mitigation. (DEIR, p. 6.12-34.)

No special-status plant occurrences have been reported on the project site; however, the potential for their occurrence on the project site cannot be dismissed because protocol-level surveys have not been conducted and suitable habitat is present. Implementation of the project could result in the loss or disturbance of freshwater marsh habitat that could support special-status plant species. Disturbance or removal of Delta tule pea or Sanford's arrowhead plants would be considered a potentially significant impact. (DEIR, p. 6.12-35)

Mitigation Measures: The following mitigation measure(s) has been adopted to address this impact:

6.12-4: (City of Sacramento and LAFCo)

a. *Before the initiation of any ground-disturbing or vegetation-clearing activities, the project applicant shall retain a qualified botanist to conduct focused surveys in the project area for Delta tule pea and Sanford's arrowhead. The botanist shall conduct surveys for these special-status plant species at the appropriate time of year when the target species would be in flower, and therefore, clearly identifiable Surveys shall be conducted following the approved DFG protocol for surveying for special-status plant species.*

b. *If no special-status plants are found during focused surveys, the botanist shall document the findings in a letter report to USFWS, DFG, and CNPS and no further mitigation shall be required.*

c. *If special-status plant populations are found, the project applicant shall consult with the DFG to determine the appropriate mitigation measures for any population that may be affected by the project. Mitigation measures may include creation of off-site populations on project mitigation sites, through seed collection or transplanting, preserving and enhancing existing populations, or restoring or creating suitable habitat in sufficient quantities to compensate for the impact. (DEIR, p. 6.12-35)*

Finding: Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant environmental effect as identified in the Final EIR.

Implementation of the above mitigation measures would require focused surveys for special-status plants, and implementing measures to avoid and minimize any special-status plant

populations identified on the project site, and would reduce impacts to special-status plant to a ***less-than-significant*** level. (DEIR, p. 6.12-35)

Impact 6.12-5 **Modifications to Burrowing Owl Habitat**. Implementation of the proposed project could result in the loss of burrowing owl habitat or active burrows. This would be a ***potentially significant*** impact that would be reduced to *less-than-significant* with mitigation. (DEIR, p. 6.12-35.)

Mitigation Measures: The following mitigation measure has been adopted to address this impact:

6.12-5: (City of Sacramento and LAFCo)

a. *No more than 30 days and no less than 14 days prior to project site grading, a qualified biologist shall conduct focused surveys for burrowing owls in areas of suitable habitat on and within 300 feet of the project site. Surveys shall be conducted in accordance with DFG protocol (DFG 1995).*

b. *If no occupied burrows are found in the survey area, a letter report documenting survey methods and findings shall be submitted to DFG, and no further mitigation is necessary.*

c. *If occupied burrows are found in the survey area, impacts shall be avoided by establishing a buffer of 165 feet during the non-breeding season (September 1 through January 31) or 300 feet during the breeding season (February 1 through August 31). The size of the buffer area may be adjusted if a qualified biologist and DFG determine it would not be likely to have adverse effects. No project activity shall commence within the buffer area until a qualified biologist confirms that the burrow is no longer occupied. If the burrow is occupied by a nesting pair, a minimum of 6.5 acres of foraging habitat contiguous to the burrow shall be preserved until the breeding season is over.*

d. *If impacts to occupied burrows are unavoidable, on-site passive relocation techniques may be used if approved by DFG to encourage owls to move to alternative burrows outside of the impact area. However, no occupied burrows shall be disturbed during the nesting season unless a qualified biologist verifies through non-invasive methods that the burrow is no longer occupied. Foraging habitat for relocated pairs shall be provided in accordance with guidelines provided by DFG (1995). DFG guidelines recommend a minimum of 6.5 acres of foraging habitat per pair or unpaired resident bird, be acquired and permanently protected.*

e. *If relocation of the owls is approved for the site by DFG, the developer shall hire a qualified biologist to prepare a plan for relocating the owls to a suitable site. The relocation plan must include: (a) the location of the nest and owls proposed for relocation; (b) the location of the proposed relocation-site; (c) the number of owls involved and the time of year when the relocation is proposed to take place; (d) the name and credentials of the biologist who will be retained to supervise the relocation; (e) the proposed method of capture and transport for the owls to the new site; (f) a description of the site preparations at the relocation-site (e.g., enhancement of existing burrows, creation of artificial burrows, one-time or long-*

term vegetation control, etc.); and (g) a description of efforts and funding support proposed to monitor the relocation. Relocation options may include passive relocation to another area of the site not subject to disturbance through one way doors on burrow openings, or construction of artificial burrows in accordance DFG guidelines.

f. *The project applicant shall implement Mitigation Measure 6.12-2 to mitigate for the loss of burrowing owl foraging habitat.*

Finding: Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant environmental effect as identified in the Final EIR.

Implementation of the above mitigation measures would avoid impacts to nesting burrowing owls and compensate for the loss of foraging habitat. Therefore, impacts on burrowing owl would be reduced to a ***less-than-significant*** level.

Impact 6.12-6 **Effects to Northwestern Pond Turtle**. Uplands and aquatic habitat on the project site suitable for giant garter snake is also considered potential habitat for northwestern pond turtle. Therefore, 55.56 acres of potential upland and aquatic habitat for western pond turtle would be permanently lost, 3.31 acres of upland and aquatic northwestern pond turtle habitat would be temporarily affected. The value of all northwestern pond turtle habitat on the project site is considered low because of insufficient water and the lack of emergent marsh vegetation in the excavated channels on the project site. However, Lone Tree canal and other areas that have the potential to support surface water of sufficient depths provide suitable habitat for this species. This impact would be ***potentially significant*** and would be reduced to *less than significant* with mitigation. (DEIR, p. 6.12-36.)

Mitigation Measures: The following mitigation measure has been adopted to address this impact:

6.12-6: (City of Sacramento and LAFCo)

a. *The project applicant shall implement Mitigation Measure 6.12-1.*

b. *Construction personnel shall participate in a worker environmental awareness program. Under this program, workers shall be informed about the potential presence of western pond turtles in the construction area, and shall be provided guidance on appropriate steps to take if a pond turtle is encountered during project construction.*

c. *Within 24 hours prior to commencement of construction activities, the site shall be inspected for turtles by a qualified biologist. The construction area shall be re-inspected whenever a lapse in construction activity of two weeks or greater has occurred.*

d. *If a turtle is encountered on the project site, any construction activity that could result in harm of the turtle shall immediately cease and shall not resume until the monitoring biologist has determined that the turtle has moved away from the*

construction-site on their own volition or a qualified biologist has moved the turtle to a safe location. (DEIR, p. 6.12-37)

Finding: Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant environmental effect as identified in the Final EIR.

Implementation of Mitigation Measure 6.12-6 would fully compensate for the loss of northwestern pond turtle habitat by provide on-site and off-site habitat that is of equal or greater value to the species, and by minimize the potential for harm that could result from construction activities, therefore, this impact would be reduced to a ***less-than-significant*** level. (DEIR, p. 6.12-37)

Impact 6.12-8 **Potential Loss of Loggerhead Shrike Nests**. Shrubs and weedy vegetation on the project site provide potential nesting habitat for the loggerhead shrike. This species has been observed on the project site. The loss of an active loggerhead shrike nest would be a ***potentially significant*** impact that would be reduced to *less-than-significant* with mitigation. (DEIR, p. 6.12-37.)

Loggerhead shrike, a California Species of Special Concern, is a relatively common species in the Natomas Basin. This species typically nests in dense shrubs and trees. The preferred nesting habitat for this species is not present on the project site, but small trees and shrubs, and tall weedy areas are considered marginal potential nesting habitat. Loggerhead shrikes have been observed on the project site, but no nests have been found. The potential loss of an active loggerhead shrike nest would be considered a potentially significant impact. (DEIR, p. 6.12-37)

Mitigation Measures: The following mitigation measure has been adopted to address this impact:

6.12-8: (City of Sacramento and LAFCo)

If initiation of site grading is proposed during the loggerhead shrike nesting season (March 1 to July 31), a qualified biologist shall conduct a focused surveys for loggerhead shrikes in areas of suitable habitat on and within 300 feet of the project site. The survey shall be conducted no more than 30 days and no less than 14 days prior to the start of grading. If surveys identify an active loggerhead shrike nest in the survey area, the applicant shall install brightly colored construction fencing that establishes a boundary 100 feet from the active nest. No disturbance associated with the proposed project shall occur within the 100-foot fenced area during the nesting season of March 1 through July 31 or until a qualified biologist has determine that the young have fledged or that the nest is no longer occupied prior to disturbance of the nest site. (DEIR, p. 6.12-38)

Finding: Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant environmental effect as identified in the Final EIR.

Implementation of Mitigation Measure 6.12-8 would ensure that any active loggerhead shrike nests on the project site would be adequately protected; therefore this impact would be reduced to a ***less-than-significant*** level. (DEIR, p. 6.12-38)

13. *CULTURAL RESOURCES*

Impact 6.13-2 **Potential Impacts to Undocumented Cultural Resources**. There is the

possibility that previously undiscovered and undocumented resources could be adversely affected or otherwise altered by ground disturbing activities during construction of the project. Disturbance of undocumented resources would be a ***potentially significant*** impact that would be reduced to *less than significant* with mitigation. (DEIR, p. 6.13-8.)

Mitigation Measures: The following mitigation measure has been adopted to address this impact:

6.13-2: (City of Sacramento and LAFCo)

If an inadvertent discovery of cultural materials (e.g., unusual amounts of shell, charcoal, animal bone, bottle glass, ceramics, burned soil, structure/building remains) is made during project-related construction activities, ground disturbances in the area of the find shall be halted and a qualified professional archaeologist shall be notified regarding the discovery. The archaeologist shall determine whether the resource is potentially significant as per CEQA and develop specific measures to ensure preservation of the resource. Specific measures for significant or potentially significant resources could include, but not necessarily be limited to in-field documentation, archival research, subsurface testing, and excavation. The specific type of measure necessary would be determined according to evidence indicating degrees of resource integrity, spatial and temporal extent, and cultural associations and would be conducted in a manner consistent with CEQA and the City's guidelines for preserving archaeological and cultural artifacts. (DEIR, pp. 6.13-8, 9)

Finding: Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant environmental effect as identified in the Final EIR.

Implementation of the above mitigation measure would ensure that any resources that are inadvertently discovered during project construction activities are properly handled and preserved. Therefore, Mitigation Measure 6.13-2 would reduce potentially significant impacts resulting from inadvertent damage or destruction of unknown cultural resources during construction to a ***less-than-significant*** level. (DEIR, p. 6.13-9)

Impact 6.13-3 **Potential to Uncover Human Remains**. Subsurface disturbances associated with construction activities at the project site could potentially uncover unmarked historic-era and prehistoric Native American burials, resulting in their alteration or damage. This would be a ***potentially significant*** impact that would be reduced to *less than significant* with mitigation. (DEIR, p. 6.13-9.)

Mitigation Measures: The following mitigation measure has been adopted to address this impact:

6.13-3: (City of Sacramento and LAFCo)

In accordance with the California Health and Safety Code, if human remains are uncovered during ground disturbing activities all such activities in the vicinity of the find shall be halted immediately and the City or the City's designated representative shall be notified. The City shall immediately notify the county coroner and a qualified professional archaeologist. The coroner is required to examine all discoveries of human remains within 48 hours of receiving notice of a discovery on private or state lands (Health and

Safety Code Section 7050.5[b]). If the coroner determines that the remains are those of a Native American, he or she must contact the Native American Heritage Commission by phone within 24 hours of making that determination (Health and Safety Code Section 7050[c]). The responsibilities of the Agency for acting upon notification of a discovery of Native American human remains are identified in detail in the California Public Resources Code Section 5097.9. The City or their appointed representative and the professional archaeologist shall consult with a Most Likely Descendant (MLD) determined by the NAHC regarding the removal or preservation and avoidance of the remains and determine if additional burials could be present in the vicinity. (DEIR, p. 6.13-9)

Finding: Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant environmental effect as identified in the Final EIR.

Because an agreement will be reached between the MLD and the City or their representative with the assistance of the archaeologist, implementation of Mitigation Measure 6.13-3 would ensure that any human remains that are inadvertently discovered during construction activities are properly preserved or avoided. Therefore, implementation of this mitigation would reduce the impact to a ***less-than-significant*** level. (DEIR, p. 6.13-10)

B. Significant or Potentially Significant Impacts for which Mitigation is Outside the City's Responsibility and/or Jurisdiction.

Mitigation measures to mitigate, avoid, or substantially lessen the following significant and potentially significant environmental impacts of the Project, are within the responsibility and jurisdiction of another public agency and not the City. Pursuant to section 21081(a)(2) of the Public Resources Code and section 15091(a)(2) of the CEQA Guidelines, the City Council, based on the evidence in the record before it, specifically finds that implementation of these mitigation measures can and should be undertaken by the other public agency. The City will request, but cannot compel implementation of the identified mitigation measures described. The impact and mitigation measures and the facts supporting the determination that mitigation is within the responsibility and jurisdiction of another public agency and not the City, are set forth below. Notwithstanding the disclosure of these impacts, the City Council elects to approve the Project due to the overriding considerations set forth below in Section G, the statement of overriding considerations.

1. *TRANSPORTATION AND CIRCULATION*

Impact 6.1-3 **Impacts to the Freeway Ramps**. The proposed project would increase traffic volumes on the freeway system and would cause three study freeway ramps (i.e., SR 70/99 NB/Elkhorn Boulevard off-ramp, SR 70/99 SB/I-5 SB off-ramp, and I-5 NB/SR 70/99 NB off-ramp) to operate unacceptably under Baseline plus Project conditions. This would be a ***significant*** impact. (DEIR, p. 6.1-60.)

Mitigation Measures: The following mitigation measures have been adopted to address this impact to the extent feasible:

6.1-3a: Meister Way Overpass (City of Sacramento)

The project applicant shall implement Mitigation Measure 6.1-1b above (i.e., construct the Meister Way overpass). Table 6.1-34 of the DEIR summarizes the peak-hour operating conditions for the study ramps under Baseline No Project conditions and Baseline plus Project conditions with the Meister Way overpass. As shown in the table, even with implementation of the Meister Way overpass, all three study freeway ramps (i.e., SR 70/99 NB/Elkhorn Boulevard off-ramp, SR 70/99 SB/I-5 SB off-ramp, and I-5 NB/SR 70/99 NB off-ramp) would continue to operate unacceptably under Baseline plus Project conditions. Therefore, additional measures are required for these ramps.

6.1-3b: SR 70/99 Northbound to Elkhorn Boulevard off-ramp (City of Sacramento and Caltrans)

a. *The project applicant shall implement mitigation measure 6.1-1e, which would require payment of a fair share toward the installation of a traffic signal at the SR 70/99 Northbound Ramps and Elkhorn Boulevard intersection.*

b. *Concurrent with project approval, the project applicant shall in coordination with the City, prepare a City Council-approved Finance Plan to fund necessary traffic mitigation. This funding mechanism shall be in conformance with the Draft Greenbriar Finance Plan presented in Appendix C of the DEIR. This funding mechanism shall ensure that the project applicant will pay their fair-share costs (determined in consultation with the City and Caltrans) toward the widening the off-ramp from one lane to two lanes. The Draft Greenbriar Finance Plan identifies 100% of funding needed to construct this improvement. This improvement is included in the Metro Air Park Financing Plan (MAPFP) and the North Natomas Public Facilities Finance Plan. Existing right-of-way is available to accommodate this improvement. Based on "windshield surveys" of the project area, the site proposed for this improvement is substantially similar to the project site. Construction-related impacts would be similar to the project's construction-related impacts and* ***no new significant impacts*** *would occur.*

Mitigation recommended for the project would also substantially reduce construction-related impacts associated with this measure. With implementation of this mitigation measure, the operation of this freeway ramp would improve to LOS C under Baseline plus Project conditions, which is acceptable based on Caltrans standards. However, this ramp is not under the jurisdiction of the City of Sacramento (i.e., subject to Caltrans jurisdiction). While the project would contribute funds that would implement measures that would fully mitigate impacts to this ramp to a less-than-significant level, it is unknown whether these measures would be implemented because they are not subject to the control of the City. As a result, for purposes of CEQA impacts to the SR 70/99 Northbound to Elkhorn Boulevard off-ramp (Impact 6.1-3b) would remain ***significant and unavoidable****.*

6.1-3c: I-5 Northbound to SR 70/99 Northbound off-ramp: Fair-Share Contribution to the City's Traffic Congestion relief Fund (City of Sacramento and Caltrans)

a. *Prior to issuance of any building permits, the City will establish a Traffic Congestion Relief Fund to fund over all congestion relief projects.*

b. *Upon the City's issuance of any building permit for the project, the project applicant shall pay its fair-share contribution to the City's Traffic Congestion*

Relief Fund. Monies collected within the City's fund will be used by the City in the time and manner as required by the City of Sacramento, in accordance with Caltrans and other transportation agencies including Regional Transit, to fund improvements that would relieve freeway congestion. As determined in consultation with Caltrans and RT, the project's fair-share contribution for all feasible (project and cumulative) mainline freeway improvements would be $1,135,904.

(FEIR, p. 7-2.)

Finding: With implementation of the above mitigation measures, the SR 70/99 Northbound to Elkhorn Boulevard off-ramp would operate at acceptable levels and this impact would be reduced to a less-than-significant level. While the project would contribute funds that would implement measures that would fully mitigate impacts to this ramp to a less-than-significant level, it is unknown whether these measures would be implemented prior to buildout of the project because they are not subject to the exclusive control of the City. Therefore, for purposes of CEQA, the City determines that those changes or alterations required to mitigate or avoid the project's significant effects on the environment are within the responsibility and jurisdiction of another public agency and have been, or can and should be, adopted by that other agency. The impacts to the SR 70/99 Northbound to Elkhorn Boulevard off-ramp (Impact 6.1-3b) would therefore remain significant and unavoidable. (2RDEIR, p. 6.1-63; FEIR, p. 7-2.)

For the I-5 Northbound to the SR 70/99 Northbound off-ramp, the project applicant would contribute to the City's Traffic Congestion Relief Fund. While mitigation is recommended that would require the project applicant to contribute to the City's Traffic Congestion Relief Fund, this mitigation (the Fund) does not provide quantifiable actual reduction in the number of project-related trips on the I-5 Northbound to the SR 70/99 Northbound off-ramp. Therefore, impacts to the I-5 Northbound to SR 70/00 Northbound off-ramp would remain ***significant and unavoidable***. (2RDEIR, p. 6.1-63; FEIR, p. 7-2, 7-3.) Please see also Response to Comment 3-3 in the Final EIR. (FEIR, pp. 4-20 to 4-22.)

Impact 6.1-4 **Freeway Mainline Segment Impacts**. The proposed project would increase traffic volumes on the freeway system and would cause four study freeway mainline segments (i.e., I-5 north of Del Paso Road, I-5 north of I-5/I-80 interchanges between I-80 and Arena Boulevard, SR 70-99 between Elverta Road and Elkhorn Boulevard, and SR 70/99 between Elkhorn Boulevard and I-5/SR 70/99 interchange) to operate unacceptably under Baseline plus Project Conditions. This would be a ***significant*** impact. (DEIR, p. 6.1-63.)

Mitigation Measures: The following mitigation measures have been adopted to address this impact to the extent feasible:

6.1-4a Meister Way Overpass (City of Sacramento)

The project applicant shall implement Mitigation Measure 6.1-1b above (i.e., construct the Meister Way overpass). Table 6.1-36 of the DEIR summarizes the peak-hour operating conditions for the study mainline segments under Baseline No Project conditions and Baseline plus Project conditions with the Meister way overpass. As shown in the table of the DEIR, even with implementation of the Meister Way overpass. As shown in the table, even with implementation of the Meister Way overpass, three of four study mainline segments (i.e., I-5 north of Del Paso Road, I-5 north of I-5/I-80 interchange between I-80 and Arena Boulevard, and SR 70/99 between Elkhorn

Boulevard and I-5/SR 70/99 interchange) would continue to operate unacceptably under Baseline plus Project conditions. Therefore, additional measures are required for these mainline segments. (2RDEIR, p. 6.1-65)

6.1-4b I-5 North of Del Paso Road (City of Sacramento and Caltrans)

a. The project applicant shall implement Mitigation Measure 6.1-3c.

b. Upon the City's issuance of any building permit for the project, the project applicant shall pay its fair-share contribution to the City's Traffic Congestion Relief Fund. This contribution has been previously identified within the fair-share funds calculated for Mitigation Measure 6.1-3c. Monies collected within the City's fund will be used by the City in the time and manner as required by the City of Sacramento, in accordance with Caltrans and other transportation agencies including Regional Transit. The City's Traffic Congestion Relief Fund will be used to implement projects that would reduce mainline freeway congestion. However, it cannot be guaranteed that the congestion relief projects would be constructed or would be constructed prior to buildout of the project because the types of improvements, costs, and funding for such improvements has not been identified. Therefore, for purposes of CEQA, this impact would remain ***significant and unavoidable****. (FEIR, p. 7-3.)*

6.1-4c: I-5 north of I-5/I-80 Interchange between I-80 and Arena Boulevard Exit (City of Sacramento and Caltrans)

a. The project applicant shall implement Mitigation Measure 6.1-3c.

b. Upon the City's issuance of any building permit for the project, the project applicant shall pay its fair-share contribution to the City's Traffic Congestion Relief Fund. This contribution has been previously identified within the fair-share funds calculated for Mitigation Measure 6.1-3c. Monies will be deposited within the City's fund in the time and manner as required by the City of Sacramento, in accordance with Caltrans and other transportation agencies including Regional Transit. The City's Traffic Congestion Relief Fund will be used to implement projects that would reduce mainline freeway congestion. However, it cannot be guaranteed that the congestion relief projects would be constructed or would be constructed prior to buildout of the project because the types of improvements, costs, and funding for such improvements has not been identified. Therefore, for purposes of CEQA, this impact would remain ***significant and unavoidable****. (FEIR, p. 7-3.)*

6.1-4e: SR 70/99 between Elkhorn Boulevard and I-5/SR 70/99 Interchange (City of Sacramento)

a. The project applicant shall implement Mitigation Measure 6.1-3c.

b. Upon the City's issuance of any building permit for the project, the project applicant shall pay its fair-share contribution to the City's Traffic Congestion Relief Fund. This contribution has been previously identified within the fair-share funds calculated for Mitigation Measure 6.1-3c. Monies will be deposited within the City's fund in the time and manner as required by the City of Sacramento, in

accordance with Caltrans and other transportation agencies including Regional Transit. The City's Traffic Congestion Relief Fund will be used to implement projects that would reduce mainline freeway congestion. However, it cannot be guaranteed that the congestion relief projects would be constructed or would be constructed prior to buildout of the project because the types of improvements, costs, and funding for such improvements has not been identified. Therefore, for purposes of CEQA, this impact would remain ***significant and unavoidable****. (FEIR, p. 7-3.)*

Finding: Changes or alterations have been required in, or incorporated into, the project that substantially lessen, but do not avoid, the potentially significant environmental effect associated with impacts to three study freeway ramps. No mitigation is available to render the effects less than significant. As discussed in Section C, these impacts remain ***significant and unavoidable.***

While mitigation may become available in the future to reduce the project's impacts to freeway mainline segments, this project would not have sole responsibility for implementing these improvements. The project applicant shall contribute its fair share amount in the City's Traffic Congestion Relief Fund. Monies will be deposited within the City's fund in the time and manner as required by the City of Sacramento. This contribution has been previously identified within the fair-share funds calculated for Mitigation Measure 6.1-3c. The City's Traffic Congestion Relief Fund will be used to implement projects that would reduce mainline freeway congestion. However, it cannot be guaranteed that the congestion relief projects would be constructed or would be constructed prior to buildout of the project because the types of improvements, costs, and funding for such improvements has not been identified. Therefore, impacts to the freeway mainline segments (i-5 north of Del Paso Road, I-5 north of I-5/I-80 Interchange between I-80 and Arena Boulevard Exit and SR 70/99 between Elkhorn Boulevard and I-5/SR 70/99 Interchange) would remain ***significant and unavoidable***. (FEIR, p. 7-4.) Please see also Response to Comment 3-3 in the Final EIR. (FEIR, pp. 4-20 to 4-22.)

Impact 6.1-5 **Cumulative Traffic Impacts to Study Area Intersections**. Traffic volumes associated with the project in combination with other reasonably foreseeable cumulative projects would cause several study area intersections to operate unacceptably and exceed City County, and Caltrans thresholds of significance for intersection operations. This would be a ***significant*** cumulative impact and the project's contribution to this impact would be *cumulatively considerable*. (DEIR, p. 6.1-67.)

Mitigation Measures: The following mitigation measures have been adopted to address this impact to the extent feasible:

6.1-5a Elkhorn Boulevard and Lone Tree Road (City of Sacramento and County)

The project applicant shall provide an expanded intersection with a right turn pocket length of 200 feet for vehicles turning right onto northbound Lone Tree Road from the westbound Elkhorn Boulevard approach if Elkhorn Boulevard is widened to the ultimate six-lane arterial road and the right-of-way is made available. With implementation of this mitigation measure, the project would increase the average delay at this intersection by only 2.8 seconds, which is below City standards (i.e., 5 seconds). Construction associated with this mitigation measure would require the acquisition of additional right-of-way. Based on "windshield surveys" of the project area, the site proposed for this

improvement is substantially similar to the project site and therefore no new environmental impacts would occur. The applicant in consultation with the City shall coordinate with County to secure additional right-of-way for this improvement. However, because this intersection is located within the County and is not subject to the City's jurisdiction, implementation of this measure can not be guaranteed. Therefore, this impact would be considered ***significant and unavoidable****.* (DEIR, pp. 6.1-69, 70)

6.1-5b SR 70/99 Southbound Ramps and Elkhorn Boulevard (City of Sacramento and Caltrans)

Concurrent with project approval, the project applicant shall, in coordination with the City, prepare a City Council-approved Finance Plan to fully fund necessary traffic mitigation. This funding mechanism shall be in conformance with the Draft Greenbriar Finance Plan presented in Appendix C of the DEIR. This funding mechanism shall ensure that the project applicant will pay their fair-share costs (determined in consultation with the City and Caltrans) toward the restriping of the SR 70/99 southbound off-ramp approach to provide a left-turn lane, a shared left turn-right turn lane, and two right-turn lanes (cumulative base lane geometry assumes two left turn and two right turn lanes). The Draft Greenbriar Finance Plan identifies 100% of the funding needed to construct this improvement. Sufficient right-of-way would be available with the future intersection configuration to accommodate these improvements without resulting in substantial alteration or expansion of this intersection. Based on "windshield surveys" of the project area, the site proposed for this improvement is substantially similar to the project site. Construction-related impacts would be similar to the project's construction-related impacts and no new significant impacts would occur. Mitigation recommended for the project would also substantially reduce construction-related impacts associated with this measure. With implementation of this mitigation measure, this intersection would operate at LOS D and this impact would be reduced to a ***less-than-significant*** *level. (DEIR, p. 6.1-70)*

6.1-5c SR 70/99 Northbound Ramps and Elkhorn Boulevard (City of Sacramento and Caltrans)

Concurrent with project approval, the project applicant shall, in coordination with the City, prepare a City Council-approved Finance Plan to fully fund necessary traffic mitigation. This funding mechanism shall be in conformance with the Draft Greenbriar Finance Plan presented in Appendix C of the DEIR. This funding mechanism shall ensure that the project applicant will pay their fair-share costs (determined in consultation with the City) toward the restriping of the SR 70/99 northbound off-ramp approach to provide two left-turn lanes, a shared left turn-right turn lane, and a right-turn lane (cumulative base lane geometry assumes two left turn and two right turn lanes). The Draft Greenbriar Finance Plan identifies 100% of the funding needed to construct this improvement. Sufficient right-of-way would be available with the future intersection lane configuration to accommodate these improvements without resulting in substantial alteration or expansion of this intersection. Based on "windshield surveys" of the project area, the site proposed for this improvement is substantially similar to the project site. Construction-related impacts would be similar to the project's construction-related impacts and no new significant impacts would occur. Mitigation recommended for the project would also substantially reduce construction-related impacts associated with this measure. With implementation of this mitigation measure, this intersection would operate at LOS E in the a.m. peak hour and this impact would be reduced to a ***less-than-significant*** *level. (DEIR, p. 6.1-70)*

6.1-5d: Metro Air Parkway and I-5 Northbound Ramps (City of Sacramento and Caltrans)

Concurrent with project approval, the project applicant shall, in coordination with the City, prepare a City Council-approved Finance Plan to fully fund necessary traffic mitigation. This funding mechanism shall be in conformance with the Draft Greenbriar Finance Plan presented in Appendix C of the DEIR. This funding mechanism shall ensure that the project applicant will pay their fair-share costs (determined in consultation with the City) toward the restriping of the I-5 northbound off-ramp approach to provide a left-turn lane, a shared left turn-right turn lane and two right-turn lanes (cumulative base lane geometry assumes two left turn and two right turn lanes). The Draft Greenbriar Finance Plan identifies 100% of the funding needed to construct this improvement. This improvement would not require any additional right-of-way and would not in substantial alteration or expansion of this intersection. With implementation of this mitigation measure, this intersection would operate at LOS F in the a.m. and LOS E in the p.m. peak hour and this impact would be reduced to a ***less-than-significant*** *level. (DEIR, pp. 6.1-70, 71)*

6.1-5e Meister Way and Metro Air Parkway (City of Sacramento)

Adding a left-turn lane and restriping the westbound Meister Way approach to provide two left-turn lanes and a shared, through right-turn lane (cumulative base lane geometry assumes a left turn lane, a through lane, and a right turn lane) would mitigate this impact to a less-than-significant level. However, construction of this mitigation measure would require the acquisition of additional right-of-way which is not controlled by the applicant. Although implementation of this measure would reduce the project's cumulative impacts to this intersection to a less-than-significant level, it is unknown whether additional right-of-way could be secured and whether this measure would be implemented. Therefore, for purposes of CEQA this impact is considered ***significant and unavoidable****. (DEIR, p. 6.1-71)*

6.1-5f Meister Way and Lone Tree Road (City of Sacramento)

Adding a left-turn lane for the eastbound and westbound Meister Way approaches, and southbound Lone Tree Road approach would improve the operations of this intersection to LOS C and would reduce this impact to a less-than-significant level. Sufficient right-of-way could be secured by the applicant for the westbound approach; however, right-of-way along eastbound and southbound approach is controlled by the County and not within the City's jurisdiction. Although implementation of this measure would reduce the project's cumulative impacts to this intersection to a less-than-significant level, it is unknown whether additional right-of-way could be secured and whether this measure would be implemented. Therefore, for purposes of CEQA, this impact is considered ***significant and unavoidable****. (DEIR, p. 6.1-71)*

6.1-5g Meister Way and E. Commerce Way (City of Sacramento)

On or before 65% buildout of the project based on the project's total trips, the project applicant shall revise the improvement plan to provide a left-turn lane for the northbound East Commerce Way approach, an additional lane for the eastbound Meister Way approach, and restripe the eastbound Meister Way approach to provide a left-turn lane and a right-turn lane (base cumulative lane geometry assumed to have a shared left turn-right turn lane for the eastbound approach). Sufficient right-of-way is currently

available to accommodate these improvements without resulting in substantial alteration or expansion of this intersection. Based on "windshield surveys" of the project area, the site proposed for this improvement is substantially similar to the project site. Construction-related impacts would be similar to the project's construction-related impacts and no new significant impacts would occur. Mitigation recommended for the project would also substantially reduce construction-related impacts associated with this measure. With implementation of this mitigation measure, this intersection would operate at LOS C and this impact would be reduced to a ***less-than-significant*** *level. (DEIR, p. 6.1-71)*

6.1-5h Elkhorn Boulevard and Project Street 1 (City of Sacramento)

Construction of an additional through lane for the eastbound and westbound Elkhorn Boulevard approaches (cumulative base lane geometry assumes three through lanes in each direction on Elkhorn Boulevard) would reduce this impact to a less-than-significant level. However, this measure would require the acquisition of additional right-of-way beyond the maximum right-of-way proposed by the City/County for this roadway. No other feasible measures are available to reduce this impact because of limited right-of-way. Therefore, this impact is considered ***significant and unavoidable.*** *(DEIR, p. 6.1-71)*

6.1-5i Elkhorn Boulevard and Project Street 2 (City of Sacramento)

Construction of an additional through lane for the eastbound and westbound Elkhorn Boulevard approaches (cumulative base lane geometry assumes three through lanes in each direction on Elkhorn Boulevard) would reduce this impact to a less-than-significant level. However, this measure would require the acquisition of additional right-of-way beyond the maximum right-of-way proposed by the City/ County for this roadway. No other feasible measures are available to reduce this impact because of limited right-of-way. Therefore, this impact is considered ***significant and unavoidable****. (DEIR, pp. 6.1-71, 72)*

6.1-5j Elkhorn Boulevard and Project Street 3 (City of Sacramento)

Construction of an additional through lane for the eastbound and westbound Elkhorn Boulevard approaches (cumulative base lane geometry assumes three through lanes in each direction on Elkhorn Boulevard) would reduce this impact to a less-than-significant level. However, this measure would require the acquisition of additional right-of-way beyond the ultimate right-of-way proposed by the City for this roadway. To improve the operations of this intersection under cumulative conditions, before buildout of the project, the project applicant shall restrict the left turn in/out movement at this intersection so that it will be right in/ right out movement only with a stop sign control on the side street. Although the operation of this intersection would improve, it would not cause this intersection to operate at an acceptable level (e.g., LOS D or better). No other mitigation is available to reduce this impact. As a result, this impact would remain ***significant and unavoidable****. (DEIR, p. 6.1-72)*

Finding: Those changes or alterations required to mitigate or avoid the project's significant effects to intersections of Elkhorn Boulevard and Lone Tree Road, Meister Way and Metro Air Parkway, Meister Way and Lone Tree Road, Elkhorn Boulevard and Project Street 1, Elkhorn Boulevard and Project Street 2, and Elkhorn Boulevard and Project Street 3, are within the

responsibility and jurisdiction of another public agency and have been, or can and should be, adopted by that other agency.

No feasible mitigation is available or implementation of feasible mitigation can not be guaranteed because it is not subject to the control of the City for the intersections of Elkhorn Boulevard and Lone Tree Road, Meister Way and Metro Air Parkway, Meister Way and Lone Tree Road, Elkhorn Boulevard and Project Street 1, Elkhorn Boulevard and Project Street 2, and Elkhorn Boulevard and Project Street 3. Therefore, the project's cumulative impacts to these intersections are considered ***significant and unavoidable***. (DEIR, p. 6.1-72)

Impact 6.1-7 **Cumulative Impacts to Study Area Freeway Ramps**. The proposed project in combination with cumulative projects would increase traffic volumes on the freeway system and would cause four study freeway ramps (i.e., SR 70/99 Northbound to Elkhorn Boulevard off ramp, I-5 Northbound to SR 70/99 Northbound off ramp, I-5 Northbound to Metro Air Parkway off-ramp, and Metro Air Parkway to I-5 Southbound loop on ramp) to operate unacceptably under Cumulative plus Project conditions and exceed Caltrans thresholds of significance for freeway ramp operations. This would be a ***significant*** cumulative impact and the project's contribution to this impact would be cumulatively considerable. (2RDEIR, p. 6.1-74)

Mitigation Measures: The following mitigation measures have been adopted to address this impact to the extent feasible:

6.1-7a: SR 70/99 Northbound to Elkhorn Boulevard off-ramp (City of Sacramento and Caltrans)

The project applicant shall coordinate with Caltrans to pay its fair share contribution to implement mitigation measure 6.1-5c, which requires re-striping the SR 99 northbound off-ramp approach to provide two left-turn lanes, a shared left turn-right turn lane and a right-turn lane (cumulative base lane geometry assumes two left turn and two right turn lanes). With implementation of this mitigation measure and widening this ramp from one lane to two lanes, this ramp would operate at LOS C and this impact would be reduced to a less-than-significant level. However, these ramps are not under the jurisdiction of the City of Sacramento (i.e., subject to Caltrans jurisdiction). While the project would contribute funds that would implement measures that would fully mitigate impacts to this intersection to a less-than-significant level, it is unknown whether these measures would be implemented because they are not subject to the control of the City. As a result, for purposes of CEQA, cumulative impacts to this ramp would be considered ***significant and unavoidable.***

6.1-7b:I-5 Northbound to SR 70/99 Northbound off-ramp (City of Sacramento and Caltrans)

a. *The project applicant shall implement Mitigation Measure 6.1-3c.*

b. *Upon the City's issuance of any building permit for the project, the project applicant shall pay its fair-share contribution to the City's Traffic Congestion Relief Fund. This contribution has been previously identified within the fair-share funds calculated for Mitigation Measure 6.1-3c. Monies will be deposited within the City's fund in the time and manner as required by the City of Sacramento, in accordance with Caltrans and other transportation agencies including Regional Transit. The City's Traffic Congestion Relief Fund will be used to implement*

projects that would reduce mainline freeway congestion. However, it cannot be guaranteed that the congestion relief projects would be constructed or would be constructed prior to buildout of the project because the types of improvements, costs, and funding for such improvements has not been identified. Therefore, for purposes of CEQA, this impact would remain ***significant and unavoidable.*** *(FEIR, p. 7-5.)*

6.1-7c: I-5 Northbound to Metro Air Parkway off-ramp (City of Sacramento and Caltrans)

The project applicant shall coordinate with Caltrans and the Metro Air Park Finance Plan to pay its fair share toward widening the off-ramp to provide two additional lanes. Caltrans' DSMP includes the reconstruction of the I-5/Metro Air Park Interchange, but does not identify specific improvements or a project construction date. Widening of the interchange to provide the two additional lanes could be accommodated within the right-of-way proposed as part of the interchange improvement.

The project applicant shall also implement mitigation measures 6.1-5d, which requires the establishment of a funding mechanism for restriping the I-5 northbound off-ramp approach to provide a left turn lane, a shared left turn-right turn lane and two right turn lanes (cumulative base lane geometry assumes two left turn and two right turn lanes).

Even with implementation of the above mitigation, the ramp is anticipated to continue operating at LOS F. No other feasible mitigation is available. Therefore, this impact would remain ***significant and unavoidable****.*

6.1-7d: Metro Air Parkway to I-5 Southbound loop on-ramp (City of Sacramento and Caltrans)

Concurrent with project approval, the project applicant shall, in coordination with the City, prepare a City Council-approved Finance Plan to fully fund necessary traffic mitigation. This funding mechanism shall be in conformance with the Draft Greenbriar Finance Plan presented in Appendix C of the DEIR. This funding mechanism shall ensure that the project applicant will pay their fair-share costs (determined in consultation with the City and Caltrans) toward the widening of the on-ramp to provide two additional lanes. The Draft Greenbriar Finance Plan identifies 100% of the funding needed to construct this improvement. Sufficient right-of-way is currently available to accommodate these improvements without resulting in expansion of this intersection. Based on "windshield surveys" of the project area, the site proposed for this improvement is substantially similar to the project site. Construction-related impacts would be similar to the project's construction-related impacts and no new significant impacts would occur. Mitigation recommended for the project would also substantially reduce construction-related impacts associated with this measure. The project would contribute approximately 1% of the total p.m. peak-hour trips at this off-ramp and as a result shall contribute 1% to construction of this improvement.

Caltrans would be the agency responsible for implementation of this measure and as a result the project applicant would be required to coordinate with Caltrans on the funding of this improvement. Caltrans' District 3 DSMP includes the I-5/Metro Air Parkway Interchange, but does not identify specific improvements or project construction date. Additionally, the construction of Metro Air Parkway to I-5 southbound loop on-ramp is included in the Metro Air Park Finance Plan, so the applicant would be required to pay

its fair share contribution in conjunction with Metro Air Park finance plan toward the construction of this improvement.

However, even with implementation of the above mitigation, this ramp is anticipated to continue operating at LOS F. No other feasible mitigation is available. Therefore, this impact would remain ***significant and unavoidable****.*

Finding: While mitigation recommended would require the project applicant to contribute its fair share amount toward the City's Traffic Congestion Relief Fund for improvements, it cannot be guaranteed that the congestion relief projects would be constructed or would be constructed prior to buildout of the project because the types of improvements, costs, and full funding for such improvements have not been identified. Further, mitigation measures are within the responsibility and jurisdiction of another public agency, and while they have been or can and should be adopted by that other agency, it is beyond the City's control. As a result, for purposes of CEQA, cumulative impacts to these ramps would be considered ***significant and unavoidable***. (FEIR, p. 7-5.)

While mitigation may be feasible for the I-5 Northbound to Metro Air Parkway off-ramp and the Metro Air Parkway to I-5 Southbound loop on-ramp, this mitigation would not be able to reduce the impact of the project to a less-than-significant level. These ramps would continue to operate at LOS F and no other feasible mitigation is available. Therefore, cumulative impacts to this ramp would remain ***significant and unavoidable.*** (FEIR, p. 7-5.) Please see also Response to Comment 3-3 in the Final EIR. (FEIR, pp. 4-20 to 4-22.)

C. Significant and Unavoidable Impacts.

The following significant and potentially significant environmental impacts of the Project, including cumulative impacts, are unavoidable and cannot be mitigated in a manner that would substantially lessen the significant impact. Notwithstanding disclosure of these impacts, the City Council elects to approve the Project due to overriding considerations as set forth below in Section G, the statement of overriding considerations.

1. *TRANSPORTATION AND CIRCULATION*

Impact 6.1-3 **Impacts to the Freeway Ramps**. The proposed project would increase traffic volumes on the freeway system and would cause three study freeway ramps (i.e., SR 70/99 NB/Elkhorn Boulevard off-ramp, SR 70/99 SB/I-5 SB off-ramp, and I-5 NB/SR 70/99 NB off-ramp) to operate unacceptably under Baseline plus Project conditions. This would be a ***significant*** impact. (DEIR, p. 6.1-60.)

Mitigation Measures: The following mitigation measures have been adopted to address this impact to the extent feasible:

6.1-3a: Meister Way Overpass (City of Sacramento)

The project applicant shall implement Mitigation Measure 6.1-1b above (i.e., construct the Meister Way overpass). Table 6.1-34 of the DEIR summarizes the peak-hour operating conditions for the study ramps under Baseline No Project conditions and Baseline plus Project conditions with the Meister Way overpass. As shown in the table, even with implementation of the Meister Way overpass, all three study freeway ramps

(i.e., SR 70/99 NB/Elkhorn Boulevard off-ramp, SR 70/99 SB/I-5 SB off-ramp, and I-5 NB/SR 70/99 NB off-ramp) would continue to operate unacceptably under Baseline plus Project conditions. Therefore, additional measures are required for these ramps. (DEIR, p. 6.1-60.)

6.1-3b: SR 70/99 Northbound to Elkhorn Boulevard off-ramp (City of Sacramento and Caltrans)

a. *The project applicant shall implement mitigation measure 6.1-1e, which would require payment of a fair share toward the installation of a traffic signal at the SR 70/99 Northbound Ramps and Elkhorn Boulevard intersection.*

b. *Concurrent with project approval, the project applicant shall, in coordination with the City, prepare a City Council-approved Finance Plan to fund necessary traffic mitigation. This funding mechanism shall be in conformance with the Draft Greenbriar Finance Plan presented in Appendix C of the DEIR. This funding mechanism shall ensure that the project applicant will pay their fair-share costs (determined in consultation with the City and Caltrans) toward the widening the off-ramp from one lane to two lanes. The Draft Greenbriar Finance Plan identifies 100% of the funding needed to construct this improvement. This improvement is included in the Metro Air Park Financing Plan (MAPFP) and the North Natomas Public Facilities Finance Plan. Existing right-of-way is available to accommodate this improvement. Based on "windshield surveys" of the project area, the site proposed for this improvement is substantially similar to the project site. Construction-related impacts would be similar to the project's construction-related impacts and no new significant impacts would occur.*

   Mitigation recommended for the project would also substantially reduce construction-related impacts associated with this measure. With implementation of this mitigation measure, the operation of this freeway ramp would improve to LOS C under Baseline plus Project conditions, which is acceptable based on Caltrans standards. (DEIR, p. 6.1-60.) However, this ramp is not under the jurisdiction of the City of Sacramento (i.e., subject to Caltrans jurisdiction). While the project would contribute funds that would implement measures that would fully mitigate impacts to this ramp to a less-than-significant level, it is unknown whether these measures would be implemented because they are not subject to the control of the City. As a result, for purposes of CEQA impacts to the SR 70/99 Northbound to Elkhorn Boulevard off-ramp (Impact 6.1-3b) would remain ***significant and unavoidable****.*

6.1-3c: I-5 Northbound to SR 70/99 Northbound off-ramp: Fair-Share Contribution to the City's Traffic Congestion relief Fund (City of Sacramento and Caltrans)

a. *Prior to issuance of any building permits, the City will establish a Traffic Congestion Relief Fund to fund over all congestion relief projects.*

b. *Upon the City's issuance of any building permit for the project, the project applicant shall pay its fair-share contribution to the City's Traffic Congestion Relief Fund. Monies collected within the City's fund will be used by the City in the time and manner as required by the City of Sacramento, in accordance with Caltrans and other transportation agencies including Regional Transit, to fund improvements that would relieve freeway congestion. As determined in*

consultation with Caltrans and RT, the project's fair-share contribution for all feasible (project and cumulative) mainline freeway improvements would be $1,135,904.

(FEIR, p. 7-2.)

Finding: With implementation of the above mitigation measures, the SR 70/99 Northbound to Elkhorn Boulevard off-ramp would operate at acceptable levels and this impact would be reduced to a less-than-significant level. While the project would contribute funds that would implement measures that would fully mitigate impacts to this ramp to a less-than-significant level, it is unknown whether these measures would be implemented prior to buildout of the project because they are not subject to the exclusive control of the City. Therefore, as discussed in Section B, for purposes of CEQA, the City determines that those changes or alterations required to mitigate or avoid the project's significant effects on the environment are within the responsibility and jurisdiction of another public agency and have been, or can and should be, adopted by that other agency. The impacts to the SR 70/99 Northbound to Elkhorn Boulevard off-ramp (Impact 6.1-3b) would therefore remain ***significant and unavoidable***. (2RDEIR, p. 6.1-63; FEIR, p. 7-2.)

For the I-5 Northbound to the SR 70/99 Northbound off-ramp, the project applicant would contribute to the City's Traffic Congestion Relief Fund. While mitigation is recommended that would require the project applicant to contribute to the City's Traffic Congestion Relief Fund, this mitigation (the Fund) does not provide quantifiable actual reduction in the number of project-related trips on the I-5 Northbound to the SR 70/99 Northbound off-ramp. Therefore, impacts to the I-5 Northbound to SR 70/00 Northbound off-ramp would remain ***significant and unavoidable***. (2RDEIR, p. 6.1-63; FEIR, p. 7-2, 7-3.) Please see also Response to Comment 3-3 in the Final EIR. (FEIR, pp. 4-20 to 4-22.)

Impact 6.1-4 **Freeway Mainline Segment Impacts**. The proposed project would increase traffic volumes on the freeway system and would cause four study freeway mainline segments (i.e., I-5 north of Del Paso Road, I-5 north of I-5/I-80 interchanges between I-80 and Arena Boulevard, SR 70-99 between Elverta Road and Elkhorn Boulevard, and SR 70/99 between Elkhorn Boulevard and I-5/SR 70/99 interchange) to operate unacceptably under Baseline plus Project Conditions. This would be a ***significant*** impact. (DEIR, p. 6.1-63.)

Mitigation Measures: The following mitigation measures have been adopted to address this impact to the extent feasible:

6.1-4a Meister Way Overpass (City of Sacramento)

The project applicant shall implement Mitigation Measure 6.1-1b (i.e., construct the Meister Way overpass). Table 6.1-36 of the DEIR summarizes the peak-hour operating conditions for the study mainline segments under Baseline No Project conditions and Baseline plus Project conditions with the Meister way overpass. As shown in the table of the DEIR, even with implementation of the Meister Way overpass. As shown in the table, even with implementation of the Meister Way overpass, three of four study mainline segments (i.e., I-5 north of Del Paso Road, I-5 north of I-5/I-80 interchange between I-80 and Arena Boulevard, and SR 70/99 between Elkhorn Boulevard and I-5/SR 70/99 interchange) would continue to operate unacceptably under Baseline plus Project conditions. Therefore, additional measures are required for these mainline segments. (2RDEIR, p. 6.1-65)

6.1-4b I-5 North of Del Paso Road (City of Sacramento and Caltrans)

a. *The project applicant shall implement Mitigation Measure 6.1-3c.*

b. *Upon the City's issuance of any building permit for the project, the project applicant shall pay its fair-share contribution to the City's Traffic Congestion Relief Fund. This contribution has been previously identified within the fair-share funds calculated for Mitigation Measure 6.1-3c. Monies collected within the City's fund will be used by the City in the time and manner as required by the City of Sacramento, in accordance with Caltrans and other transportation agencies including Regional Transit. The City's Traffic Congestion Relief Fund will be used to implement projects that would reduce mainline freeway congestion. However, it cannot be guaranteed that the congestion relief projects would be constructed or would be constructed prior to buildout of the project because the types of improvements, costs, and funding for such improvements has not been identified. Therefore, for purposes of CEQA, this impact would remain* ***significant and unavoidable****. (FEIR, p. 7-3.)*

6.1-4c: I-5 north of I-5/I-80 Interchange between I-80 and Arena Boulevard Exit (City of Sacramento and Caltrans)

a. *The project applicant shall implement Mitigation Measure 6.1-3c.*

b. *Upon the City's issuance of any building permit for the project, the project applicant shall pay its fair-share contribution to the City's Traffic Congestion Relief Fund. This contribution has been previously identified within the fair-share funds calculated for Mitigation Measure 6.1-3c. Monies will be deposited within the City's fund in the time and manner as required by the City of Sacramento, in accordance with Caltrans and other transportation agencies including Regional Transit. The City's Traffic Congestion Relief Fund will be used to implement projects that would reduce mainline freeway congestion. However, it cannot be guaranteed that the congestion relief projects would be constructed or would be constructed prior to buildout of the project because the types of improvements, costs, and funding for such improvements has not been identified. Therefore, for purposes of CEQA, this impact would remain* ***significant and unavoidable****. (FEIR, p. 7-3.)*

6.1-4e: SR 70/99 between Elkhorn Boulevard and I-5/SR 70/99 Interchange (City of Sacramento)

a. *The project applicant shall implement Mitigation Measure 6.1-3c.*

b. *Upon the City's issuance of any building permit for the project, the project applicant shall pay its fair-share contribution to the City's Traffic Congestion Relief Fund. This contribution has been previously identified within the fair-share funds calculated for Mitigation Measure 6.1-3c. Monies will be deposited within the City's fund in the time and manner as required by the City of Sacramento, in accordance with Caltrans and other transportation agencies including Regional Transit. The City's Traffic Congestion Relief Fund will be used to implement projects that would reduce mainline freeway congestion. However, it cannot be*

guaranteed that the congestion relief projects would be constructed or would be constructed prior to buildout of the project because the types of improvements, costs, and funding for such improvements has not been identified. Therefore, for purposes of CEQA, this impact would remain ***significant and unavoidable****. (FEIR, p. 7-3.)*

Finding: Changes or alterations have been required in, or incorporated into, the project that substantially lessen, but do not avoid, the potentially significant environmental effect associated with impacts to three study freeway ramps. No mitigation is available to render the effects less than significant.

While mitigation may become available in the future to reduce the project's impacts to freeway mainline segments, this project would not have sole responsibility for implementing these improvements. The project applicant shall contribute its fair share amount in the City's Traffic Congestion Relief Fund. Monies will be deposited within the City's fund in the time and manner as required by the City of Sacramento. This contribution has been previously identified within the fair-share funds calculated for Mitigation Measure 6.1-3c. The City's Traffic Congestion Relief Fund will be used to implement projects that would reduce mainline freeway congestion. However, it cannot be guaranteed that the congestion relief projects would be constructed or would be constructed prior to buildout of the project because the types of improvements, costs, and funding for such improvements has not been identified. Therefore, impacts to the freeway mainline segments (i-5 north of Del Paso Road, I-5 north of I-5/I-80 Interchange between I-80 and Arena Boulevard Exit and SR 70/99 between Elkhorn Boulevard and I-5/SR 70/99 Interchange) would remain ***significant and unavoidable***. (FEIR, p. 7-4.) Please see also Response to Comment 3-3 in the Final EIR. (FEIR, pp. 4-20 to 4-22.)

o **6.1-5**	**Impact**	o **Cumulati** **Traffic Impacts to Study Area Intersections**. Traf volumes associated with the project in combination w other reasonably foreseeable cumulative projects wou cause several study area intersections to opera unacceptably and exceed City County, and Caltra thresholds of significance for intersection operatior This would be a ***significant cumulative impact*** and t project's contribution to this impact would cumulatively considerable and (for impacts to SR 70/ Southbound Ramps and Elkhorn Boulevard, SR 70/ Northbound Ramps and Elkhorn Boulevard, Metro Parkway and I-5 Northbound Ramps, and Meister W and E. Commerce Way intersections) would be reduc to *less than significant* with mitigation.

Mitigation Measures: The following mitigation measures have been adopted to address this impact to the extent feasible:

6.1-5a Elkhorn Boulevard and Lone Tree Road (City of Sacramento and County)

The project applicant shall provide an expanded intersection with a right turn pocket length of 200 feet for vehicles turning right onto northbound Lone Tree Road from the westbound Elkhorn Boulevard approach if Elkhorn Boulevard is widened to the ultimate six-lane arterial road and the right-of-way is obtained. With implementation of this

mitigation measure, the project would increase the average delay at this intersection by only 2.8 seconds, which is below City standards (i.e., 5 seconds). Construction associated with this mitigation measure would require the acquisition of additional right-of-way. Based on "windshield surveys" of the project area, the site proposed for this improvement is substantially similar to the project site and therefore no new environmental impacts would occur. The applicant in consultation with the City shall coordinate with County to secure additional right-of-way for this improvement. However, because this intersection is located within the County and is not subject to the City's jurisdiction, implementation of this measure can not be guaranteed. Therefore, this impact would be considered ***significant and unavoidable****.*

6.1-5b SR 70/99 Southbound Ramps and Elkhorn Boulevard (City of Sacramento and Caltrans)

Concurrent with project approval, the project applicant shall, in coordination with the City, prepare a City Council-approved Finance Plan to fully fund necessary traffic mitigation. This funding mechanism shall be in conformance with the Draft Greenbriar Finance Plan presented in Appendix C of the DEIR. This funding mechanism shall ensure that the project applicant will pay their fair-share costs (determined in consultation with the City and Caltrans) toward the restriping of the SR 70/99 southbound off-ramp approach to provide a left-turn lane, a shared left turn-right turn lane, and two right-turn lanes (cumulative base lane geometry assumes two left turn and two right turn lanes). The Draft Greenbriar Finance Plan identifies 100% of the funding needed to construct this improvement. Sufficient right-of-way would be available with the future intersection configuration to accommodate these improvements without resulting in substantial alteration or expansion of this intersection. Based on "windshield surveys" of the project area, the site proposed for this improvement is substantially similar to the project site. Construction-related impacts would be similar to the project's construction-related impacts and no new significant impacts would occur. Mitigation recommended for the project would also substantially reduce construction-related impacts associated with this measure. With implementation of this mitigation measure, this intersection would operate at LOS D and this impact would be reduced to a ***less-than-significant*** *level.*

6.1-5c: SR 70/99 Northbound Ramps and Elkhorn Boulevard (City of Sacramento and Caltrans)

Concurrent with project approval, the project applicant shall, in coordination with the City, prepare a City Council-approved Finance Plan to fully fund necessary traffic mitigation. This funding mechanism shall be in conformance with the Draft Greenbriar Finance Plan presented in Appendix C of the DEIR. This funding mechanism shall ensure that the project applicant will pay their fair-share costs (determined in consultation with the City) toward the restriping of the SR 70/99 northbound off-ramp approach to provide two left-turn lanes, a shared left turn-right turn lane, and a right-turn lane (cumulative base lane geometry assumes two left turn and two right turn lanes). The Draft Greenbriar Finance Plan identifies 100% of the funding needed to construct this improvement. Sufficient right-of-way would be available with the future intersection lane configuration to accommodate these improvements without resulting in substantial alteration or expansion of this intersection. Based on "windshield surveys" of the project area, the site proposed for this improvement is substantially similar to the project site. Construction-related impacts would be similar to the project's construction-related impacts and no new significant impacts would occur. Mitigation recommended for the project would also substantially reduce construction-related impacts associated with this measure. With implementation of this mitigation measure, this intersection would operate

*at LOS E in the a.m. peak hour and this impact would be reduced to a **less-than-significant** level.*

6.1-5d: Metro Air Parkway and I-5 Northbound Ramps (City of Sacramento and Caltrans)

*Concurrent with project approval, the project applicant shall, in coordination with the City, prepare a City Council-approved Finance Plan to fully fund necessary traffic mitigation. This funding mechanism shall be in conformance with the Draft Greenbriar Finance Plan presented in Appendix C of the DEIR. This funding mechanism shall ensure that the project applicant will pay their fair-share costs (determined in consultation with the City) toward the restriping of the I-5 northbound off-ramp approach to provide a left-turn lane, a shared left turn-right turn lane and two right-turn lanes (cumulative base lane geometry assumes two left turn and two right turn lanes). The Draft Greenbriar Finance Plan identifies 100% of the funding needed to construct this improvement. This improvement would not require any additional right-of-way and would not in substantial alteration or expansion of this intersection. With implementation of this mitigation measure, this intersection would operate at LOS F in the a.m. and LOS E in the p.m. peak hour and this impact would be reduced to a **less-than-significant** level.*

6.1-5e Meister Way and Metro Air Parkway (City of Sacramento)

*Adding a left-turn lane and restriping the westbound Meister Way approach to provide two left-turn lanes and a shared, through right-turn lane (cumulative base lane geometry assumes a left turn lane, a through lane, and a right turn lane) would mitigate this impact to a less-than-significant level. However, construction of this mitigation measure would require the acquisition of additional right-of-way which is not controlled by the applicant. Although implementation of this measure would reduce the project's cumulative impacts to this intersection to a less-than-significant level, it is unknown whether additional right-of-way could be secured and whether this measure would be implemented. Therefore, for purposes of CEQA this impact is considered **significant and unavoidable**.*

6.1-5f: Meister Way and Lone Tree Road (City of Sacramento)

*Adding a left-turn lane for the eastbound and westbound Meister Way approaches, and southbound Lone Tree Road approach would improve the operations of this intersection to LOS C and would reduce this impact to a less-than-significant level. Sufficient right-of-way could be secured by the applicant for the westbound approach; however, right-of-way along eastbound and southbound approach is controlled by the County and not within the City's jurisdiction. Although implementation of this measure would reduce the project's cumulative impacts to this intersection to a less-than-significant level, it is unknown whether additional right-of-way could be secured and whether this measure would be implemented. Therefore, for purposes of CEQA, this impact is considered **significant and unavoidable**.*

6.1-5g: Meister Way and E. Commerce Way (City of Sacramento)

On or before 65% buildout of the project based on the project's total trips, the project applicant shall revise the improvement plan to provide a left-turn lane for the northbound East Commerce Way approach, an additional lane for the eastbound Meister Way approach, and restripe the eastbound Meister Way approach to provide a left-turn lane and a right-turn lane (base cumulative lane geometry assumed to have a shared left

turn-right turn lane for the eastbound approach). Sufficient right-of-way is currently available to accommodate these improvements without resulting in substantial alteration or expansion of this intersection. Based on "windshield surveys" of the project area, the site proposed for this improvement is substantially similar to the project site. Construction-related impacts would be similar to the project's construction-related impacts and no new significant impacts would occur. Mitigation recommended for the project would also substantially reduce construction-related impacts associated with this measure. With implementation of this mitigation measure, this intersection would operate at LOS C and this impact would be reduced to a ***less-than-significant*** *level.*

6.1-5h: Elkhorn Boulevard and Project Street 1 (City of Sacramento)

Construction of an additional through lane for the eastbound and westbound Elkhorn Boulevard approaches (cumulative base lane geometry assumes three through lanes in each direction on Elkhorn Boulevard) would reduce this impact to a less-than-significant level. However, this measure would require the acquisition of additional right-of-way beyond the maximum right-of-way proposed by the City/County for this roadway. No other feasible measures are available to reduce this impact because of limited right-of-way. Therefore, this impact is considered ***significant and unavoidable.***

6.1-5i: Elkhorn Boulevard and Project Street 2 (City of Sacramento)

Construction of an additional through lane for the eastbound and westbound Elkhorn Boulevard approaches (cumulative base lane geometry assumes three through lanes in each direction on Elkhorn Boulevard) would reduce this impact to a less-than-significant level. However, this measure would require the acquisition of additional right-of-way beyond the maximum right-of-way proposed by the City/ County for this roadway. No other feasible measures are available to reduce this impact because of limited right-of-way. Therefore, this impact is considered ***significant and unavoidable****.*

6.1-5j: Elkhorn Boulevard and Project Street 3 (City of Sacramento)

Construction of an additional through lane for the eastbound and westbound Elkhorn Boulevard approaches (cumulative base lane geometry assumes three through lanes in each direction on Elkhorn Boulevard) would reduce this impact to a less-than-significant level. However, this measure would require the acquisition of additional right-of-way beyond the ultimate right-of-way proposed by the City for this roadway. To improve the operations of this intersection under cumulative conditions, before buildout of the project, the project applicant shall restrict the left turn in/out movement at this intersection so that it will be right in/ right out movement only with a stop sign control on the side street. Although the operation of this intersection would improve, it would not cause this intersection to operate at an acceptable level (e.g., LOS D or better). No other mitigation is available to reduce this impact. As a result, this impact would remain ***significant and unavoidable****.*

Finding: As discussed in Section A, above, changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant environmental effect for the SR 70/99 Southbound Ramps and Elkhorn Boulevard, SR 70/99 Northbound Ramps and Elkhorn Boulevard, Metro Air Parkway and I-5 Northbound Ramps, and Meister Way and E. Commerce Way intersections, as identified in the Final EIR. With implementation of the above mitigation measures, the SR 70/99 Southbound and SR 70/99 Northbound Ramps and Elkhorn

Boulevard intersection would operate at an acceptable LOS D and E respectively based on Caltrans and County standards. Metro Air Parkway and I-5 Northbound Ramps would operate at LOS E in the p.m. which is acceptable based on Sacramento County Thresholds of Significance, and Meister Way and E. Commerce Way would operate at an acceptable LOS C. Therefore, the project's cumulative impacts would be reduced to a less-than-significant level. (DEIR, p. 6.1-72)

The impacts to Elkhorn Boulevard and Lone Tree Road, Meister Way and Metro Air Parkway, Meister Road and Lone Tree Road, Elkhorn Boulevard and Project Street 1, Elkhorn Boulevard and Project Street 2, and Elkhorn Boulevard and Project Street 3, each of which remains significant and unavoidable. For these impacts, changes or alterations have been required in, or incorporated into, the project that substantially lessen, but do not avoid, the potentially significant environmental effect associated. No mitigation is available to render the effects less than significant. The effects (or some of the effects) therefore remain ***significant and unavoidable***.

Impact 6.1-6 **Cumulative Impacts to Study Area Roadway Segments**. The proposed project in combination with cumulative projects would increase traffic volumes on study area roadway segments and would cause these segments (i.e., Elkhorn Boulevard west of SR 70/99 Interchange, Metro Air Parkway north of I-5 Interchange, and Meister Way west of SR 70/99) to degrade from an acceptable operating condition (i.e., LOS A) to an unacceptable operating condition (i.e., LOS F). Because study area roadway segments would operate unacceptably as a result of the project, this would be a ***significant*** impact. (DEIR, p. 6.1-72.)

Mitigation Measures: The following mitigation measures have been adopted to address this impact to the extent feasible:

6.1-6a Elkhorn Boulevard west of SR 70/99 Interchange (City of Sacramento)

Widening Elkhorn Boulevard to eight lanes (4 in each direction) would reduce this impact to a less-than-significant level. The City includes widening of Elkhorn Boulevard to six lanes within its General Plan; widening to eight lanes is not feasible nor planned by the City. Therefore, concurrent with project approval, the project applicant shall, in coordination with the City, establish a funding mechanism to fully fund necessary traffic mitigation. This funding mechanism shall be in conformance with the Draft Greenbriar Finance Plan presented in Appendix C of the DEIR. This funding mechanism shall ensure that the project applicant will pay their fair-share costs towards widening Elkhorn Boulevard to six lanes west of the SR 70/99 Interchange (the number of lanes planned by the City of Sacramento). The City and developers of the MAP project have identified 100% of the funding necessary to widen the Elkhorn Boulevard/SR 70/99 overpass to six lanes. No other feasible mitigation is available to reduce this impact. Therefore, while reduced, this impact would remain ***significant and unavoidable****. (DEIR, p. 6.1-73)*

6.1-6b Meister Way west of SR 70/99 (City of Sacramento)

The project applicant shall implement Mitigation measure 6.1-2c. With implementation of this mitigation measure, this segment would operate at LOS B and this impact would be reduced to a ***less-than-significant*** *level. (DEIR, p. 6.1-73)*

Finding: Changes or alterations have been required in, or incorporated into, the project that substantially lessen, but do not avoid, the potentially significant environmental effect associated with Elkhorn Boulevard west of SR 70/99 interchange. No mitigation is available to render the effects less than significant. The effects (or some of the effects) therefore remain ***significant and unavoidable***.

As discussed in Section A of these findings, with implementation of the above mitigation measures, the Meister Way west of SR 70/99 segment would operate at acceptable levels under cumulative conditions and the project's cumulative impacts would be reduced to a ***less-than-significant*** level. (DEIR, p. 6.1-74)

However, no feasible mitigation is available to reduce the project's cumulative impacts to the Elkhorn Boulevard west of SR 70/99 interchange segment. Therefore, the project's cumulative impact to this intersection is considered ***significant and unavoidable.*** (DEIR, p. 6.1-74)

Impact 6.1-7 **Cumulative Impacts to Study Area Freeway Ramps**. The proposed project in combination with cumulative projects would increase traffic volumes on the freeway system and would cause four study freeway ramps (i.e., SR 70/99 Northbound to Elkhorn Boulevard off ramp, I-5 Northbound to SR 70/99 Northbound off ramp, I-5 Northbound to Metro Air Parkway off-ramp, and Metro Air Parkway to I-5 Southbound loop on ramp) to operate unacceptably under Cumulative plus Project conditions and exceed Caltrans thresholds of significance for freeway ramp operations. This would be a ***significant*** cumulative impact and the project's contribution to this impact would be cumulatively considerable. (2RDEIR, p. 6.1-74)

Mitigation Measures: The following mitigation measures have been adopted to address this impact to the extent feasible:

6.1-7a: SR 70/99 Northbound to Elkhorn Boulevard off-ramp (City of Sacramento and Caltrans)

The project applicant shall coordinate with Caltrans to pay its fair share contribution to implement mitigation measure 6.1-5c, which requires re-striping the SR 99 northbound off-ramp approach to provide two left-turn lanes, a shared left turn-right turn lane and a right-turn lane (cumulative base lane geometry assumes two left turn and two right turn lanes). With implementation of this mitigation measure and widening this ramp from one lane to two lanes, this ramp would operate at LOS C and this impact would be reduced to a less-than-significant level. However, these ramps are not under the jurisdiction of the City of Sacramento (i.e., subject to Caltrans jurisdiction). While the project would contribute funds that would implement measures that would fully mitigate impacts to this intersection to a less-than-significant level, it is unknown whether these measures would be implemented because they are not subject to the control of the City. As a result, for purposes of CEQA, cumulative impacts to this ramp would be considered ***significant and unavoidable.***

6.1-7b:I-5 Northbound to SR 70/99 Northbound off-ramp (City of Sacramento and Caltrans)

a. *The project applicant shall implement Mitigation Measure 6.1-3c.*

b. *Upon the City's issuance of any building permit for the project, the project applicant shall pay its fair-share contribution to the City's Traffic Congestion*

Relief Fund. This contribution has been previously identified within the fair-share funds calculated for Mitigation Measure 6.1-3c. Monies will be deposited within the City's fund in the time and manner as required by the City of Sacramento, in accordance with Caltrans and other transportation agencies including Regional Transit. The City's Traffic Congestion Relief Fund will be used to implement projects that would reduce mainline freeway congestion. However, it cannot be guaranteed that the congestion relief projects would be constructed or would be constructed prior to buildout of the project because the types of improvements, costs, and funding for such improvements has not been identified. Therefore, for purposes of CEQA, this impact would remain ***significant and unavoidable.*** *(FEIR, p. 7-5.)*

6.1-7c: I-5 Northbound to Metro Air Parkway off-ramp (City of Sacramento and Caltrans)

The project applicant shall coordinate with Caltrans and the Metro Air Park Finance Plan to pay its fair share toward widening the off-ramp to provide two additional lanes. Caltrans' DSMP includes the reconstruction of the I-5/Metro Air Park Interchange, but does not identify specific improvements or a project construction date. Widening of the interchange to provide the two additional lanes could be accommodated within the right-of-way proposed as part of the interchange improvement.

The project applicant shall also implement mitigation measures 6.1-5d, which requires the establishment of a funding mechanism for restriping the I-5 northbound off-ramp approach to provide a left turn lane, a shared left turn-right turn lane and two right turn lanes (cumulative base lane geometry assumes two left turn and two right turn lanes).

Even with implementation of the above mitigation, the ramp is anticipated to continue operating at LOS F. No other feasible mitigation is available. Therefore, this impact would remain ***significant and unavoidable****.*

6.1-7d: Metro Air Parkway to I-5 Southbound loop on-ramp (City of Sacramento and Caltrans)

Concurrent with project approval, the project applicant shall, in coordination with the City, prepare a City Council-approved Finance Plan to fully fund necessary traffic mitigation. This funding mechanism shall be in conformance with the Draft Greenbriar Finance Plan presented in Appendix C of the DEIR. This funding mechanism shall ensure that the project applicant will pay their fair-share costs (determined in consultation with the City and Caltrans) toward the widening of the on-ramp to provide two additional lanes. The Draft Greenbriar Finance Plan identifies 100% of the funding needed to construct this improvement. Sufficient right-of-way is currently available to accommodate these improvements without resulting in expansion of this intersection. Based on "windshield surveys" of the project area, the site proposed for this improvement is substantially similar to the project site. Construction-related impacts would be similar to the project's construction-related impacts and no new significant impacts would occur. Mitigation recommended for the project would also substantially reduce construction-related impacts associated with this measure. The project would contribute approximately 1% of the total p.m. peak-hour trips at this off-ramp and as a result shall contribute 1% to construction of this improvement.

Caltrans would be the agency responsible for implementation of this measure and as a result the project applicant would be required to coordinate with Caltrans on the funding

of this improvement. Caltrans' District 3 DSMP includes the I-5/Metro Air Parkway Interchange, but does not identify specific improvements or project construction date. Additionally, the construction of Metro Air Parkway to I-5 southbound loop on-ramp is included in the Metro Air Park Finance Plan, so the applicant would be required to pay its fair share contribution in conjunction with Metro Air Park finance plan toward the construction of this improvement.

However, even with implementation of the above mitigation, this ramp is anticipated to continue operating at LOS F. No other feasible mitigation is available. Therefore, this impact would remain ***significant and unavoidable****.*

Finding: While mitigation recommended would require the project applicant to contribute its fair share amount toward the City's Traffic Congestion Relief Fund for improvements, it can not be guaranteed that the congestion relief projects would be constructed or would be constructed prior to buildout of the project because the types of improvements, costs, and full funding for such improvements have not been identified. As a result, for purposes of CEQA, cumulative impacts to these ramps would be considered ***significant and unavoidable***. (FEIR, p. 7-5.)

While mitigation may be feasible for the I-5 Northbound to Metro Air Parkway off-ramp and the Metro Air Parkway to I-5 Southbound loop on-ramp, this mitigation would not be able to reduce the impact of the project to a less-than-significant level. These ramps would continue to operate at LOS F and no other feasible mitigation is available. Therefore, cumulative impacts to this ramp would remain ***significant and unavoidable.*** (FEIR, p. 7-5.) Please see also Response to Comment 3-3 in the Final EIR. (FEIR, pp. 4-20 to 4-22.)

Impact 6.1-8 **Cumulative Freeway Mainline Segment Impacts**. The proposed project in combination with cumulative projects would increase traffic volumes on the freeway system and would cause three study freeway mainline segments (i.e., I-5 east of Powerline Road, I-5 north of Del Paso Road, I-5 north of I-5/I-80 interchanges between I-80 and Arena Boulevard) to operate unacceptably under Cumulative plus Project Conditions. These intersections would operate unacceptably under Cumulative no Project conditions; however, the project would contribute additional trips to these intersections, which is unacceptable based on Caltrans standards. This would be a cumulatively ***significant*** impact. (DEIR, p. 6.1-80.)

Mitigation Measures: The following mitigation measures have been identified to reduce this impact to a less than significant level:

6.1-8a: I-5 east of Powerline Road to the MAP Interchange (City of Sacramento and Caltrans)

a. The project applicant shall implement Mitigation Measure 6.1-3c.

b. Upon the City's issuance of any building permit for the project, the project applicant shall contribute its fair share toward widening this segment to six lanes (currently four lanes). This mitigation would improve the operating conditions of this segment during peak conditions to an acceptable LOS. The Caltrans' District 3 DSMP includes adding an HOV lane to I 5 by the year 2020 and according to Metro Air Park Finance Plan, this segment of I-5 would be upgraded to six lanes with buildout of the Metro Air Park project. Therefore, concurrent with project approval, the project applicant shall, in coordination with the City, prepare a City

Council-approved Finance Plan. This funding mechanism shall be in conformance with the Draft Greenbriar Finance Plan presented in Appendix C of the DEIR. This funding mechanism shall ensure that the project applicant will pay their fair-share costs, determined in consultation with the City and in coordination with the Metro Air Park Finance Plan, toward the widening of I-5 to six lanes. While expansion of this freeway segment would reduce the project's cumulative traffic impacts to this freeway segment, it would not reduce the project's cumulative impact to a less-than-significant level because 100% funding has not been identified. Therefore, while reduced, this impact would remain ***significant and unavoidable****. (DEIR, p. 6.1-82)*

6.1-8b: I-5 north of Del Paso Road (City of Sacramento and Caltrans)

a. *The project applicant shall implement Mitigation Measure 6.1-3c.*

b. *Upon the City's issuance of any building permit for the project, the project applicant shall pay its fair-share contribution to the City's Traffic Congestion Relief Fund. This contribution has been previously identified within the fair-share funds calculated for Mitigation Measure 6.1-3c. Monies will be deposited within the City's fund in the time and manner as required by the City of Sacramento, in accordance with Caltrans and other transportation agencies including Regional Transit. The City's Traffic Congestion Relief Fund will be used to implement projects that would reduce mainline freeway congestion. However, it cannot be guaranteed that the congestion relief projects would be constructed or would be constructed prior to buildout of the project because the types of improvements, costs, and funding for such improvements has not been identified. Therefore, for purposes of CEQA, this impact would remain* ***significant and unavoidable****. (FEIR, p. 7-6.)*

6.1-8c: I-5 north of I-5/I-80 Interchange between I-80 and Arena Boulevard Exit (City of Sacramento and Caltrans)

a. *The project applicant shall implement Mitigation Measure 6.1-3c.*

b. *Upon the City's issuance of any building permit for the project, the project applicant shall pay its fair-share contribution to the City's Traffic Congestion Relief Fund. This contribution has been previously identified within the fair-share funds calculated for Mitigation Measure 6.1-3c. Monies will be deposited within the City's fund in the time and manner as required by the City of Sacramento, in accordance with Caltrans and other transportation agencies including Regional Transit. The City's Traffic Congestion Relief Fund will be used to implement projects that would reduce mainline freeway congestion. However, it cannot be guaranteed that the congestion relief projects would be constructed or would be constructed prior to buildout of the project because the types of improvements, costs, and funding for such improvements has not been identified. Therefore, for purposes of CEQA, this impact would remain* ***significant and unavoidable****. (FEIR, p. 7-7.)*

Finding: Changes or alterations have been required in, or incorporated into, the project that substantially lessen, but do not avoid, the potentially significant environmental effects to the freeway mainline segments. No mitigation is available to render the effects less than significant.

While mitigation recommended would require the project applicant to contribute its fair share amount in the City's Traffic Congestion Relief Fund, it can not be guaranteed that the congestion relief projects would be constructed or would be constructed prior to buildout of the project because the types of improvements, costs, and full funding for such improvements have not been identified. Therefore, cumulative impacts to the freeway mainline segments (i-5 east of Power Line Road to the MAP Interchange, I-5 north of Del Paso Road, I-5 north of I-5/I-80 Interchange between I-80 and Arena Boulevard Exit) would remain ***significant and unavoidable***. (FEIR, p. 7-7) Please see also Response to Comment 3-3 in the Final EIR. (FEIR, pp. 4-20 to 4-22.)

2. *AIR QUALITY*

Impact 6.2-1 **Short Term Construction-Generated Emissions**. Construction-generated emissions of NOX would exceed SMAQMD's significance threshold of 85 lb/day, and because of the project's size, PM10 emissions would result in or substantially contribute to emission concentrations that exceed the CAAQS. In addition, because Sacramento County is currently designated as a nonattainment area for both ozone and PM10, construction-generated emissions could further contribute to pollutant concentrations that exceed the CAAQS. This impact would be ***significant***. (DEIR, p. 6.2-15.)

Modeled emissions of NOX, during all phases of construction, would exceed the SMAQMD's significance threshold of 85 lb/day and, because of the project's size, short-term construction-generated PM10 emissions would result in or substantially contribute to emissions concentrations that exceed the CAAQS. In addition, because Sacramento County is currently designated as a nonattainment area for ozone and PM10, construction-generated emissions could further contribute to pollutant concentrations that exceed the CAAQS. As a result, this impact would be ***significant***. (DEIR, p. 6.2-18)

Mitigation Measures:

6.2-1: (City of Sacramento and LAFCo)

In accordance with the recommendations of the SMAQMD, the project applicant shall implement the following measures to reduce temporary construction emissions:

a. The project applicant shall implement the following measures to reduce NOX and visible emissions from heavy-duty diesel equipment.

i. Before issuance of a grading permit, the project applicant shall provide a plan for approval by the lead agency, in consultation with SMAQMD, demonstrating that the heavy-duty (>50 horsepower), off-road vehicles to be used in the construction project, including owned, leased, and subcontractor vehicles, will achieve a project-wide fleet-average 20% NOX reduction and 45% particulate reduction compared to the most recent ARB fleet average at the time of construction. Acceptable options for reducing emissions include the use of late-model engines, low-emission diesel products, alternative fuels, particulate matter traps, engine retrofit technology, after-treatment products, and/or such other options as become available.

ii. *Before issuance of a grading permit, the project applicant shall submit to the lead agency and SMAQMD a comprehensive inventory of all off-road construction equipment, equal to or greater than 50 hp, that will be used an aggregate of 40 or more hours during any portion of project construction. The inventory shall be updated and submitted monthly throughout the duration of the project, except that an inventory shall not be required for any 30-day period in which no construction operations occur. At least 48 hours before heavy-duty off-road equipment is used, the project applicant shall provide the SMAQMD with the anticipated construction timeline including start date, and the name and phone number of the project manager and on-site foreman.*

iii. *Before issuance of a grading permit, the project applicant shall ensure that emissions from off-road, diesel-powered equipment used on the project site do not exceed 40% opacity for more than 3 minutes in any 1 hour. Any equipment found to exceed 40% opacity (for white smoke) or Ringlemann 2.0 (for black smoke) shall be repaired immediately, and the SMAQMD shall be notified of non-compliant equipment within 48 hours of identification. A visual survey of all in-operation equipment shall be made at least weekly by the construction contractor, and the contractor shall submit a monthly summary of visual survey results throughout the duration of the construction project, except that the monthly summary shall not be required for any 30-day period in which no construction operations occur. The monthly summary shall include the quantity and type of vehicles surveyed, as well as the dates of each survey. The SMAQMD and/or other officials may conduct periodic site inspections to determine compliance.*

b. *As recommended by the SMAQMD, the project applicant shall reduce fugitive dust emissions by implementing the measures listed below during construction.*

i. *All disturbed areas, including storage piles that are not being actively used for construction purposes, shall be effectively stabilized of dust emissions using water, a chemical stabilizer or suppressant, or vegetative ground cover. Soil shall be kept moist at all times.*

ii. *All on-site unpaved roads and off-site unpaved access roads shall be effectively stabilized of dust emissions using water or a chemical stabilizer or suppressant.*

iii. *When materials are transported off-site (e.g., trees, plantings), all material shall be covered, effectively wetted to limit visible dust emissions, or maintained with at least 2 feet of freeboard space from the top of the container.*

iv. *All operations shall limit or expeditiously remove the accumulation of project-generated mud or dirt from adjacent public streets at least once every 24 hours when operations are occurring.*

v. *After materials are added to or removed from the surfaces of outdoor storage piles, the storage piles shall be effectively stabilized of fugitive dust emissions using sufficient water or a chemical stabilizer or suppressant.*

vi. *On-site vehicle speeds on unpaved roads shall be limited to 15 mph.*

vii. *Wheel washers shall be installed for all trucks and equipment exiting unpaved areas, or wheels shall be washed to remove accumulated dirt before such vehicles leave the site.*

viii. *Sandbags or straw waddles shall be installed to prevent silt runoff to public roadways from adjacent project areas with a slope greater than 1 %.*

ix. *Excavation and grading activities shall be suspended when winds exceed 20 mph.*

x. *The extent of areas simultaneously subject to excavation and grading shall be limited, wherever possible, to the minimum area feasible.*

xi. *Emulsified diesel, diesel catalysts, or SMAQMD-approved equal, shall be used on applicable heavy-duty construction equipment that can be operated effectively and safely with the alternative fuel type.*

c. *The applicant shall pay $2,587,955 into SMAQMD's off-site construction mitigation fund to further mitigate construction-generated emissions of NOX that exceed SMAQMD's daily emission threshold of 85 lb/day. The calculation of the fee listed here is based on the current cost of $14,300 to reduce a ton of NOX. However, the then current cost of reducing NOx should be used at the time of the payment of the fee. The fee shall be paid to the SMAQMD prior to the issuance of any grading permit for any portion of the project. The fee can be paid on an acre basis ($4,485.19/acre) as development occurs and grading permits are sought. (See Appendix D of the DEIR for calculation worksheet.)*

d. *In addition to the measures identified above, construction operations are required to comply with all applicable SMAQMD rules and regulations.*

(RDEIR, p. 6.2-20; FEIR, p. 5-32, 7-9.)

Finding: Changes or alterations have been required in, or incorporated into, the project that substantially lessen, but do not avoid, the potentially significant environmental effect associated with short term construction-generated emissions. No mitigation is available to render the effects less than significant.

Implementation of the above measures under part a above would result in a 20% reduction in NOX emissions and a 45% reduction in visible emissions from heavy-duty diesel equipment according to SMAQMD. Implementation of the measures under part (b) would reduce fugitive dust emissions by up to 75%, according to estimates provided by SMAQMD. Daily construction emissions would still exceed the SMAQMD's significance threshold (Table 6.2-3 of the DEIR) despite implementation of all feasible mitigation measures, and thus would potentially result in or substantially contribute to pollutant concentrations that exceed the CAAQS. As a result, this would be considered a ***significant and unavoidable*** impact. (DEIR, p. 6.2-19)

Impact 6.2-2 **Generation of Long-Term Operational (Regional) Emissions ROG, NOX, and PM10**. Long-term operation of the proposed project would result in emissions of ozone-precursor pollutants that would exceed SMAQMD's threshold. Furthermore, the project's operational emissions would potentially conflict with or obstruct implementation of applicable air quality plans. As a result, this impact would be considered ***significant***. (DEIR, p. 6.2-19.)

Long-term operation of the proposed project would result in emissions of ROG and NOX in excess of SMAQMD's corresponding thresholds of 65 lb/day. Furthermore, operation of the project would result in increased vehicle trips and VMT compared to existing conditions that are not already accounted for in an approved plan. An increase in VMT and associated mobile source emissions, may conflict with the SMAQMD's air quality planning efforts. Consequently, an increase in VMT beyond projections in local plans would potentially result in a significant adverse incremental effect on the region's ability to attain and/or maintain the CAAQS. This would be a ***significant*** impact. (DEIR, p. 6.2-21)

Mitigation Measures:

6.2-2: (City of Sacramento and LAFCo)

When a proposed project's operational emissions are estimated to exceed SMAQMD's threshold of significance of 65 lb/day for ROG or NOX, an Air Quality Mitigation Plan (AQMP) to reduce operational emissions by a minimum of 15% shall be submitted to the SMAQMD for approval. The following mitigation is included in the SMAQMD-approved AQMP for this project (Appendix E) and shall be incorporated to achieve a 15% reduction.

a. *The entire project shall be located within ½ mile of a Class I or Class II bike lane.*
b. *The project shall provide for pedestrian improvements.*
c. *Residential uses shall be within 1/4 mile of planned transit.*
d. *Neighborhoods shall serve as focal points.*
e. *Separate, safe, and convenient bicycle and pedestrian paths shall connect residential, commercial, and office uses.*
f. *The project shall provide a development pattern that eliminates physical barriers that impede bicycle or pedestrian circulation.*
g. *The lowest emitting commercially available furnaces shall be installed.*
h. *Average residential density shall be seven dwelling units per acre or greater (residential).*
i. *The project shall be mixed-use.*
j. *A display case/kiosk displaying transportation information shall be provided.*
k. *Minimum amount of parking shall be provided.*
l. *Parking lot shade shall be increased by 10%.*
m. *The project shall become a permanent member of a Transportation Management Association (TMA).*
n. *The project shall provide a transportation coordinator.*
o. *The project shall contract with landscapers complying with ARB standards.*

(FEIR, pp. 5-32, 7-9 to 7-10.)

Finding: Changes or alterations have been required in, or incorporated into, the project that substantially lessen, but do not avoid, the potentially significant environmental effect associated with long term regional long term emissions. No mitigation is available to render the effects less than significant. The effects (or some of the effects) therefore remain significant and unavoidable.

Although the above mitigation measures would substantially reduce the project's operational emissions, they would not reduce the project's operational emissions below SMAQMD's significance thresholds (refer to Table 6.2-4 of the DEIR). See also Response to Comment R7-7

in the Final EIR. (FEIR, pp. 5-32 to 5-34.) As a result, this impact would be ***significant and unavoidable***. (DEIR, p. 6.2-22)

Impact 6.2-4 **Exposure of Sensitive Receptors to Toxic Air Contaminant Emissions**. Implementation of the proposed project could result in the exposure of existing sensitive receptors to minor increases in short-term construction emissions and future residents to TAC emissions from : airport operations; vehicle emissions to I-5 and SR 70/99; mobile-source TAC emissions on the site; and TACs from on-site commercial and other activities. Exposure to short term construction emissions would be temporary and would not result in substantial health hazards; the impact would be ***less than significant***.

Exposure to TACs from airport operations is an issue that is being studied on a national level, but no conclusions have been reached as to whether such exposure would be a health hazard, therefore the EIR could not reach a conclusion of significance.

An analysis using both screening criteria and calculations of incremental risk to residents from exposure to TACs for residents along the margins closest to the freeways shows that the project would not result in substantial health risk. Further, in view of the on-going state and federal regulatory programs which have demonstrated significant reductions in health risks from toxic air contaminants in the Sacramento area (as well as throughout the state), and forecasted future improvements as a result of continued implementation of these existing regulatory programs, this impact would be ***less than significant***.

Given that proposed on-site commercial land uses have not yet been identified, and given the potential proximity of nearby sensitive receptors, exposure of nearby on-site receptors to mobile-source TACs associated with commercial and other activities on the site would be considered ***potentially significant.*** (RDEIR, pp. 6.2-24 to 6.2-30.)

Mitigation Measures:

6.2-4: (City of Sacramento and LAFCo)

On-site Mobile Sources. The following mitigation measures shall be implemented:

a. *Proposed facilities that would require the long-term use of diesel equipment and heavy-duty trucks shall develop and implement a plan to reduce emissions, which may include such measures as scheduling such activities when the residential uses are the least occupied, and requiring such equipment to be shut off when not in use and prohibiting heavy-trucks from idling. The plan shall be submitted to and approved by the City before loading dock activities begin. Copies of the plan shall be provided to all residential dwellings located within 1,000 feet of loading dock areas.*

b. *Proposed commercial/convenience land uses (e.g., loading docks) that have the potential to emit toxic air emissions shall be located as far away as feasibly possible from existing and proposed sensitive receptors.*

Off-site Mobile Sources: The following mitigation measure shall be implemented:

c. *The project applicant shall include in landscape plans, planting of fine-needled conifer trees in the buffer area between the I-5 and SR 70/99 freeways and proposed residential uses. Total numbers, exact species, box-size at planting, spacing and placement will be determined in consultation with SMAQMD prior to adoption of a Tentative Map.*

Finding: Implementation of the above mitigation measures would reduce health-related risks associated with on-site mobile-source TACs, but not necessarily to a less-than-significant level. Exposure to mobile-source TAC emissions from on-site mobile sources are, therefore, considered ***significant and unavoidable***. This conclusion is because of the uncertainty associated with on-site commercial land use activities and the proximity of sensitive receptors to such uses. This conclusion may, therefore, change as more detailed information regarding proposed on-site commercial uses becomes available. (RDEIR, p. 6.2-31)

Regarding exposure to TACs from freeways adjacent to the site, as discussed in Section A, the EIR applied the protocol adopted by SMAQMD for determining potential risk from exposure to mobile-source TACs. (RDEIR, pp. 6.2-26 to 6.2-29.) The analysis in the EIR shows that under all considerations (current and improved future background TAC exposure), the project does not expose residences to an incremental (i.e., additional over background) cancer risk of 10 in 1 million and does not result in exposure to an acute and chronic hazard index of 1.0 or greater. SMAQMD testified in support of the project at the October 11, 2007 Planning Commission hearing and requested that the applicant use finely-needled trees in strategic places along the boundary of the project, in order to enhance the project features that already reduce impacts from TACs. The project applicant has agreed to this measure, as reflected above. See also Response to Comments R7-12 and R7-13 in the Final EIR. (FEIR, pp. 5-35 to 5-37.) Consequently, this impact is concluded to be ***less-than-significant.*** (RDEIR, p. 6.2-29)

3. *NOISE*

Impact 6.3-2 **Long-Term Operational Traffic Noise**. Implementation of the proposed project would result in increases in traffic noise levels greater than 4 dBA and cause traffic noise levels to exceed the County's 60 dBA Ldn/CNEL exterior noise standard at sensitive receptors in unincorporated Sacramento County. This would be a ***significant*** impact. (DEIR, p. 6.3-22.)

Mitigation Measures:

The project applicant shall implement the following measures to reduce the exposure of existing sensitive receptors to project-generated traffic noise levels.

6.3-2: (City of Sacramento and LAFCo)

a. *As individual facilities and elements of the proposed project are permitted by the City, the City shall evaluate each for compliance with the County's exterior noise standard and the substantial increase threshold [i.e., relative to existing levels attributed to existing year 2005 traffic volumes (Section 6.1, "Transportation and Circulation")] for transportation noise sources at the existing residences in unincorporated Sacramento County located along Lone Tree Road south of*

Elkhorn Boulevard (house is 50 feet west of centerline of Lone Tree Road), Power Line Road between Elkhorn Boulevard and Del Paso Road (house is located 80 feet east of centerline of Power Line Road), and Elkhorn Boulevard between Power Line Road and Lone Tree Road (houses are located 575 feet south of centerline of Elkhorn Boulevard and 175 feet south of centerline of Elkhorn Road). Where traffic noise levels generated by individual projects do not clearly comply with the County's exterior noise standards or result in a substantial increase in ambient noise levels at these locations, the City shall offer the owners of the affected residences the installation of solid barriers (e.g., berms, wall, and/or fences) along their affected property line. Actual installation of the barriers/fences would either be funded by, or completed by the project applicant. The barriers/fences must be constructed of solid material (e.g., wood, brick, or adobe) and be of sufficient density and height to minimize exterior noise levels. The barriers/fences shall blend into the overall landscape and have an aesthetically pleasing appearance that agrees with the color and character of nearby residences, and not become the dominant visual element of the community. Where there is a question regarding premitigation or postmitigation noise levels in a particular area, site-specific noise studies/modeling may be conducted to determine compliance or noncompliance with standards. Funding for the installation of this mitigation measure shall be provided by the project applicant. (DEIR, pp. 6.3-24, 25)

Finding: Changes or alterations have been required in, or incorporated into, the project that substantially lessen, but do not avoid, the potentially significant environmental effect associated with long-term operational traffic noise. No mitigation is available to render the effects less than significant. The effects (or some of the effects) therefore remain significant and unavoidable.

While Mitigation Measure 6.3-2 would substantially lessen exterior noise levels at nearby sensitive receptors, noise levels would still be substantially increased, and the feasibility of the mitigation to reduce all significant noise impacts is unknown. Therefore, this impact would remain ***significant and unavoidable***. (DEIR, p. 6.3-25)

4. *UTILITIES*

Impact 6.4-4 **Environmental Impacts Associated with SRWTP Expansion**. The SRWTP would provide wastewater treatment services for the project. The SRCSD approved an SRWTP to accommodate wastewater treatment demands for future growth and development. As a result, the project would contribute to the need to expand the SRWTP. According to the EIR prepared for the SRWTP 2020 Master Plan Expansion, construction and operation of facility improvements could contribute to significant and unavoidable impacts related to construction-related air quality. Because the project would contribute to the need for expanding the SRWTP, and would contribute to the impacts assessed in the EIR for the SRWTP 2020 Master Plan Expansion would be a ***significant*** impact to wastewater facilities. (DEIR, p. 6.4-14)

Mitigation Measures:

6.4-4: (City of Sacramento)

The environmental impacts of expanding the SRWTP were appropriately evaluated in the EIR for the SRWTP 2020 Master Plan Expansion Project. All available mitigation was recommended to reduce the environmental impacts of this project where feasible. However, the EIR concluded that even with recommended mitigation, the project would result in a significant and unavoidable impact related to construction-related air quality, the cumulative effects of which are discussed in Section 7.2, "Cumulative Impacts," of the Draft EIR. (DEIR, p, 6.4-14)

Finding: The SRWTP would provide wastewater treatment for wastewater flows generated by the project. The SRWTP currently treats an average of 165 mgd of wastewater and is permitted to treat 181 mgd average dry weather flows (ADWF) and 392 mgd of daily peak wet weather flows. The SRCSD has determined that expansion of the SRWTP is necessary to meet increased demands over the next 20 years, a portion of which would be generated by the project. The SRCSD prepared and approved the SRWTP 2020 Master Plan Expansion Project in 2004, which would expand the plant in incremental steps on an as-needed basis to 218 mgd ADWF over the next 15 to 20 years. The SRCSD accommodate new development projects on a first-come-first-served basis. Phased facility expansion is currently on-going. The EIR prepared for the project (Sacramento Regional Wastewater Treatment Plan 2020 Master Plan EIR, 2004) indicated that the expansion project would result in one significant and unavoidable impact related to construction-related air quality (see discussion of cumulative air quality impacts in Chapter 7, "Other CEQA Sections"). All other impacts would be reduced to a less-than-significant level through implementation of mitigation measures recommended in the EIR. A copy of the EIR is available for review at the City of Sacramento, Planning Department, 915 I Street, Suite 300, Sacramento, California).

Although staff of SRCSD have indicated that wastewater treatment capacity is currently available to the serve the project and would account for less than 2% of the existing permitted wastewater treatment of the SRWTP under ADWF and less than 1% under daily peak wet weather flows, the project in combination with other development would contribute to the need for expansion of the SRWTP and would contribute to the impacts assessed in the EIR for the SRWTP 2020 Master Plan Expansion Project, one of which would remain significant and unavoidable. The SRCSD expects to resolve the CEQA challenge to its EIR in the near future and in time to expand the SRWTP in response to demand. Therefore, the project would contribute to a significant wastewater impact. No other feasible mitigation is available. (DEIR, p. 6.4-14)

Because all feasible mitigation has been recommended to reduce potentially significant impacts associated with the SRWTP expansion and no other feasible mitigation is available to reduce this impact, this impact would remain ***significant and unavoidable***. (DEIR, p. 6.4-14)

5. *PUBLIC SERVICES*

Impact 6.5-1 **Increased Demand for Fire and Emergency Medical Services**. Although SFD is planning to construct a new fire station near the project site and with this facility SFD would provide services to the project site within acceptable standards, the timing of the construction of this facility is currently unknown. Because it is unknown whether adequate fire protection facilities would be in place at the time the first occupancy permit is issued, the project could result in residents living in an area where inadequate fire and emergency response services are provided. This would be a ***potentially significant*** impact. (DEIR, p. 6.5-5)

Mitigation Measures:

6.5-1: (City of Sacramento and LAFCo)

a. *The project applicant shall coordinate with the City of Sacramento to determine the timing of construction of a new fire station that would serve the proposed project. The project applicant shall enter into an agreement with SFD to ensure that adequate fire protection services would be in place before the issuance of the project's first occupancy permit. Potential options for adequate services could include construction of a new fire station or an agreement for temporary dedicated services to serve the project site.*

b. *The project's Finance Plan shall identify necessary public facility improvements needed to serve the project, 100% of the costs required, and all the project's fair-share costs associated with provision of these facilities and services. The project applicant shall pay into a fee program, as established by the Greenbriar Finance Plan, that identifies the funding necessary to construct needed public facilities (e.g., police, fire, water, wastewater, library, and schools). The Draft Greenbriar Finance Plan is provided in Appendix C of the DEIR. The Finance Plan would be structured to ensure that adequate public facilities are in place as development occurs. (DEIR, p. 6.5-5, 6)*

Finding: Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant environmental effect to fire services as identified in the Final EIR.

With implementation of the above mitigation, the project's impact to fire services would be reduced to a ***less-than-significant*** level. However, the mitigation proposed (i.e., construction of a new fire station) could result in construction-related environmental effects including increased air emissions, traffic trips, conversion of agricultural lands and open space areas, and impacts to special-status species and wildlife. Further, operation of the station could result in potential land use conflicts including increased noise associated with engine operations, increased roadway traffic volumes, and increased safety hazards. The proposed station would be located within the North Natomas area. Resources within the North Natomas area are generally similar to resources found within the project site. Mitigation recommended for the project would also substantially reduce impacts associated with construction and operation of this facility. However, it is unknown whether mitigation would reduce impacts to a less-than-significant level. Therefore, construction of the proposed new fire station, which would be required to provide adequate fire protection services at the project site, could result in significant and unavoidable environmental effects. Therefore, for purposes of CEQA, this would be a ***significant and unavoidable*** impact. (DEIR, p. 6.5-6) Please see also Response to Comment 9-1 in the Final EIR. (FEIR, p. 4-209.)

6. *PARKS AND OPEN SPACE*

Impact 6.6-2 **Substantial Loss of Open Space Resources**. The proposed project would result in the conversion of approximately 577 acres of agricultural land to nonagricultural use in an area that already is experiencing substantial development and loss of open space. The conversion of agricultural land to urban development would result in the permanent loss of open space resources. This impact would be ***significant***. (DEIR, p. 6.6-11.)

Mitigation Measures:

6.6-2: (City of Sacramento and LAFCo)

a. *Consistent with the principles of the City/County Natomas Joint Vision Memorandum of Understanding, the project applicant shall coordinate with the City to identify appropriate lands to be set aside in a permanent conservation easements at a ratio of one open space acre converted to urban land uses to one-half open space acre preserved and at a ratio of one habitat acre converted to urban land uses to one-half habitat acre preserved. The total acres of land conserved shall be based on final site maps indicating the total on-site open space and habitat converted. Conserved open space and habitat areas could include areas on the project site, lands secured for permanent habitat enhancement (e.g., giant garter snake, Swainson's hawk habitat), or additional land identified by applicant in consultation with the City. All conserved open space and habitat land shall be located in the NNJV area. Should the City and County change adopted mitigation ratios before issuance of any grading permits, the project applicant shall comply with the revised policy. (DEIR, p. 6.6-12)*

In addition, the project applicant has agreed to the following mitigation measure:

b. The project applicant shall mitigate for impacts to open space by providing mitigation land in the amounts specified in the Greenbriar Open Space, Species and Agriculture: Project Impacts and Mitigation chart attached to the Mitigation Monitoring and Reporting Program, approved by the City Council along with these findings. The acreages shown in the Mitigation chart shall control. Implementation of the open space chart will result in an additional 30.5 acres of open space.

LAFCo *Prior to annexation, the city shall implement mitigation measure 6.6-2. (DEIR, p. 6.6-12)*

Finding: Changes or alterations have been required in, or incorporated into, the project that substantially lessen, but do not avoid, the potentially significant environmental effect associated with loss of open space. No mitigation is available to render the effects less than significant. The effects (or some of the effects) therefore remain ***significant and unavoidable***.

Agricultural lands within the North Natomas area are part of an assortment of other open space areas within Sacramento County. Sacramento County has been among the top 10 urbanizing counties in California and in the top ranks for net loss of irrigated land as mapped between 1988 and 2002 by the FMMP of the California Department of Conservation's Division of Land Resource Protection. The project site is within a portion of the county that historically has been devoted to agriculture, but rapid urban development is replacing much of this open space. As of December 2004, approximately 12% of the existing land in the City's Policy Area (approximately 12,946 acres) was in agricultural use, with a large portion of the existing agricultural land located in North Natomas. The proposed project would result in the direct conversion of approximately 577 acres (gross) of agricultural land to nonagricultural use and urban development in an area that already is experiencing substantial development and loss of open space. Total open space land converted would actually be somewhat reduced through the provision of on-site open space features (e.g., open space corridors, lake/detention basins). The North Natomas Joint Vision Memorandum of Understanding requires that future development

projects preserve permanent open space in the Natomas area through conservation easements at a 1:1 mitigation ratio (comprised of half-to-one ratio for habitat and half-to-one for open space). Because the project would result in the permanent conversion of open space resources and no conservation easements are proposed as an element of the project, the loss of open space would be a significant impact. (DEIR, p. 6.6-11)

As described for Mitigation Measure 6.6-2, implementation of mitigation requiring preservation of open space and habitat land would substantially lessen significant impacts associated with the conversion of open space on the project site because conservation easements would assist the public and private sectors in protecting other open space from the pressures of development. However, preservation of existing open space resources would only partially offset conversions of open space associated with project impacts, no new open space would be made available. (DEIR, p. 6.6-12)

For these reasons, and because no other feasible mitigation is available to reduce the impact associated with loss of open space in North Natomas, the project's impacts to open space resources would remain ***significant and unavoidable*** after mitigation. (DEIR, p. 6.6-12)

7. AESTHETICS

Impact 6.7-3 **Degradation of Visual Character**. The visual character of the Natomas Basin has been gradually changing from agricultural to suburban development as development proceeds north in Sacramento. The project would convert a large area of land from visual open space to suburban development. This is a ***significant*** impact to the visual character of the area. (DEIR, p. 6.7-9.)

Mitigation Measures:

6.7-3: (City of Sacramento)

> *Because of the scale and location of the project, there is no feasible mitigation available to address aesthetic resource impacts associated with the conversion of agricultural land to urban development. Although design, architectural, development, and landscaping standards through the proposed Planned Unit Development (PUD) Guidelines would provide an urban development on the project site that remains within certain aesthetic guidelines, there is no mechanism to allow implementation of the project while avoiding the conversion of the local viewshed from agricultural to urban development. Impacts related to the degradation of the local viewshed through conversion of agricultural lands to urban development are considered* ***significant and unavoidable****. (DEIR, p. 6.7-10)*

Finding: No mitigation is available to render the effects less than significant. The effects therefore remain significant and unavoidable.

Individuals may consider the conversion of agricultural land to urban development on this scale (577 acres) as a loss of an aesthetically pleasing and valuable viewshed. Because agricultural lands can be considered a valuable aesthetic resource and this resource is diminishing in the project area, and because of the size and visual prominence of the site (577 acres), the change in visual character would be considered a significant impact. Due to the conversation of agricultural lands to urban development, this would be considered ***significant and unavoidable*** after mitigation. (DEIR, p. 6.7-10)

8. *PUBLIC HEALTH AND HAZARDS*

Impact 6.8-3 **Potential for Safety Hazards from Proximity of Airport to Proposed Land Uses**. The project's residential land uses would be compatible with safety standards outlined in the Sacramento International Airport CLUP. However, the proposed parks and light rail station located within the overflight zone (a safety zone of the Sacramento International Airport) could result in densities that exceed 50 persons per acre at any one time, which would exceed density standards allowed by CLUP. Therefore, this impact would be considered ***significant***. (DEIR, p. 6.8-18.)

Mitigation Measures: The following mitigation measure(s) have been identified to reduce this impact. However, for the reasons set forth below, no mitigation measure(s) are available to reduce the impact to less than significant:

6.8-3: (City of Sacramento and LAFCo)

a. *Prior to City pre-zoning and prior to annexation, the City shall request a consistency determination of proposed land use with the CLUP from Sacramento County ALUC. The consistency determination shall describe the specific land uses that would be allowable and consistent with the CLUP in accordance with ALUC standards.*

b. *Prior to City pre-zoning and prior to annexation, if the consistency determination by ALUC comes to the conclusion that certain proposed land uses would be inconsistent with the CLUP the City shall review the decision of the ALUC and determine whether to override the ALUC's decision. The City shall submit its notice to override the consistency to the ALUC for review before approving the override. (DEIR, p. 6.8-19)*

Finding: Changes or alterations have been required in, or incorporated into, the project that substantially lessen, but do not avoid, the potentially significant environmental effect associated with potential safety hazards from proximity of the Project to the airport. No mitigation is available to render the effects less than significant. The effects (or some of the effects) therefore remain significant and unavoidable.

Due to the project's location relative to Sacramento International Airport, the Greenbriar project is subject to ALUC review of the project's consistency with the CLUP. In May, 2005, the City of Sacramento received an application for development of the Greenbriar project. The City referred the project application to ALUC for review for compatibility with the CLUP because a portion of the project (405 acres) is within the Overflight Zone of the Airport. The project proposal requests entitlements within the Overflight Zone for uses that include residential, commercial, mixed use, park and open space with water bodies, and a light-rail transit station.

On December 7, 2005, ALUC staff provided its written review of the project to the City of Sacramento's Planning Department. Of the three policy components of ALUC review: safety, noise, and height, ALUC's review of the Project focused on safety issues, but did not focus on height or noise issues because (1) the Project does not propose structures that are close to penetrating any of the imaginary surfaces as set forth by the Federal Aviation Administration in Federal Aviation Regulation Part 77, and (2) the Project site lies outside of the 60 CNEL, which serves as the demarcation line for restricted residential development.

ALUC made the following findings with regard to the Greenbriar project. First, the residential and commercial uses are compatible with the CLUP based upon the densities proposed for the Project. Second, parks and open spaces within the Project are compatible with the CLUP provided such areas do not contain facilities that lead to high concentrations of people (an average density of 25 people per acre over a 24 hour period, and not to exceed 50 persons per acre at any time), such as ball fields and playgrounds. None of the proposed parks/open spaces will exceed an average density of 25 people per acre/24 hours. Third, the project will either be considered (1) compatible with the CLUP if the SCAS and FAA do not object to the proposed water features, or (2) incompatible if either of these two agencies objects to the water features. Neither SCAS nor FAA have objected to the proposed water features, and in fact the SCAS has provided written support. (See FEIR, pages 4-238 to 4-239.) Fourth, although the elementary school proposed within the development is outside of the Overflight Zone, and therefore it is not subject to the ALUC's review, the ALUC has advised the City that because the school's proposed location is within 2 miles of an airport runway, state law (California Education Code 17215) requires the California Department of Transportation Division of Aeronautics to review and approve the school's location. The Division has reviewed the project. (See FEIR, pages 5-11 to 5-13.) Finally, the ALUC found that the project is inconsistent with the CLUP due to safety issues relating to the Project's provisions for a light rail station within the Overflight Zone, and ALUC notified the City of such inconsistency. The light rail station is the only project element that is considered to be inconsistent with the CLUP.

In overriding the ALUC inconsistency determination with regard to the light rail station, the City Council finds that the proposed project's proposal to develop a light rail station within the Overflight Zone is consistent with the purposes of the Airport Land Use Commission Law, and more specifically with the public interest purposes stated in Public Utilities Code Section 21670. This issue will be before Council at the December hearing. The Council has submitted its findings/overrides to the ALUC for a 45-day review period. Following the 45 day review period, Council will review the ALUC's advisory comments, if any, and the City will take final action by a 2/3 vote. (Cal. Pub. Util. Code, § 21676, subd. (b).)

Because of the nature of activities that occur at park facilities and light rail stations (i.e., gathering of people attracted to the particular use), there is no feasible mitigation available to restrict the number of persons gathering at these proposed land uses to less that 50 persons per acre. Restricting the number of persons or relocating park facilities and/or the light rail station could affect the overall viability (e.g., low revenue for commercial uses, low ridership numbers on light rail, and lack of facility use for park facilities) of proposed facilities and would not meet the applicant's, City's, SRTD's objectives for these facilities. Therefore, this would remain a ***significant and unavoidable*** impact. (DEIR, p. 6.8-19)

10. *HYDROLOGY, DRAINAGE, AND WATER QUALITY*

Impact 6.10-3 **On-Site Flooding Risk from Potential for Levee or Dam Failure**. FEMA intends to revise the FIRM through the Physical Map Revision process and will place the Natomas Basin in the Special Flood Hazard Area. The preliminary FIRM revision is expected to be issued by summer 2007 with a final FIRM effective date of fall 2007 or winter 2008. FEMA has not yet published the preliminary FIRM, and different development restrictions would apply depending on the SFHA designation ultimately selected. Because it is possible that some damageable structures and/or homes could be in place prior to implementation of all levee improvements that would provide 100-year flood protection, the impact is considered ***significant and unavoidable*** for a

short-term period of time. (FEIR, p. 3-4.)

Mitigation Measures: The following mitigation measure has been adopted to address this impact:

6.10-3 (City of Sacramento and LAFCo)

The following mitigation shall apply in the event that FEMA revises the FIRM and issues a new SFHA designation that indicates the Natomas levees can no longer provide 100-year flood protection (decertification). The City anticipates that after decertification, but before recertification, FEMA will likely remap the Natomas area (including the Greenbriar project site) as one of three potential SFHA designations: AE, AR, or A99 zone. Each designation prescribes specific building and design requirements for new, above-ground development.

If the Greenbriar project site is remapped by FEMA into an AE, AR, or A99 zone, then:

(1) the City will require development within the project site to comply with all applicable building and design regulations identified by FEMA and by the City of Sacramento's Floodplain Management Ordinance in existence at the date of issuance of building permits pertaining to the applicable remapped zone;

(2) the project applicant shall participate in a funding mechanism such as an assessment district established by SAFCA and/or the City for the purpose of implementing measures that would provide no less than 100-year flood protection for the Greenbriar project site, or for that portion of the Natomas Basin requiring recertification for 100-year flood protection including the Greenbriar project site provided that such funding mechanism is:

i. based on a nexus study;
ii. is regional in nature;
iii. is proportionate, fair, and equitable; and
iv. complies with all applicable laws and ordinances.

(3) the requirements of the applicable FEMA zone and corresponding requirements under the City of Sacramento's Floodplain Management Ordinance shall be met prior to the issuance of building permits for the project. Homeowners within the floodzone shall maintain federal flood insurance, as required under the applicable FEMA and City of Sacramento Floodplain Management Ordinance regulations.

Mitigation measures (1) and (3) shall terminate upon the first recertification of the levees by the U.S. Army Corps of Engineers. Under any of the three SFHA designations (AE, AR, or A99), homebuilders within the floodzone area shall disclose to all prospective buyers, lenders, bondholders and insurers of property through written disclosure, prior to the sale of units, that the U.S. Army Corps of Engineers has determined that the levees protecting the Natomas Basin may not provide flood protection from a 100-year or greater storm event until the levees are recertified as providing 100-year flood protection. (FEIR, pp. 7-12 to 7-13.)

In addition, the Project applicant submitted a letter to Sacramento LAFCo dated September 19, 2007, wherein the applicant states that it will not pursue vertical residential construction until and unless the property has 100-year flood protection. (Letter dated September 19, 2007, from AKT Development to Sacramento LAFCo.)

Finding: Changes or alterations have been required in, or incorporated into, the project that substantially lessen, but do not avoid, the potentially significant environmental effect associated with farmland conversion. No mitigation is available to render the effects less than significant. The effects (or some of the effects) therefore remain significant and unavoidable.

Implementation of the above mitigation would ensure that all development that occurs at the project site prior to recertification of the Natomas levee system would comply with the development restrictions established for flood hazard areas and would result in a ***less-than-significant*** long-term flooding impact because 100-year flood protection would be provided at the project site. Although there is reasonable certainty that the levee improvements would be in place to provide 100-year flood protection by 2010, depending on the SFHA designation selected for the site, it is possible that some damageable structures and/or homes could be in place prior to implementation of all levee improvements that would provide 100-year flood protection. Should this occur, ***significant and unavoidable*** flood hazard impacts would occur for a short-term period of time. Because the construction of structures and homes would be allowable within FEMA's regulations, no other feasible mitigation would be available. (FEIR, p. 7-13.) However, there is no real risk of development prior to achieving 100-year flood protection, as the project applicant has agreed that it will not pursue vertical residential construction until and unless the property has 100-year flood protection. (Letter dated September 19, 2007, from AKT Development to Sacramento LAFCo.) See also Master Response to Comment 3.1. (FEIR, pp. 3-1 to 3-3-5.)

11. *AGRICULTURE*

Impact 6.11-1 **Conversion of Important Farmlands**. The project would result in the conversion of 518 acres of important farmlands to urban land uses. Conversion of important farmland to nonagricultural use would be a ***significant*** impact. (DEIR, p. 6.11-7.)

Mitigation Measures:

6.11-1: (City of Sacramento)

a. *The project applicant shall implement Mitigation Measure 6.6-2.*

6.11-1 (LAFCo)

b. *Prior to annexation the applicant shall implement Mitigation Measure 6.6-2. (DEIR, p. 6.11-7)*

In addition, the project applicant has agreed to the following mitigation measure:

c. The project applicant shall mitigate for impacts to open space by providing mitigation land in the amounts specified in the Greenbriar Open Space, Species and Agriculture: Project Impacts and Mitigation chart attached to the Mitigation

Monitoring and Reporting Program, approved by the City Council along with these findings. The acreages shown in the Mitigation chart shall control.

Finding: Changes or alterations have been required in, or incorporated into, the project that substantially lessen, but do not avoid, the potentially significant environmental effect associated with farmland conversion. No mitigation is available to render the effects less than significant. The effects (or some of the effects) therefore remain significant and unavoidable.

Implementation of Mitigation Measure 6.11-1 would substantially lessen significant impacts associated with the conversion of farmland on the project site because LAFCo would only approve the conversion of agricultural land where it is consistent with its conservation policies. Further, the project would conserve open space and habitat lands some of which would be used for agricultural practices at a ratio consistent with the mitigation ratio identified in the City/County Joint Vision Plan MOU. Because the conservation easements are purchased for land exhibiting benefits to wildlife, including a combination of habitat, open space, and agricultural lands, the mitigation would not be applied exclusively to agricultural lands. Therefore, this mitigation would only partially offset conversions of farmland associated with the project impacts. In addition, no new farmland would be made available, and the productivity of existing farmland would not be improved as a result of the HCP mitigation. The City and LAFCo do not have any other adopted policies that address farmland conservation. Therefore, full compensation for losses of farmland would not be achieved. Impact 6.11-1 would remain ***significant and unavoidable*** after mitigation. (DEIR, p. 6.11-8)

Impact 6.11-3 **Conflict with Off-site Agricultural Operations**. The project site is located adjacent to agricultural operations to the north and development of the project could result in conflicts between adjacent agricultural activities and proposed residential land uses, which could lead to the abandonment of agricultural operations on lands to the north of the project site and could potentially result in the ultimate conversion of this land to non-agricultural land uses. This would be considered a ***significant*** impact. (DEIR, p. 6.11-8.)

Mitigation Measures:

6.11-3: (City of Sacramento)

The project applicant shall notify all prospective residents and tenants located within 500 feet of existing agricultural uses north of Elkhorn Boulevard of the types of existing agricultural operations that could occur within close proximity of their homes or businesses. Notification provided to residents and tenants shall include information on the types of land use conflicts that could occur (e.g., noise, dust) and the appropriate means by which to address these conflicts. The City shall approve the content of this notification and this notification shall be included in all residential deed and tenant agreements at the time of sale or lease. (DEIR, p. 6.11-9)

Finding: Changes or alterations have been required in, or incorporated into, the project that substantially lessen, but do not avoid, the potentially significant environmental effect associated with urban-agricultural conflicts. No mitigation is available to render the effects less than significant. The effects (or some of the effects) therefore remain significant and unavoidable.

Implementation of the above mitigation measure would notify prospective residents of potential land use conflicts associated with agricultural activities that occur north of the project site;

however, it would not remove or substantially reduce potential conflicts. Other than precluding development adjacent to agricultural lands, no other feasible mitigation is available to eliminate potential urban/agricultural land use conflicts. Further, because of the developing nature of the City and the fact that current plans for development to the north of the project site (e.g., North Natomas Joint Vision Plan) are under contemplation by the City, it is unknown whether lands to the north would remain in agricultural production indefinitely. It is reasonable to anticipate that these lands would likely convert to urban development within the next 10 to 20 years. As such, it would not be reasonable for the City for preclude development near these agricultural lands unless it knew that development would not occur. For these reasons, this impact would remain ***significant and unavoidable***. (DEIR, p. 6.11-9)

D. Findings Related to the Relationship Between Local Short-term Uses of the Environment and Maintenance and Enhancement of Long-term Productivity.

Based on the EIR and the entire record before the City Council, the City Council makes the following findings with respect to the project's balancing of local short term uses of the environment and the maintenance of long term productivity:

The proposed plan, land uses, zoning, and public improvements for the project site would create a residential development that provides access to alternative modes of transportation (e.g., light rail, bicycle, walking) to on-site commercial and retail centers and to off-site employment centers. The project would provide a variety of housing types at an intensified density along with mixed-use development to promote use of alternative modes of transportation. The project's use of a grid street pattern would provide multiple access routes to destinations on-site and off-site and allow for narrower streets within residential neighborhoods.

The purpose of the project is to create a mixed-use neighborhood through the development of retail and commercial uses, multi-family attached homes, and high density single-family detached homes. In addition, the project would allow for future on-site retail and commercial development in support of surrounding housing. The project also promotes the use of public transportation by incorporating a light rail station at the core of development. (DEIR, p. 3-1.)

The project has the following project objectives:

- create a quality residential development near the major employment centers of downtown Sacramento and Metro Air Park,
- create a transit-oriented, pedestrian-friendly development,
- provide development and land for construction of a light rail stop along the proposed Downtown-Natomas-Airport light rail line with densities that would support the feasibility of a light rail line,
- develop the project site in a manner consistent with and supportive of Sacramento Area Council of Government's (SACOG's) Blueprint plan,
- develop a project that is consistent with the Sacramento International Airport Comprehensive Land Use Plan (CLUP) to the degree feasible,
- design a project that promotes using various modes of transportation by locating high-density residential development within a quarter-mile of the proposed light rail station,
- provide vertically and horizontally mixed-use neighborhoods,

- provide neighborhood and community retail near residential development to shorten or reduce the number of vehicle trips,
- incorporate parks and open space into the project design in a manner that provides community connectivity,
- create a residential development with a variety of housing types,
- provide park and recreation opportunities within walking distance of residents,
- provide an elementary school site to serve the project's student demands,
- encourage walking and bicycle use by designing residential areas in a grid street pattern,
- make efficient use of development opportunity as the project site is bordered on three sides by existing or planned urban development,
- satisfy the requirements of the City of Sacramento's Inclusionary Housing Ordinance in part by providing an age-restricted facility (senior housing, retirement community) located near transit and other services that are affordable to very low- and low-income households, and
- ensure adequate, timely, and cost effective public services for the project
- develop and implement the project consistent with the General Plan Update Vision and Guiding Principles adopted by the City of Sacramento.

E. Project Alternatives.

Public Resources Code section 21002 provides that "public agencies should not approve projects as proposed if there are feasible alternatives or feasible mitigation measures available which would *substantially lessen* the significant environmental effects of such projects[.]" (Pub. Resources Code, § 21002, italics added.) The same statute states that the procedures required by CEQA "are intended to assist public agencies in systematically identifying both the significant effects of proposed projects and the feasible alternatives or feasible mitigation measures which will *avoid* or *substantially lessen* such significant effects." (*Ibid.*, italics added.) Section 21002 goes on to state that "in the event [that] specific economic, social, or other conditions make infeasible such project alternatives or such mitigation measures, individual projects may be approved in spite of one or more significant effects." (*Ibid.*)

CEQA defines "feasible" to mean "capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, social and technological factors." (Pub. Resources Code, § 21061.1.) The CEQA Guidelines add another factor: "legal" considerations. (CEQA Guidelines, § 15364; see also *Citizens of Goleta Valley v. Board of Supervisors* (1990) 52 Cal.3d 553, 565 (*Goleta II*).) Among the factors that may be taken into account when addressing the feasibility of alternatives are site suitability, economic viability, availability of infrastructure, general plan consistency, other plans or regulatory limitations, jurisdictional boundaries, and whether the proponent can reasonably acquire, control or otherwise have access to the alternative site. (CEQA Guidelines, § 15126.6, subd. (f)(1).) The concept of "feasibility" also encompasses the question of whether a particular alternative or mitigation measure promotes the underlying goals and objectives of a project. (*City of Del Mar v. City of San Diego* (1982) 133 Cal.App.3d 410, 417.)

Where a significant impact can be substantially lessened (i.e., mitigated to an "acceptable level") solely by the adoption of mitigation measures, the lead agency, in drafting its findings, has no obligation to consider the feasibility of alternatives with respect to that impact, even if the alternative would mitigate the impact to a greater degree than the project. (Pub. Resources Code, § 21002; *Laurel Hills Homeowners Association v. City Council* (1978) 83 Cal.App.3d 515,

521; see also *Kings County Farm Bureau v. City of Hanford* (1990) 221 Cal.App.3d 691, 730-731; and *Laurel Heights Improvement Association v. Regents of the University of California* (1988) 47 Cal.3d 376, 400-403.) In short, CEQA requires that the lead agency adopt mitigation measures or alternatives, where feasible, to substantially lessen or avoid significant environmental impacts that would otherwise occur. Project modification or alternatives are not required, however, where such changes are infeasible or where the responsibility of modifying the project lies with some other agency. (CEQA Guidelines, § 15091, subds. (a), (b).)

With respect to a project for which significant impacts are not avoided or substantially lessened, a public agency, after adopting proper findings, may nevertheless approve the project if the agency first adopts a statement of overriding considerations setting forth the specific reasons why the agency found the project's "benefits" rendered "acceptable" its "unavoidable adverse environmental effects." (CEQA Guidelines, §§ 15093, 15043, subd. (b); see also Pub. Resources Code, § 21081, subd. (b).) The California Supreme Court has stated that, "[t]he wisdom of approving . . . any development project, a delicate task which requires a balancing of interest, is necessarily left to the sound discretion of the local officials and their constituents who are responsible for such decisions. The law as we interpret and apply it simply requires that those decisions be informed, and therefore balanced." (*Goleta II, supra*, 52 Cal.3d at p. 576.)

The preceding discussion regarding Project impacts reveals that nearly every significant effect identified in the EIR has been at least substantially lessened, if not fully avoided, by the adoption of feasible mitigation measures.

Thus, as a legal matter, the City, in considering alternatives in these findings, need only determine whether any alternatives are environmentally superior with respect to those significant and unavoidable impacts. If any alternatives are in fact superior with respect to those impacts, the City is then required to determine whether the alternatives are feasible. If the City determines that no alternative is both feasible and environmentally superior with respect to the unavoidable significant impacts identified in the DEIR, the City may approve the Project as mitigated, after adopting a statement of overriding considerations.

CEQA does not require that all possible alternatives be evaluated, only that "a range of feasible alternatives" be discussed so as to encourage both meaningful public participation and informed decision making. (CEQA Guidelines, § 15126.6, subd. (a).) "The discussion of alternatives need not be exhaustive, and the requirement as to the discussion of alternatives is subject to a construction of reasonableness. The statute does not demand what is not realistically possible given the limitation of time, energy, and funds. 'Crystal ball' inquiry is not required." (*Residents Ad Hoc Stadium Committee v. Board of Trustees* (1979) 89 Cal.App.3d 274, 286; see also CEQA Guidelines, § 15126.6, subd. (f)(3).) Indeed, as stated by the court in *Village of Laguna Beach, Inc. v. Board of Supervisors* (1982) 134 Cal.App.3d 1022, 1028, although there may be "literally thousands of "reasonable alternatives' to the proposed project . . . 'the statutory requirements for consideration of alternatives must be judged against a rule of reason.'" (*Ibid.*, quoting *Foundation for San Francisco's Architectural Heritage v. City and County of San Francisco* (1980) 106 Cal.App.3d 893, 910.) "'Absolute perfection is not required; what is required is the production of information sufficient to permit a reasonable choice of alternatives so far as environmental aspects are concerned.'" (*Id.*, at p. 1029.) The requirement has been fulfilled here; the DEIR examined the Project alternatives in detail, exploring their comparative advantages and disadvantages with respect to the Project. As the following discussion demonstrates, however, only the Project as proposed is feasible in light of Project objectives and other considerations.

The City Council has considered the Project alternatives presented and analyzed in the final EIR and presented during the comment period and public hearing process. Some of these alternatives have the potential to avoid or reduce certain significant or potentially significant environmental impacts, as set forth below. The City Council finds, based on specific economic, legal, social, technological, or other considerations, that these alternatives are infeasible . Each alternative and the facts supporting the finding of infeasibility of each alternative are set forth below.

Alternatives Considered and Dismissed from Further Consideration

CEQA requires that the lead agency identify any alternatives that were considered but rejected as infeasible during the scoping process, and briefly explain the reasons underlying the infeasibility determination (State CEQA Guidelines, Section 15126.6[c]). Among the factors that may be used to eliminate alternatives from detailed consideration in an EIR is failure to meet most of the basic project objectives, infeasibility, or inability to avoid significant environmental impacts. The DEIR included the following alternatives that were considered, but dismissed from further consideration. (DEIR, pp. 4-4.)

1. Off-Site Alternative

In many EIRs, an off-site alternative is evaluated to provide a greater range of possible alternatives to consider in the decision-making process. The key question is whether an off-site alternative is available that would feasibly attain most of the basic objectives of the project, and would also avoid or substantially lessen any of the environmental effects of the project (CEQA Guidelines Section 15126.6[a]). The basic objectives of the Greenbriar project include creating a residential development located near downtown Sacramento and Metro Air Park, as well as creating a single-family residential neighborhood that meets the growth principles established by the Sacramento Area Council of Government's (SACOG) Blueprint plan, and providing development and land for construction of the proposed Downtown-Natomas-Airport (DNA) light rail extension. The Project site is the most reasonable location to provide urban development that would support a light rail stop because it is the only site that surrounds the proposed alignment for the DNA light rail line. While the Project site is the only available site located on the proposed DNA line alignment, in order to find an off-site alternative, the North Natomas community was considered because it is located within close proximity of the proposed DNA line and it is an area that supports new growth and development.

Development in the North Natomas area has occurred fairly rapidly since adoption of the NNCP in 1994 and of the properties that are currently designated for residential land uses, there is not a known site that could accommodate a development similar to the Greenbriar project (in size) that is not already being pursued for development by other property owners. Further, there are not sufficient properties available that, when combined, could provide sufficient area for the proposed land uses. Areas that are currently being actively pursued by other developers include the area to the south of the project site, the Panhandle area (in the eastern portion of North Natomas, north and south of Del Paso Road), the area just west of Natomas Crossing, and the area to the southeast of the junction of State Route 70/99 (SR 70/99) and Elkhorn Boulevard. These vacant properties are either currently under City review for development, or homebuilders (other than the Greenbriar property owner) are actively assembling land in anticipation of submitting a development application. The City believes that, as a result of this lack of available land, it will need to look to development of the Greenbriar project in order to accommodate expected future growth. (See Letter from Scot Mende, New Growth Manager, City of

Sacramento to Donald Lockhart, Assistant Executive Officer, Sacramento LAFCo, dated August 27, 2007.)

Further, none of the undeveloped residential properties within the NNCP area is currently owned by the Greenbriar property owner. Although it may be possible for the applicant to acquire a property of a similar size or acquire an aggregate of properties that could accommodate the proposed land use within the North Natomas area, given the timing of the application and the status of development in the North Natomas area, it is not reasonable to consider that the applicant would be successful in obtaining such a property and there is no site available that provides a key transit station. Pursuant to CEQA, an EIR must describe a reasonable range of alternatives to the project, or to the location of the project, that could feasibly attain most of the basic objectives of the project while avoiding or substantially lessening any of the significant effects of the project. (CEQA Guidelines section 15126.6, subd. (a),(f).) Notably, "among the factors that may be taken into account when addressing the feasibility of alternatives is whether the proponent *can reasonably acquire, control or otherwise have access to the alternative site*. (CEQA Guidelines section 15126.6, subd. (f)(1), emphasis added.)

In *Citizens of Goleta Valley v. Board of Supervisors* (1990) 52 Cal.3d 553, 574, the court rejected petitioner's claim that the county should not have rejected alternative sites simply because the applicant did not own them: "A project alternative which cannot be feasibly accomplished need not be exhaustively considered. A feasible alternative is one which can be 'accomplished in a successful manner within a reasonable period of time, taking into account economic, legal social and technological factors.' Whether a property is owned or can reasonably be acquired by the project proponent has a strong bearing on the likelihood of a project's ultimate costs and the changes for an expeditious and 'successful accomplishment'." In this instance, the property required for the off-site alternative cannot be reasonably acquired by the project applicant.

In addition, while other property may be available outside the City limits, it would be more distant from the City and would "leapfrog" undeveloped areas, leading to undesirable land use patterns and substantial growth inducement potential. (See testimony from Mike McKeever, Executive Director, SACOG, October 11, 2007 Planning Commission Hearing.) For these reasons, an off-site alternative would not be a feasible project for the applicant to implement and this alternative would create land use patterns that would be inconsistent with this vision of the City's general plan including extension of light rail service. This alternative was therefore rejected from further consideration. (DEIR, p. 4-4 to 4-5.)

Nonetheless, an analysis is provided below to describe the comparative environmental effects if this alterative were feasible. For the reasons described above, while an off-site alternative that would be located within the North Natomas area is considered in the EIR, a specific off-site property has not been selected as the "off-site alternative project site." However, to consider the relative environmental impacts of an alternative in one of the undeveloped areas of the NNCP currently designated for low or medium density residential development, the EIR provides a comparative analysis of a theoretical off-site alternative within the vacant low or medium density residential properties within the NNCP. (DEIR, pp. 8-1 to 8-2.)

Comparative Environmental Effects

A key aspect of this alternative is that, if development of the project were to occur within the boundaries of the NNCP, it would displace development that would otherwise occur within the

boundaries of the NNCP. It is assumed, therefore, that the overall development of the NNCP would be the same, i.e., development of the project would replace a similar level of development already planned within the NNCP, but the Greenbriar site would not be developed. Therefore, overall development (considering the NNCP and Greenbriar) would be less under this alternative than under the proposed project if this alternative were feasible. (DEIR, p. 8-2.)

Impacts Reduced Under the Off-Site Alternative:

With less development, it can be assumed that an off-site alternative within the boundaries of the NNCP would result in comparatively substantially less traffic impacts; and less impact to agricultural lands would result as fewer acres (i.e., 518 fewer acres) of Important Farmland would be converted to urban uses. (DEIR, p. 8-2, 8-5.) Further, because less land would be developed under this alternative, it would have less of an effect on sensitive biological resources. (DEIR, pp. 8-5 to 8-6.) A development within the NNCP would also result in the less aesthetic resources impacts, because the existing urban core of the City would be maintained. (DEIR, p. 8-4.)

Development of a site within the NNCP would not result in demands that are additive to overall development demands of the NNCP because they have already been included in those projections for that area. For this reason, an off-site alternative, while resulting in the same demands as the project based on a per capita demand factor for each public services and parks and open space, would have comparatively less impacts because demands associated with build out of the NNCP area have already been planned for by the City the NNCP. (DEIR, pp. 8-3 to 8-4.)

If an alternative were developed within an available site within the NNCP, noise levels associated with roadway traffic volumes would likely be comparatively less (i.e., less than 74 to 81.1 dBA unmitigated) because this site would be located at a greater distance from the combined impacts of traffic noise from I-5 and SR 70/99. Thus, significant noise impacts to residential and school uses may be eliminated depending on the location of the off-site alternative. However, final determination of traffic noise reductions can not be made with knowing the specific location of the off-site alternative. Similarly, although noise impacts at the site from aircraft operations at Sacramento International Airport are less than significant, the off-site alternative would likely be located a greater distance from regularly used flight paths and would therefore be subject to less frequent overflights by aircraft and would likely have reduced single event (SENL) levels. When compared to the project, because of its likely more distant location from I-5 and SR 70/99 and airport operations, the off-site alternative would result in less noise impacts when compared to the project. (DEIR, p. 8-3.)

With respect to public hazards, the DEIR notes that a project site within the boundaries of the NNCP would locate the proposed lake/detention basin at a greater distance from the Sacramento International Airport, which would reduce potential bird hazard impacts in comparison to the project. The Sacramento International Airport discourages the construction of water features which could attract hazardous wildlife within 5 miles of the airport. Although the off-site alternative would construct the same water feature at a greater distance from the airport, it nonetheless would likely be located within the airport's 5-mile radius and would be considered a hazardous wildlife attractant. However, implementation of the project's mitigation to reduce bird hazards from the lake would reduce this impact to a less-than-significant level.

Impacts Similar Under the Off-Site Alternative:

Project impacts related to construction noise, geology, water quality and cultural resources would remain similar under an off-site alternative. In addition, as the air quality impacts identified for the proposed project are related to construction, the land uses proposed (e.g., residential, elementary school and commercial tenants), and the location of these land uses adjacent to I-5 and SR 70/99, construction of an off-site alternative would result in the same construction and long-term operational emissions as the project because the same land uses would be developed. Similarly, operational emissions associated with the off-site alternative would be the same as the proposed project because the same land uses are proposed. However, because overall there would be less development under this alternative than if the Greenbriar site were to develop, regional emissions would be substantially less than with the project. Further, depending on the location of the off-site alternative, the off-site alternative may not be located in close proximity (i.e., within 500 feet) of a nearby freeway (e.g., I-5 or SR 70/99) and may reduce potential less-than-significant health risk-related air quality impacts associated with toxic air contaminants. However, because the specific location for the off-site alternative is not known, it can not be determined with any certainty whether this project would reduce this potential. Therefore, the DEIR concludes that overall the project would result in similar air quality impact. (DEIR, p. 8-2.)

Significant and Unavoidable Impacts That Would No Longer Occur:

The significant environmental impacts that would occur with the provision of wastewater treatment services (i.e., expanded wastewater treatment facilities) to the project would not be expected to occur under this alternative because the NNCP area is within the City's corporate boundaries and was planned for in the SRCSD's facility master plan. Therefore, this alternative would eliminate the project's significant and unavoidable impact to wastewater treatment services. Although the proposed project and an off-site alternative within the boundaries of the NNCP would have similar utility system demands, the off-site alternative would eliminate the project's significant and unavoidable impact to wastewater treatment services. (DEIR, p. 8-3.)

Further, the alternative would eliminate the project's potential inconsistency with the Sacramento International Airport Comprehensive Land Use Plan (CLUP) requirement to limit land uses (i.e., parks and light rail station) that would result in a substantial concentration of people (i.e., 25 persons per acre on average of 50 persons per acre at any one time) because the off-site alternative would be located outside the airport's overflight safety zone. Therefore, the off-site alternative would eliminate the project's significant and unavoidable CLUP consistency impact.

Feasibility/Relationship to Project Objectives

Depending on the specific location, the off-site alternative may be able to meet the project's objectives related to creation of a pedestrian-friendly development; development of a project that is consistent with SACOG's Blueprint plan, development of a residential development near the major employment centers of downtown Sacramento and Metro Air Park; provision of vertically and horizontally mixed neighborhoods; incorporation of parks and open space in a manner that provides connectivity; creating a residential development with a variety of housing types; and providing housing and employment opportunities that meet the City's long-term housing and employment demand projections. In addition, an off-site alternative could possibly further support and implement the project objective related to developing a project that is consistent with the Sacramento International Airport CLUP because it would eliminate the project's inconsistency with the safety requirement of maintaining a density of 50 persons per acres for the proposed light rail station, and park areas.

However, the off-site alternative would not meet the project's key objective of providing development and land for construction of the DNA light rail extension, nor would it meet project objectives related to providing readily accessible on-site light rail transit opportunities. (DEIR, p. 8-6.) Failure to meet these objectives makes an off-site alternative infeasible. (See *Association of Irritated Residents v. County of Madera* (2003) 107 Cal.App.4th 1383, 1400; *Sequoyah Hills Homeowners v. City of Oakland* (1993) 23 Cal.App.4th 704, 715 (agency may properly reject an environmentally superior project alternative for failing to meet "the fundamental objective of the project").) Also, the City has stated that, as a result of this lack of available land, it will need to look to development of the Greenbriar project in order to accommodate expected future growth. (See Letter from Scot Mende, New Growth Manager, City of Sacramento to Donald Lockhart, Assistant Executive Officer, Sacramento LAFCo, dated August 27, 2007.)

CEQA defines "feasible" to mean "capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, social and technological factors." (Pub. Resources Code, § 21061.1.) The CEQA Guidelines add another factor: "legal" considerations. (CEQA Guidelines, § 15364; see also *Citizens of Goleta Valley v. Board of Supervisors* (1990) 52 Cal.3d 553, 565 (*Goleta II*).) Among the factors that may be taken into account when addressing the feasibility of alternatives are site suitability, economic viability, availability of infrastructure, general plan consistency, other plans or regulatory limitations, jurisdictional boundaries, and whether the proponent can reasonably acquire, control or otherwise have access to the alternative site. (CEQA Guidelines, § 15126.6, subd. (f)(1).)

As discussed above, this alternative was rejected from further consideration because of its infeasibility. None of the undeveloped residential properties within the NNCP area is currently owned by the Greenbriar property owner and, given the timing of the application and the status of development in the North Natomas area, it is not reasonable to consider that the applicant would be successful in obtaining such a property. Further, there is no other site available on the proposed DNA light rail line that could provide a key transit station. Finally, while other property may be available outside the City limits, it would be more distant from the City and would "leapfrog" undeveloped areas, leading to undesirable land use patterns and substantial growth inducement potential.

2. Reduced Traffic Alternative

The reduced traffic alternative would constrain development at the project site to a level that would reduce the project's significant and unavoidable traffic impacts at study area intersections below the City's existing thresholds (e.g., level-of-service or delay) for these intersections. The project would result in significant and unavoidable impacts to the intersections of Elkhorn Boulevard/SR 70/99 northbound ramps, SR 70/99 southbound to I-5 southbound on-ramp, I-5 northbound to SR 70/99 northbound off-ramp, Meister Way and Metro Air Parkway, Meister Way and Lone Tree Road, and Elkhorn Boulevard and Project Streets 1, 2, and 3. These intersections will operate well over their design capacity with or without the project in most instances. No additional feasible mitigation is available to reduce impacts to these intersections because all feasible roadway improvements to these intersections were assumed or recommended as mitigation in the analysis. Even with these improvements, these intersections would continue to operate unacceptably under cumulative plus project conditions. Therefore, the only way to eliminate impacts to these intersections would be to reduce the level of development at the site such that the impact does not occur.

As described in Section 6.1 of the EIR, these intersections would require that Elkhorn Boulevard and Meister Way be widened above and beyond what the City has planned for and intends to do or beyond the existing available right-of-way. Development at the project site would need to be constrained to a level under cumulative conditions that would not trigger the widening of these roadways. It has been determined that development at the project site would need to be constrained to 25% of its current development level (or a 75% reduction). A project constrained to this development size (i.e., 890 residential units and 7.5 acres of commercial development) would not achieve any of the project's objectives including creating a transit-oriented development (i.e., medium and high-density land uses) centered around a light rail station, developing a project consistent with the SACOG Blueprint, providing an elementary school (insufficient demand and funding), and would not meet the City's goals designed to meet SACOG's Blueprint growth principles. If development occurs but at a density substantially lower than the Blueprint considers, especially on larger project sites, such as Greenbriar, greater pressure would be exerted on other sites to accommodate future growth, thereby placing greater potential for conversion of more open space to urban uses. Further, because of infrastructure costs spread over too-few houses, a substantially lower density development would not be an economically feasible development. Because this alternative would not be feasible and would not meet the objectives of the project or the City, this alternative was rejected from further consideration. (DEIR, p. 4-7.)

3. Reduced Biological Resources Alternative

The reduced biological resources alternative would re-organize/design on-site land uses to locate the lake/detention basin and other open space features (e.g., parks, linear open space/buffer) along the western edge of the project site adjacent to Lone Tree Canal. The purpose of the proposed changes would be to eliminate potential urban encroachment impacts on giant garter snake and its habitat. This alternative would provide a wider buffer between urban land uses and the habitat along Lone Tree Canal. As discussed in Section 6.12 of the EIR, the project's impacts to giant garter snake and its habitat would be reduced to a less-than-significant level through implementation of a recommended conservation strategy that would maintain a linear open space/buffer (i.e., 250-feet from the center of the canal) along Lone Tree Canal to allow snake passage and would preserve and enhance additional off-site lands in accordance with mitigation ratios established by the North Natomas Habitat Conservation Plan.

Development of this alternative would result in placement of the on-site lake/detention basin closer to the airport runways at the Sacramento International Airport, which could increase the potential hazards associated with aircraft bird strikes compared to the hazards associated with the project because the project could create a flyway for birds that is in closer proximity to the airport. Because no significant and unavoidable biological impacts would occur with the project (as this alternative was designed to reduce potential biological impacts) and this alternative could increase potential hazards associated with aircraft bird strikes, this alternative was rejected from further consideration. (DEIR, p. 4-7.)

Alternatives Considered and Incorporated Into the Project

During project initiation, some potentially significant environmental issues were raised during the initial scoping process for the DEIR. Other impacts were identified during preparation of the EIR, and they resulted in applicant-initiated changes to the proposed project. These potentially significant environmental issues involved potential impacts to giant garter snake habitat and wetland areas and noise compatibility impacts associated with aircraft operations at the Sacramento International Airport, which is located approximately 1 mile west of the project site.

In initiating the preparation of the DEIR, two alternatives were considered and were to be evaluated in the DEIR at an equal level of detail as the project.

1. Blueprint Alternative

The Sacramento Area Council of Governments (SACOG) adopted the Sacramento Region Blueprint Transportation and Land Use Study Preferred Blueprint Scenario (Blueprint) in December 2004. The Blueprint is a vision for long-term land uses within the Sacramento region, and promotes compact, mixed use development, over the type of lower density, sprawling land uses that have been typical of the region in the past. The Blueprint's preferred land use scenario identifies the Greenbriar site for high density mixed residential and single family small lot land uses.

All of the Blueprint's principles have been applied in the design of the proposed project. The project incorporates diverse housing types (i.e., low density, medium density, high density residential), development would be compact (i.e., maximized use space by providing medium and high density residential land uses on more than half of the site), the area of public open space is greater than required by city regulations (project provides 48.4 acres versus City requirement of 48.2 acres), and mixed uses (i.e., residential and commercial land uses on one parcel) would be accommodated on the site. In addition, the project would provide a variety of transit opportunities including walking and bicycling, and by planning for a future light rail extension and station at the project site.

The Draft Greenbriar PUD Guidelines fully incorporate the "Smart Growth" Principles. Section 1.3 of the Draft PUD Guidelines addresses the SACOG Blueprint principles in detail. Consistent with Blueprint principles, the Greenbriar PUD would provide a varied network of both on- and off-street pedestrian pathways and trails, allowing for safe and convenient nonvehicular travel throughout and within the PUD. The street and trail system within the PUD would allow for varied opportunities for safe and convenient non-vehicular travel throughout the plan area. All arterial and collector streets would have striped Class II bike lanes. Nearly all sidewalks within the PUD's streets would be detached from the street edge and separated from the street by a landscape planter of varying width depending upon the street facility. These pedestrian-friendly streets would provide a safe, walkable route to everywhere in the PUD area under a dense canopy of shade trees.

Because the proposed project incorporates all of the design principles of the Blueprint, a project alternative designed to meet development patterns envisioned in the Blueprint in an alternate pattern is not needed. Based upon the guidance provided by the CEQA Guidelines (Section 15126.6(f)), it was determined that an alternative in addition to the reduced size alternative need not be developed to demonstrate the potential environmental consequences of evaluating an alternative consistent with the Blueprint. For these reasons, it was determined that the analysis of the alternatives described in Section 4.2 of the EIR, provides enough information to permit a reasoned choice between available alternatives and their comparative environmental impacts. (DEIR, pp. 4-5 to 4-6.)

2. Reduced Impacts to Biological Resources Alternative

The intent of this alternative was to design the project in such a way as to protect and preserve important giant garter snake habitat located at the project site, primarily along Lone Tree Canal, by developing a 250-foot linear open space/buffer (from the center of Lone Tree Canal) along the western border of the site. In consideration of this design alternative, the project applicant

subsequently decided to make this proposed buffer an element of the project, thereby eliminating the need to consider this alternative in the EIR. Therefore, the project, with the proposed 250-foot buffer, has been considered throughout Chapter 6 of the EIR and the resulting benefit associated with the proposed buffer was compared to baseline environmental conditions.

3. Noise Compatibility Alternative

The intent of this alternative was to develop land uses at the project site that would be less sensitive to aircraft overflight noise associated with private and military aircraft flights arriving and departing at the Sacramento International Airport. This alternative considered a development pattern at the project site that would concentrate non-residential land uses including employment center, manufacturing, research, and development, and light industrial land uses in the portion of the project site that falls within the airport safety zone and high-density residential, retail and medium density residential land uses in the eastern portion of the project site that falls outside the airport safety zone. Through the scoping process, the Sacramento County Airports System (SCAS) commented that the land uses proposed for the project site are generally compatible with land uses allowed under the Airport Land Use Plan. Further, nuisance-related complaints from single-event noise levels associated with aircraft overflights to proposed residents could be offset through the establishment of an overflight easement over the project site, which requires that new homeowners and tenants/renters be notified through their title documents/leases that aircraft operations occur approximately 1 mile west of the site and that occupants could be subjected to noise associated with aircraft overflights.

The project applicant has agreed to implement the avigation easement and title notification to residents as an element of the project. Because the project has been proposed as a predominantly residential development consistent with objectives for the project, and because of the large area that falls within the airport safety zone (i.e., ⅔ of the site), it would be infeasible for the project to re-design the plan in such a way that would continue to provide a predominantly residential community outside the airport safety zone. All feasible design and policy measures have been incorporated into the project, thereby eliminating the need to consider the alternative in the EIR. (DEIR, pp. 4-2 to 4-4.)

Alternatives Considered in the EIR

1. No Project Alternative – Continuation Of Existing Land Uses

Under the No Project Alternative, development would not occur and the project site would remain designated for agricultural use. Production of agricultural crops would continue at the project site and no new facilities would be constructed. The project site would not be annexed into the City of Sacramento; and it would remain in the unincorporated area of the County of Sacramento. The project site's current General Plan land use and zoning designations identified by the County of Sacramento would remain in effect. The Sacramento County General Plan designates the site for Agriculture, and it is zoned by the Sacramento County Zoning Code as Agricultural. The No Project Alternative would be consistent with the designated land uses for the project site but would not meet any of the project objectives. This Alternative would not develop the project site with urban land uses and the project site would continue to operate in an agricultural/farming capacity including rice and row crop cultivation. (DEIR, p. 8-15.)

Comparative Environmental Effects

With this Alternative, the existing physical conditions of the site would continue. No project-generated traffic would be added to roadways or intersections, and no new air pollutant emissions or noise would be generated from the site. No increased demands for utilities, public services, or parks and open space would occur with this Alternative. There would be no changes to the physical or visual character of the site. Further, with no new development, no residents or tenants of the site would be exposed to safety hazards and impacts related to construction erosion and risks from seismic and soil hazards would not occur. This Alternative would reduce the volumes of stormwater discharges from the site because development of urban land uses would not occur. Agricultural operations on the project site would continue under this Alternative and the potential for conflicts between urban land uses and surrounding agricultural operations would not occur. Further, implementation of this Alternative would not result in the conversion of any Important Farmlands to urban land uses. This Alternative would not develop any urban land uses on the project site and existing biological and wildlife habitats on the project site would remain unchanged.

Although this Alternative would not result in development of the project site, ground-disturbing activities (i.e., disking and plowing) would still occur on the project site. However, these activities would likely not extend to the same depths as the project (i.e., 2-3 feet versus 10-15 feet). Nonetheless, because ground-disturbing activities would continue, this Alternative would result in the same potentially significant impacts associated with the discovery of previously undiscovered cultural resources. Mitigation recommended for the project would reduce these impacts to a less-than-significant level. Therefore, this Alternative would result in similar cultural resource impacts.

Significant and Unavoidable Impact That Would No Longer Occur

The No Project Alternative would eliminate the project's significant and unavoidable transportation impacts to local intersections, roadway segments, freeway ramps, and freeway segments. Further, because the No Project Alternative would not develop any urban land uses on the project site, and no construction activities would occur, this Alternative would not generate any construction- or operational-related air emissions (e.g., ROG, NOX, PM10, or TAC's). The project would result in significant and unavoidable impacts related to construction emissions, increases in stationary source TAC's, and long-term regional emissions. Implementation of the No Project Alternative would eliminate these impacts. However, farming activities would likely occur at the site and these activities would result in the generation of fugitive dust emissions associated with disking and plowing activities. Quantified dust emissions associated with on-site farming operation are known, but depending the crops that are produced and how crops are rotated at the site, this Alternative could result in the substantial generation of fugitive dust emissions, but because of their intermittent nature would not likely result in significant air quality impacts.

Implementation of this Alternative would also eliminate all of the project's significant and unavoidable noise impacts. No construction activities would occur under this Alternative because no development would occur. As a result, this Alternative would eliminate the project's construction-related noise impacts; however, these impacts are reduced to a less-than-significant level with implementation of recommended mitigation. Noise impacts associated with aircraft overflights would not occur because no new residential land uses would be developed on-site. Further, mobile-source noise impacts associated with traffic on I-5 and SR 70/99 would not occur because no residences would be located in close proximity to these noise sources.

This Alternative also eliminates the project's interim significant and unavoidable flooding hazard impacts because no housing would be located on the project site. However, the Project applicant submitted a letter to Sacramento LAFCo dated September 19, 2007, wherein the applicant states that it will not pursue vertical residential construction until and unless the property has 100-year flood protection. (Letter dated September 19, 2007, from AKT Development to Sacramento LAFCo.) As a result, the project impact is also essentially less than significant, so the impact under this alternative is about the same as the under the project.

Feasibility/Relationship of Alternative to Project Objectives

This Alternative maintains the *status quo*. The No Project Alternative will avoid the significant and unavoidable impacts associated with the project, provided the existing physical conditions on the site continue to exist. Despite that fact that most, if not all, of the significant impacts associated with implementation of the project would be reduced in significance under the No Project Alternative, the implementation of this Alternative would not meet any of the project's objectives.

The concept of "feasibility" encompasses the question of whether a particular alternative or mitigation measure promotes existing City policies, as well as the underlying goals and objectives of a project. "'[F]easibility' under CEQA also encompasses 'desirability' to the extent that desirability is based on a reasonable balancing of the relevant economic, environmental, social, and technological factors." (*City of Del Mar v. City of San Diego* (1982) 133 Cal.App.3d 410, 417; *Sequoyah Hills Homeowners Assn. v. City of Oakland* (1993) 23 Cal.App.4th 704, 715.) The No Project Alternative would not meet any of the project objectives including those related to development of a light rail station, creation of a pedestrian-friendly development; development of a project that is generally consistent with SACOG's Blueprint development plan, development of a residential development near the major employment centers of downtown Sacramento and Metro Air Park; provision of vertically and horizontally mixed neighborhoods; incorporation of parks and open space in a manner that provides connectivity; and creating a residential development with a variety of housing types along the DNA line. This Alternative would not further the City's goal to provide sufficient and additional housing opportunities to area residents and would not contribute to meeting long-term housing and employment demand projections. (DEIR, p. 8-17.)

Importantly, this Alternative would not meet the Project's key objective of providing development and land for construction of a light rail station along the proposed DNA light rail extension. (See *Association of Irritated Residents v. County of Madera* (2003) 107 Cal.App.4th 1383, 1400; *Sequoyah Hills Homeowners v. City of Oakland* (1993) 23 Cal.App.4th 704, 715 (agency may properly reject an environmentally superior project alternative for failing to meet "the fundamental objective of the project").) The City recognizes the importance of the DNA line in reducing traffic congestion and improving mobility and air quality by providing alternative transit opportunities. The DNA line would reduce congestion from other non Greenbriar sources on I-5 (primarily), SR 70/99, and I-80. According to the DNA Draft Alternatives Analysis Report (2003), the DNA line is expected to transport as many as 1,200 persons per hour during its peak hour of operation and will reduce weekday peak period auto travel to Downtown Sacramento by 4,700 daily trips. By comparison, traffic volumes on I-5 in 2025 will range upwards to around 19,000 peak hour trips (both directions). The large number of people traveling during peak hour in this corridor to access jobs in Downtown demonstrates the need to have a variety of transportation mode choices, including the DNA line, highway improvements and express bus services. Given that the DNA line will parallel I-5, it would likely reduce congestion on I-5, as well as reducing traffic on SR 70/99. A funding mechanism for a portion of the DNA line construction costs has

been established by the City, including the collection of fees from development in the North Natomas Community Plan area and land dedications for the light rail alignment and stations.

The No Project Alternative would preclude any development at the project site, thereby eliminating project objectives relating to provision of high density land uses that would support the DNA line and generate ridership. By providing densities of residential development to support the line, the Project will help the City realize its goal of completing the DNA line which, in turn, will promote the use of transit by residents and employees within the downtown and Natomas areas, as well as allow transit riders using RT's light rail system to connect from other areas within the City and County of Sacramento to the Natomas area, Sacramento International Airport, the Sacramento Amtrak Depot, and/or the downtown area with a travel option other than a single occupancy vehicle, with a resulting travel time savings by reducing and avoiding traffic congestion. Residents along the future DNA light rail corridor will benefit from a reduction in traffic congestion and increased transportation connectivity and mobility, and employees working in the downtown, South Natomas and North Natomas communities will be provided with an alternative transportation mode, thereby reducing freeway congestion and air pollution. (FEIR, p. 4-21.)

Further, the No Project Alternative would preclude the City from accommodating future projected growth. Assuming the current rate of development absorption and vacant land inventory, sufficient holding capacity does not exist to accommodate projected growth. As a result of this lack of available land, the City will need to look to development of the Greenbriar project in order to accommodate expected future growth. (See Letter from Scot Mende, New Growth Manager, City of Sacramento to Donald Lockhart, Assistant Executive Officer, Sacramento LAFCo, dated August 27, 2007.)

The No Project Alternative's desirability is not on balance with the project in terms of its economic, environmental, social and technological elements. The project is the more desirable choice for the community and the region. Therefore, the No Project Alternative is rejected as infeasible.

2. Dispersed Development Alternative

The purpose of this Alternative is to consider whether existing properties within the City's SOI could support the project's proposed land uses, while at the same eliminating some of the project's significant and unavoidable environmental impacts. This Alternative evaluates the comparative impacts of distributing the project's proposed housing units and commercial land uses in a multiple locations on vacant or underdeveloped properties throughout the City's corporate limits and SOI boundary.

Comparative Environmental Effects

Impacts Reduced Under the Dispersed Development Alternative:

This Alternative would result in temporary noise generated by construction activities; development of various noise-generating land uses; increases in traffic noise; and development of sensitive receptors that would be exposed to existing or project noise levels exceeding City standards. Because of the developed nature of the City, it is likely that this alternative would be in close proximity to sensitive receptors. It is unknown whether existing noise levels currently

exceed the City's standards; however, construction of a dispersed development alternative would likely result in an increase in ambient noise levels in the local area and could result in an exceedence of the City's exterior noise standard (i.e., 60 dBA Ldn/CNEL). If an alternative were dispersed throughout the City, noise levels associated with roadway traffic volumes would likely be comparatively less (i.e., less than 74 to 81.1 dBA unmitigated) because this site would be located at a greater distance from the combined impacts of traffic noise from I-5 and SR 70/99. Thus, significant noise impacts to residential may be eliminated depending on the location of this alternative. However, final determination of traffic noise reductions can not be made with knowing the specific locations for this alternative. Similarly, although noise impacts at the site from aircraft operations at Sacramento International Airport are less than significant, this alternative would likely be located a greater distance from regularly used flight paths and would therefore be subject to less frequent overflights by aircraft and would likely have reduced single event (SENL) levels. When compared to the project, because of its likely more distant location from I-5 and SR 70/99 and airport operations, the dispersed development alternative would result in less noise impacts when compared to the project. (DEIR, p. 8-8.)

A Dispersed Development Alternative within the City limits or SOI would generate a similar number of people and create similar public service demands (i.e., police, fire, schools, and libraries) as the proposed project. These demands have already been anticipated by the City's General Plan and the public facilities fees that are collected for projects within specific service areas. These fees would provide sufficient facilities and capacity to serve this alternative. For these reasons, a dispersed development alternative, while resulting in the same demands as the project based on a per capita demand factor for each service, would have comparatively less public services effects because demands associated with build out of the city limits or SOI have already been planned for by the City. (DEIR, p. 8-8.)

This Alternative would also have fewer impact related to parks and open space. A Dispersed Development Alternative within the City limits or SOI would generate a similar number of residents as the proposed project and would construct the same facilities (i.e., 48.4 net acres of parkland) as the project. The City's standard for parkland dedication (5 acres per 1,000 new residents or a demand for 48.2 acres) would remain the same regardless of the location of the alternative. While this alternative would also result in the conversion of open space resources, the loss of these were accounted for in the General Plan and its EIR; therefore, this alternative would not result in the additive loss of open space resources. (DEIR, p. 8-9.)

Under this Alternative, it is likely that development of property within the City limits or SOI could result in the development of open space land or land historically used for farming activities. Therefore, this Alternative would result in the same type of land use alterations as the project because the site would be converted to urban land uses. However, it is likely that impacts would be less because some parcels where development could occur would be in urban areas (i.e., infill development). Lighting would be similarly changed under this alternative, but lighting impacts were not identified as significant project impacts. Overall, this alternative would result in the same aesthetic resources impacts, but these impacts would be less than the project because the existing urban core of the City would be maintained. (DEIR, p. 8-9.)

While it is unknown whether an off-site location would have contaminated soils, development within the City's SOI would not be expected to result in public health and hazard impacts that could not be addressed by standard mitigation and remediation measures (City of Sacramento 1992). It should be noted that because development would be dispersed over multiple properties, the project's proposed lake/detention basin would likely not be constructed. As a result, this Alternative would eliminate the project's potential wildlife hazard impacts. However,

implementation of the project's mitigation to reduce bird hazards from the lake would reduce this impact to a less-than-significant level.

Approval of the project would result in the conversion of 518 acres of Important Farmlands and 465 acres of open space areas. While a dispersed development alternative would likely also result in the conversion of Important Farmlands, any such loss was accounted for in the General Plan and its EIR; therefore, this Alternative would not result in the additive loss of farmland. (DEIR, p. 8-10.)

Impacts Similar Under the Dispersed Development Alternative:

Overall, this Alternative could result in reduced transportation impacts because proposed trips would be dispersed over a large area; however, quantification of the traffic reductions can not be determined without specific locations for the Dispersed Development Alternative. In some cases, the existing roadway network may currently operate unacceptably and, thus, this Alternative would exacerbate these unacceptable conditions. Thus, this alternative would result in similar (but may be greater or lesser) transportation and circulation impacts. (DEIR, p. 8-7.)

Overall, this Alternative would result in similar air quality impacts as the project. The air quality impacts identified for the proposed project are related to construction, the land uses proposed (e.g., residential, elementary school and commercial tenants), and the location of these land uses adjacent to I-5 and SR 70/99. Construction of an off-site alternative would result in the same construction and long-term operational emissions as the project (i.e., mitigated to 89.5 lbs/day of ROG and 511.2 lbs/day of NOX) because the same land uses would be developed. Similarly, operational emissions associated with the dispersed development alternative would be the same as the proposed project because the same land uses are proposed. Depending on the multiple locations of the dispersed development alternative, this alternative may not be located in close proximity (i.e., within 500 feet) of a nearby freeway (e.g., I-5 or SR 70/99) and may reduce potential less-than-significant health risk-related air quality impacts associated with toxic air contaminants. However, because the specific locations for this alternative are not known, it cannot be determined with any certainty whether this project would reduce potential TAC impacts. (DEIR, p. 8-7.)

The City's General Plan and various community plans include measures to reduce soils and geology impacts to a less-than-significant level. No unique geologic structures or conditions have been identified in greater Sacramento area and other areas within the City are substantially similar to the project site in terms of site soils and geotechnical issues (i.e., liquefaction, expansive soils, fault hazards). Similar to the proposed project, standard engineering practices can address design and structural requirements for development of a site within the NNCP boundaries. For these reasons there would be no measurable difference in environmental impacts when comparing the proposed project with a dispersed development alternative within the boundaries of the NNCP. (DEIR, p. 8-9.)

Similar to the requirements for the proposed project, any development within the City would be required to comply with the City's Grading, Erosion, and Sediment Control Ordinance (Chapter 15.88 of the City Code). A SWPPP would be prepared and BMPs would be required to be implemented to address stormwater quality control during construction and post-construction. With the implementation of these existing requirements, less-than-significant impacts on water quality and hydrology would occur. Further, the Alternative would be required to be designed consistent with the City's drainage system standards to ensure adequate drainage facilities are provided on-site and that adequate capacity is available in off-site drainage facilities to handle

proposed flows. Drainage impacts were determined to be less than significant with the project. This Alternative could be accommodated in areas located outside the Federal Emergency Management Agency's (FEMA) 100-year floodplain; therefore, less-than-significant flooding impacts would occur. Therefore, a Dispersed Development Alternative within the City limits or SOI would have similar hydrology, drainage, and water quality effects compared to the project. (DEIR, p. 8-10.)

Similar to the proposed project, development within the City limits and SOI would result in impacts on Swainson's hawk, riparian/wetland habitat, and agricultural lands/rice fields. Without knowing the exact sites within the City limits or SOI that could be pursued for a dispersed development alternative, it is not possible to perform a detailed comparison of biological impacts. Implementation of a Dispersed Development Alternative in the City limits or SOI would be anticipated to result in similar resource impacts as those affected by the project (e.g., foraging habitat, wetlands) and would result in similar take of species because habitat and species present at the project site is common throughout the City and surrounding areas. Developments north of the American River would be located within the City's permit area identified in the Natomas Basin Habitat Conservation Plan (NBHCP). The NBHCP, the EIR on the NBHCP, and subsequent monitoring programs have evaluated the impacts to biological resources from development within the NNCP area including impacts to giant garter snake and Swainson's hawk. Because this alternative would result in similar habitat and species impacts as the project, it would have similar effects on sensitive biological resources. (DEIR, p. 8-10.)

Both the dispersed development site locations and the project site would have the potential for undocumented subsurface cultural resources. However, there are no documented resources on either the project site or on Low Density Residential sites within the NNCP. For this reason, the proposed project and an alternative within the city limits or SOI would have similar effects on cultural resources [Similar]. (DEIR, p. 8-10.)

Significant and Unavoidable Impact That Would No Longer Occur

An off-site alternative dispersed throughout the city limits and SOI would generate a similar number of people and create similar utility and service system demands as the proposed project (i.e., water, wastewater, drainage, electricity, and natural gas). These demands have already been anticipated by various public facilities financing programs established by the City. The significant environmental impacts that would occur with the provision of wastewater treatment services (i.e., expanded wastewater treatment facilities) to the project would not be expected to occur under this alternative because dispersed locations would be within the city limits or SOI and have been planned for in the SRCSD's facility master plan. Therefore, this alternative would eliminate the project's significant and unavoidable impact to wastewater treatment services. (DEIR, p. 8-8.)

A change to the visual character of the project site was identified as a significant and unavoidable impact for the project. However, the project would extend the area of the City that would be converted from agricultural to urban land uses. A development within the City limits or SOI would maintain the City's boundaries and would not extend the urban core of the City.

A Dispersed Development Alternative would eliminate the project's potential inconsistency with the Sacramento International Airport Comprehensive Land Use Plan (CLUP) requirement to limit land uses (i.e., parks and light rail station) that would result in a substantial concentration of people (i.e., 25 persons per acre on average of 50 persons per acre at any one time) because this Alternative would be located outside the airport's overflight safety zone. Therefore, the

dispersed development alternative would eliminate the project's significant and unavoidable CLUP consistency impact. Further, a site within the NNCP would locate sensitive receptors including the elementary school at greater distances from I-5 and SR 70/99, which would reduce their, exposure to mobile source emissions (see Section 8.1.2, "Air Quality," above). Thus, a dispersed development alternative within the city limits or SOI would have less public health and hazard effects. (DEIR, p. 8-9.)

Feasibility/Relationship of Alternative to Project Objectives

The concept of "feasibility" encompasses the question of whether a particular alternative or mitigation measure promotes existing City policies, as well as the underlying goals and objectives of a project. (*City of Del Mar v. City of San Diego* (1982) 133 Cal.App.3d 410, 417; *Sequoyah Hills Homeowners Assn. v. City of Oakland* (1993) 23 Cal.App.4th 704, 715.)

Importantly, this Alternative would not meet the Project's key objective of providing development and land for construction of a light rail station along the proposed DNA light rail extension. (See *Association of Irritated Residents v. County of Madera* (2003) 107 Cal.App.4th 1383, 1400; *Sequoyah Hills Homeowners v. City of Oakland* (1993) 23 Cal.App.4th 704, 715 (agency may properly reject an environmentally superior project alternative for failing to meet "the fundamental objective of the project").) The City recognizes the importance of the DNA line in reducing traffic congestion and improving mobility and air quality by providing alternative transit opportunities. The DNA line would reduce congestion from other non Greenbriar sources on I-5 (primarily), SR 70/99, and I-80. According to the DNA Draft Alternatives Analysis Report (2003), the DNA line is expected to transport as many as 1,200 persons per hour during its peak hour of operation and will reduce weekday peak period auto travel to Downtown Sacramento by 4,700 daily trips. By comparison, traffic volumes on I-5 in 2025 will range upwards to around 19,000 peak hour trips (both directions). The large number of people traveling during peak hour in this corridor to access jobs in Downtown demonstrates the need to have a variety of transportation mode choices, including the DNA line, highway improvements and express bus services. Given that the DNA line will parallel I-5, it would likely reduce congestion on I-5, as well as reducing traffic on SR 70/99. A funding mechanism for a portion of the DNA line construction costs has been established by the City, including the collection of fees from development in the North Natomas Community Plan area and land dedications for the light rail alignment and stations. (FEIR, p. 4-21.)

The Dispersed Development Alternative would preclude any development at the project site, thereby eliminating project objectives relating to provision of high density land uses that would support the DNA line and generate ridership. By providing densities of residential development to support the line, the Project will help the City realize its goal of completing the DNA line which, in turn, will promote the use of transit by residents and employees within the downtown and Natomas areas, as well as allow transit riders using RT's light rail system to connect from other areas within the City and County of Sacramento to the Natomas area, Sacramento International Airport, the Sacramento Amtrak Depot, and/or the downtown area with a travel option other than a single occupancy vehicle, with a resulting travel time savings by reducing and avoiding traffic congestion. Residents along the future DNA light rail corridor will benefit from a reduction in traffic congestion and increased transportation connectivity and mobility, and employees working in the downtown, South Natomas and North Natomas communities will be provided with an alternative transportation mode, thereby reducing freeway congestion and air pollution.

In addition, this Alternative would be inconsistent with the City's infill development strategy and would contribute to meeting long-term housing and employment demand projections. In fact, if development occurred according to this Alternative, the City would not be able to accommodate expected future growth. According to the City's General Plan technical background reports, as of September 2005, there were approximately 14,000 acres of low and medium density parcels of vacant land available. However, the actual number is likely less than this total, because a substantial quantity of land has been developed subsequently in the North Natomas area, where the majority of this land is concentrated. For example, projects considered in a cumulative context include the Westborough, Cambay West, Natomas Crossing, Natomas Town Center, Natomas Creek and Panhandle (595 acres with 3,075 dwelling units) projects; each of which are in the North Natomas area. In the south Sacramento area, M&H Realty and SunCal Companies and Dunmore Homes have submitted an application to develop one of the last remaining large blocks of land in the City, the 925-acre Delta Shores site. Vacant industrial sites at the 240-acre downtown Sacramento railyards (up to 10,000 dwelling units) and 72 acre Curtis Park railyards (540 dwelling units and 188,941 square feet of retail/commercial) are being actively pursued for development, with applications submitted and the environmental review process begun on both. As this shows, the North Natomas area continues to be actively developed, and other large, vacant, or undeveloped parcels are being actively pursued. Further, much of the land is tied up by other landowners interested in development. None of the undeveloped low or medium density residential or residential /mixed-use properties within the NNCP area or in other large, undeveloped areas of the City is currently owned by the Greenbriar property owner.

The City believes that, as a result of the lack of available vacant land within its boundaries, the City will need to look to sites outside the SOI in order to accommodate projected growth. The information provided by the General Plan Update Technical Background Reports and the ongoing City Infill Strategy support this conclusion, as discussed below.

Sufficient holding capacity is available within the City's SOI to accommodate the project's proposed residential development. In spite of the fact that the City may currently have holding capacity for the project, this is not expected to be the case in the foreseeable future. According to Sacramento City staff (McDonald, pers. comm., June 19, 2006), the Technical Background report for the City of Sacramento General Plan Update shows the following:

Current (2005) population:	450,000
Proposed General Plan Holding Capacity (2030):	564,000
Anticipated City population (2030):	650,000

Over the next 25 years, the City is expected to grow by 200,000 people. However, the current General Plan, including the current sphere-of-influence, would accommodate an additional estimated 114,000 people. Additional land would be needed if the City intends to accommodate the 86,000 people above the General Plan's holding capacity that are anticipated to live in the City.

In its July 6, 2007 report, economic consultants EPS estimated that, given the General Plan update area's urban form and land use parameters, the City has vacant and redevelopment capacity for 111,000 additional housing units. The City needs only 42,000 of those units by 2030 to attain agreed-upon growth projections.

However, while the vacant site potential and reuse potential is theoretically a sizable number, EPS believes that the market and site constraints of these potential development areas will not

deliver anywhere near the 100,000 dwelling unit need. In other words, these sites are generally low potential (rates of absorption by 2030 at less than 30% of theoretical development capacity). Therefore, in order to meet growth targets, the City needs to utilize the new growth sites, including the Greenbriar project site.

The proposed project would also provide for employment through commercial/retail uses, although these uses would primarily serve residential uses on and near the project site. Projections for employment uses in the City are as follows:

Current (2005) employment:	181,000
Proposed General Plan Holding Capacity (2030):	445,000
Anticipated City employment (2030):	321,000

Unlike housing, the City has ample holding capacity for employment uses. As mentioned above, commercial/retail uses on the project site are intended to be local serving, and they would reduce the need for driving trips outside the project site. So, while they could be provided elsewhere within the City, they would frustrate project objectives for a mixed use development.

As stated on page 2-3 of the DEIR, the Sacramento region is becoming an increasingly attractive place to live through its strong employment market, its relatively affordable housing, and other quality of life factors. The discussion in the DEIR demonstrates that, absent additions to developable land through SOI changes, there would not be sufficient land to provide for this population projection. If additional land was not provided to accommodate the population growth, it is likely that two outcomes would occur:

1. If housing was not provided to meet population projections in the City of Sacramento, demand for available housing would be increasingly higher than supply. This would likely drive the price for available housing up substantially. In other areas of California, this has resulted in moderate income families being increasingly priced out of the housing market.
2. In addition to the socioeconomic issues resulting from pricing moderate income families out of the housing market (socioeconomic effects are not environmental impacts and are therefore not considered further herein), the common physical environmental impact that consequently results is to push development to outlying communities where greenfield sites are plentiful. The tendency in higher priced communities (e.g., Los Angeles, Orange County, and Bay Area) is that development is pushed further and further from the job centers, increasing commutes, air quality effects, and traffic congestion.

The Blueprint process was developed in large part as a result of the concern that the Sacramento region needs to accommodate a large future demand for housing, and that if the region was not considered as a whole, the pattern found in the above referenced communities would be repeated in the Sacramento region. The Greenbriar proposal is consistent with land use recommendations for the site as shown in the Blueprint.

Further, because of its dispersed nature, this Alternative would likely not meet many of the project's objectives including development of a residential development near the major employment centers of downtown Sacramento and Metro Air Park; provision of vertically and horizontally mixed neighborhoods; incorporation of parks and open space in a manner that provides connectivity; creating a residential development with a variety of housing types; and creating a development that could support a light rail station. However, this Alternative could possibly further support and implement the project objective related to developing a project that is consistent with the Sacramento International Airport CLUP because it would eliminate the

project's inconsistency with the safety requirement of maintaining a density of 50 persons per acres for the proposed light rail station, and park areas. (DEIR, p. 8-11.)

3. Reduced Size Alternative

The Reduced Size Alternative is designed to reduce the development footprint of the project to avoid one or more of the project's significant and unavoidable impacts. Development of this Alternative would be approximately 80% of proposed project levels (20% reduction in proposed development at the site) (Exhibit 4-1). Therefore, this Alternative would result in the development of 2,995 residential units and approximately 25 acres of commercial development. The remainder of the site would be undeveloped and would continue in its existing state. To reduce potential impacts to agricultural resources, open space areas, sensitive biological species and habitats, and to minimize the development area that falls within the Sacramento International Airport's safety zone, development of this Alternative would need to be concentrated in the eastern portion of the project site. However, mobile source air emissions and noise impacts from I-5 and SR 70/99 result in the need to locate sensitive receptors including the elementary school at a greater distance from these sources. Therefore, this Alternative would need to be designed in such a way as to provide a buffer on the eastern and southern boundaries of the site in addition to the proposed buffer on the western boundary of the project site. In general, this alternative would result in a development project that provides a 200- to 400-foot open space buffer along the eastern, southern, and western edges of the project site. (DEIR, p. 8-11.)

Comparative Environmental Effects

Impacts Reduced Under the Reduced Size Alternative:

This Alternative would reduce the number of housing units developed at the project site by approximately 20%, resulting in a corresponding 20% reduction in daily traffic volumes on local roadways. Therefore, the Reduced Size Alternative would result in the generation of 32,896 total trips (2,523 a.m. peak hour and 3,574 p.m. peak hour trips). Based on evaluation of the surrounding roadway network, a reduction of approximately 75% of total trip generation (i.e., not to exceed 10,280 total trips) would be required to eliminate the project's significant and unavoidable transportation system impacts including impacts to local roadway intersections, roadway segments, freeway ramps, and freeway segments. Therefore, while this Alternative would result in less traffic on area roadways, it nonetheless would continue to result in significant and unavoidable transportation impacts because existing traffic volumes are either closely approaching unacceptable operating conditions or currently exceed acceptable operating thresholds for these facilities. However, it should be noted that mitigation recommended for the project would like result in more efficient and less congested operation of the local roadway network under the Reduced Size Alternative compared to the project. Further, because of its reduced size and the reduced number of traffic trips generated by this alterative, this Alternative would result in less transportation and circulation impacts compared to the project, but these impacts would continue to be significant and unavoidable. (DEIR, p. 8-11.)

This Alternative would result in development of the majority of the project site and the generation of construction- and operations-related air emission. Air emissions would be approximately 20% less under this Alternative because of the reduced number of houses and commercial acreage (and associated vehicle trips). However, because a majority (i.e., 80%) of construction activities and proposed uses would occur, this Alternative would also result in the generation of air emissions that exceed relevant standards of the Sacramento Metropolitan Air

Quality Management District (SMAQMD) (i.e., construction-related emissions mitigated to 71.6 lbs/day of ROG and 408.96 lbs/day of NOX) and operational emissions mitigated to 280.6 lbs/day of ROG, 270.8 lbs/day of NOX, and 165.3 lbs/day of PM10) This Alternative would provide a greater setback between I-5 and SR 70/99 from sensitive receptors through the provision of a 200- to 400-foot buffer along the eastern and southern boundaries of the project site. This setback would further reduce less-than-significant exposure to toxic air contaminants from freeway operations, and could, depending on other design considerations (e.g., sound walls, tree lines), eliminate any concerns surrounding this impact. Overall, this Alternative would result in less construction- and operation-related air emissions compared to the project, but these impacts would continue to be significant and unavoidable. This Alternative would also likely substantially reduce or avoid the project's significant toxic air contaminant impacts. (DEIR, p. 8-12.)

Both this Alternative and the proposed project would result in temporary noise generated by construction activities; development of various noise generating land uses; increases in traffic noise; and development of sensitive receptors that would be exposed to existing or project-generated noise levels exceeding City standards. Construction-related noise impacts would be the same as with the proposed project because the same types and numbers of construction equipment would be used. However, noise levels at nearby sensitive receptors may be reduced because of the larger buffer areas provided around the development site. Similar to the project, construction activities would be limited to the hours of 7 a.m. to 6 p.m. Monday through Saturday and 9 a.m. to 6 p.m. on Sunday, which would reduce construction-related noise impacts to a less-than-significant level. Given the relative level of traffic (80% of project), compared with the project, traffic noise would be reduced. This Alternative would also shift the project footprint of the site to the center and would provide a greater distance between the development and the major noise source of the Sacramento International Airport. More importantly, this Alternative would provide a greater setback from major transportation noise sources, I-5 and SR 70/99, thereby reducing and perhaps eliminating exterior and interior noise level exceedances at sensitive receptors. However, because of the constrained nature of the site and the need to locate the elementary school outside the overflight safety zone of the Sacramento International Airport, it may not be feasible to re-locate the elementary school such that the benefit of increased noise reduction could be achieved. Overall, this Alternative would reduce noise impacts to some noise sensitive land uses and impacts would be less than the project. (DEIR, p. 8-12.)

In general, this Alternative would result in the same land uses and same project amenities including the proposed light rail station. This Alternative would reduce the number of houses within the overflight safety zone of the Sacramento International Airport, thereby reducing potential safety risks associated with airport operations. This Alternative would, however, include a proposed light rail station, commercial uses, and parks which would be incompatible with safety standards of the Sacramento International Airport's CLUP. Further, this Alternative would also locate a lake/detention basin within the airport safety zone, which could create potential bird strike hazards for commercial aircraft. However, implementation of mitigation recommended for the project would reduce this impact to a less-than-significant level. Overall, this Alternative would reduce the development and land uses that would fall within the airport safety zone, thereby reducing the number of residents and tenants that are exposed to potential aircraft hazards. Therefore, this Alternative would result in less public health and hazards impacts. (DEIR, p. 8-13.)

The viability of the buffer areas on the project site (i.e., long, narrow 200- to 400-foot wide strips of land) for agricultural operations would likely be infeasible. In general, large areas dedicated to

agricultural operations are needed to have a viable farming operation. Further, potential land use incompatibilities (e.g., air, noise) associated with agricultural operations adjacent to urban development increases the likelihood that a viable agricultural operation surrounding the project site would not occur. Therefore, although the foot print of this would result in less development and direct conversion of Important Farmland, the net effect because of land use compatibilities and lack of viable farming properties would be similar to the project (i.e., conversion of 518 acres of Important Farmland) and with mitigation would be significant and unavoidable. However, this Alternative would reduce the acreage of open space converted to urban land uses; however, because of the substantial size of this Alternative and the lack of full compensatory mitigation, this impact would remain significant and unavoidable. Nonetheless, this Alternative would reduce impacts to Important Farmland and overall impacts would be less [Less]. (DEIR, p. 8-14.)

Impacts Similar Under the Reduced Size Alternative:

Under this Alternative, utility and other public service demands would be approximately 20% less; however, these impacts are less than significant or less than significant with mitigation for the project. No significant utilities or public services impacts were identified for the project after mitigation, so this Alternative would not reduce or avoid any such impacts. Indirect impacts related to regional improvement projects (i.e., wastewater treatment expansion) would be similar. Overall, this Alternative would result in similar environmental impacts (i.e., based on CEQA thresholds) as the project, although unit demands for utility and other public services would be less because this Alternative would reduce the total population living on-site. (DEIR, p. 8-12, 13.)

Although reduced in size, it is assumed this Alternative would provide comparable park land as the project and would meet the City's standard for parkland dedication (5 acres per 1,000 new residents). Based on a population of 7,141 residents, approximately 35.71 acres of parkland would be provided under this Alternative. However, because of the need to provide buffers around the perimeters of the project site to reduced noise and air quality impacts associated with traffic on I-5 and SR 70/99 and the constraints associated with the airport safety zone, it may be potentially infeasible for this Alternative to provide a community park (i.e., a park of 23 acres or more). Nonetheless, it is expected that this Alternative would meet its park demand requirements. This Alternative would convert approximately 20% less open space areas because of its reduced size. Therefore, the proposed project and this Alternative would have similar effects related to parks and open space. (DEIR, p. 8-13.)

Under this Alternative there would be the same alteration of views, but at a reduced scale, of the project site from surrounding lands including I-5, SR 70/99, and local roadways. This impact was identified as significant and unavoidable with the project. With this Alternative, this impact would also be considered significant and unavoidable because the view shed would substantially changed from existing conditions, similar to what would occur with the project. Lighting would be slightly less under this Alternative, but lighting impacts were not identified as significant project impacts. Overall aesthetic resources impacts would be perceived as nearly the same as the project because the site would be substantially converted from any open space to a developed use. (DEIR, p. 8-13.)

Under this Alternative there would be a reduction in project development; therefore impacts related to construction erosion and risks from seismic and soil hazards would be reduced. Nonetheless, because of its substantial size (i.e., greater than 15 acres), this Alternative would include the same soil erosion (i.e., preparation of a SWPPP) and soil hazards mitigation

measures as the project; therefore, post mitigation impacts would not change (i.e., impacts would be less than significant). Therefore, this Alternative would result in similar geology and soils impacts. (DEIR, p. 8-13.)

In general, this Alternative would result in the same hydrology and water quality impacts as the project because a substantially similar, but somewhat reduced development would occur. This Alternative would reduce the volumes of stormwater discharges from the site. Nevertheless, because both the project and this Alternative would be designed in accordance with City drainage standards, would ensure that sufficient capacity exists in off-site drainage facilities, and would implement BMPs for water quality, this Alternative would result in similar hydrology and water quality impacts. Similar to the project, this Alternative would be located in an area that is located outside the Federal Emergency Management Agency's (FEMA) 100-year floodplain. Therefore, less-than-significant flooding impacts would occur. Therefore, the proposed project and Reduced Size Alternative would have similar hydrology, drainage, and water quality effects. (DEIR, p. 8-14.)

This Alternative would reduce the development footprint of the project site and would increase the buffer area along the western, eastern, and southern boundaries of the site (i.e., up to 400 feet). Therefore, this Alternative would reduce overall impacts to giant garter snake. Further, similar mitigation to enhance giant garter snake habitat at off-site location would also be provided. There would be increased Swainson's hawk foraging habitat at the site under this Alternative. Other habitat and species impacts would be comparable under this Alternative, but would occur to a lesser degree (e.g., wetland impacts). Overall, this Alternative would result in less biological resources impacts. However, because less of the site would be developed, less off-site mitigation would need to be purchased and enhanced for the benefit of species affected. The establishment of off-site preserves designed for the benefit of species is intended to fully offset the impacts of project development. Under this Alternative, the need for off-site mitigation would be less. Because the mitigation is designed to offset the impacts, impacts under this Alternative would be similar to the proposed project. (DEIR, p. 8-14.)

Because this Alternative would result in development of the majority of the project site and ground-disturbing activities would occur across the site, impacts to unknown archaeological resources would be potentially significant with this Alternative similar to those of the project. However, with implementation of mitigation recommended for the project, this impact would be reduced to a less-than-significant level. This Alternative would not reduce or avoid and significant cultural resource impact of the project, so overall cultural resource impacts would be similar to the project. (DEIR, p. 8-14.)

Significant and Unavoidable Impact That Would No Longer Occur

While this Alternative would substantially reduce impacts related to transportation and circulation, air quality, noise, conversion of prime farmland and open space and visual character, all of these impacts would remain significant and unavoidable.

Feasibility/Relationship of Alternative to Project Objectives

As stated above, the concept of "feasibility" encompasses the question of whether a particular alternative or mitigation measure promotes existing City policies, as well as the underlying goals and objectives of a project. (*City of Del Mar v. City of San Diego* (1982) 133 Cal.App.3d 410, 417; *Sequoyah Hills Homeowners Assn. v. City of Oakland* (1993) 23 Cal.App.4th 704, 715.) "'[F]easibility' under CEQA also encompasses 'desirability' to the extent that desirability is based

on a reasonable balancing of the relevant economic, environmental, social, and technological factors." (City of Del Mar v. City of San Diego (1982) 133 Cal.App.3d 410, 417; Sequoyah Hills Homeowners Assn. v. City of Oakland (1993) 23 Cal.App.4th 704, 715.)

This Alternative would constrain development at the project site to a development level that may be financially infeasible to implement. Development of this Alternative would be approximately 80% of proposed project levels (20% reduction in proposed development at the site). Therefore, this Alternative would result in the development of 2,995 residential units and approximately 25 acres of commercial development. The remainder of the site would be undeveloped. This Alternative would shift the same total cost of backbone infrastructure improvements to fewer units, thereby increasing the cost burden to each individual unit. In addition, under this Alternative, fewer units would be paying the Public Facilities Fee, thereby decreasing the total amount of fee revenue collected by the City of Sacramento. ("Greenbriar Environmental Impact Report Alternatives Analysis", prepared by EPS, page 2.)

As discussed in the memorandum prepared by EPS, projects with cost burdens above 15 percent are more sensitive to development-cost increases and face the risk of becoming infeasible in the face of cost increases. The Reduced Size Alternative increases the cost burden as compared to the Project: Under the project the cost burdens as a percentage of estimated respective home sales prices are estimated at 15.5% for LDR, 18.5% for MDR, and 13.8% for HDR. The Reduced Size Alternative pushes the limits of feasibility, as its cost-burden ratios approach 20%: the cost burdens as a percentage of estimate respective home sales prices are estimated at 16.4% for LDR, 19.5% for MDR, and 14.6% for HDR. ("Greenbriar Environmental Impact Report Alternatives Analysis", prepared by EPS, page 3.) Also, as compared to the Project, the Reduced Size Alternative will contribute less toward funding of public facilities such as parks (including the North Natomas Regional Park), library facilities, fire facilities, police facilities, mainline freeway facilities, community center facilities, and bikeways and shuttles in North Natomas. Specifically, the Project would contribute approximately $10,731,523 for public facilities, while the Reduced Size Alternative would contribute approximately $8,585,218. ("Greenbriar Environmental Impact Report Alternatives Analysis", prepared by EPS, page 5.)

Further, to reduce potential impacts to agricultural resources, sensitive biological species and habitats, and to minimize the development area that falls within the Sacramento International Airport's safety zone, development of this Alternative would need to be concentrated in the eastern portion of the project site. However, mobile source air emissions and noise impacts from I-5 and SR 70/99 result in the need to locate sensitive receptors including the elementary school at a greater distance from these sources. Therefore, this Alternative would need to be designed in such a way as to provide a buffer on the eastern and southern boundaries of the site. In general, this Alternative would consist of a development project that would concentrate land uses in the north central portion of the site. An approximate 200–400 foot-wide buffer/open space/fallowed land area would be provided on the western, eastern, and southern boundaries of the project site.

The Reduced Size Alternative would meet most of the project's objectives related to creation of a pedestrian-friendly development; development of a project that is generally consistent with SACOG's Blueprint development plan, development of a residential development near the major employment centers of downtown Sacramento and Metro Air Park; provision vertically and horizontally mixed neighborhoods; incorporation of parks and open space in a manner that provides connectivity; and creating a residential development with a variety of housing types. However, because of its reduced size and reduced population densities, the Reduced Size

Alternative may not provide a sufficient population base to support the construction of a light rail station on the project site and it would not provide as great a benefit toward meeting the City's long-term housing and employment demand projections.

Environmentally Superior Alternative

In addition to the discussion and comparison of impacts of the alternatives to the proposed project, CEQA requires that an "environmentally superior" alternative among the alternatives considered be selected and the reasons for such selection disclosed. In general, the environmentally superior alternative is the alternative that would generate the fewest or least severe adverse impacts. In the case of the project, the no project alternative is the environmentally superior alternative because it would not create any new site-specific adverse environmental impacts. However, CEQA requires the identification of another environmentally superior alternative when the "no project" alternative is identified as environmentally superior (State CEQA Guidelines Section 15126[e][2]).

The Reduced Size Alternative would be environmentally superior to the project because it would substantially reduce the project's traffic, air, noise, farmland, and biological resources impacts. Further, it would meet most project objectives including supporting light rail and creating a development consistent with SACOG's Blueprint.

The Off-Site Alternative within the existing boundaries of the NNCP would be environmentally superior to the project and to the Reduced Size Alternative. This Alternative is the overall superior alternative because it would avoid the project's significant aircraft safety hazard impact associated with compatibility with CLUP standards and it would substantially reduce traffic, farmland, biological, air quality, and noise impacts. Further, it would meet most if not all project objectives. However, a site within the NNCP is not currently owned by the project applicant and all land in the NNCP area is currently proposed for development. Therefore, the Off-Site Alternative considered in this analysis is infeasible. Further, this Alternative would not meet the key project objective of providing a development along the DNA line.

The Dispersed Development Alternative would not be environmentally superior to the project. While this Alternative would avoid the project's significant aircraft safety hazard impacts associated with compatibility with CLUP standard and it would substantially reduce traffic, farmland, biological, air quality, and noise impacts, depending on localized conditions could result in greater transportation impacts compared to the project. Further, multiple sites within the City limits or SOI are not owned by the project applicant and most land with the City is currently proposed for development. Therefore, this theoretical Alternative is infeasible. Further, development of an alternative in a dispersed nature would not achieve the key project objectives related to providing residential development that would support development of a light rail station along the DNA line. (DEIR, pp. 8-18 to 8-19.)

F. Statement of Overriding Considerations

Pursuant to Guidelines section 15092, the City Council finds that in approving the Project it has eliminated or substantially lessened all significant and potentially significant effects of the Project on the environment where feasible. The City Council further finds that it has balanced the economic, legal, social, technological, and other benefits of the Project against the remaining unavoidable environmental risks in determining whether to approve the Project and has determined that those benefits outweigh the unavoidable environmental risks and that

those risks are acceptable. The City Council makes this statement of overriding considerations in accordance with section 15093 of the Guidelines in support of approval of the Project.

The Project Will Support Development of the Planned DNA Line.

The Project objectives for Greenbriar include creating a transit-oriented development along the planned Downtown-Natomas-Airport (DNA) light rail line. The Project includes densities of residential development that would support the feasibility of this light rail line. (See letters from RT to City in support of Project dated November 1, 2005; September 5, 2006; and July 11, 2007 included in Appendix B of FEIR; see also August 3, 2005 testimony of Beverly Scott before Sacramento LAFCo.)

The Sacramento Regional Transit District (RT) has identified the DNA light rail line on its 20-year project map, and the DNA line is included in SACOG's Metropolitan Transportation Plan. In a letter submitted to the City on July 11, 2007, RT confirmed its continuing plans to extend light rail from downtown to the Sacramento International Airport.

RT is in the process of preparing a project-level EIR for the first phase of the DNA project that will evaluate the impacts of implementation of this portion of the DNA light rail line project. Construction of the DNA would occur in 3 segments (minimum operable segments [MOS]): MOS 1 would start at 7th Street and end at Richards Boulevard; MOS 2 would continue from Richards Boulevard to the Natomas Town Center; and MOS 3 would continue from the Natomas Town Center, cross the Greenbriar site and continue to the Sacramento International Airport. RT estimates that MOS 1 would be fully operable by 2014 with the remainder of DNA line operable by 2027. (See FEIR, Appendix B.)

The Alternatives Analysis/Draft EIR/EIS was initiated in 2001 and will be completed within the next month. This will lead to the Preliminary Engineering and Final EIR/EIS, scheduled to begin early next year. RT confirmed that it plans to continue earnestly on this track until the extension is constructed and that it supports the Greenbriar Project, which will focus appropriate transit-oriented development along the proposed DNA alignment. (See FEIR, Appendix B.)

By providing densities of residential development to support the line, the Project will help the City realize its goal of completing the DNA line which, in turn, will promote the use of transit by residents and employees within the downtown and Natomas areas, as well as allow transit riders using RT's light rail system to connect from other areas within the City and County of Sacramento to the Natomas area, Sacramento International Airport, the Sacramento Amtrak Depot, and/or the downtown area with a travel option other than a single occupancy vehicle, with a resulting travel time savings by reducing and avoiding traffic congestion. Residents along the future DNA light rail corridor will benefit from a reduction in traffic congestion and increased transportation connectivity and mobility, and employees working in the downtown, South Natomas and North Natomas communities will be provided with an alternative transportation mode, thereby reducing freeway congestion and air pollution.

Sacramento Area Council of Governments' (SACOG) Executive Director, Mike McKeever, who oversees the development of the Metropolitan Transportation Plan, stressed the importance of Greenbriar as an integral component to the success of the DNA line. He stated before the Planning Commission on October 11, 2007:

> We think it is very critical that we get as much ridership into the DNA corridor as we can. We looked very carefully at the need for that train to make the system

> work in the future. We concluded that we have a very significant need for it and we need to make it work, *and this project is an important part of it.* (emphasis added)

Mr. McKeever also shared similar comments in an October 11, 2007 letter addressed to the City of Sacramento Planning Commission:

> Greenbriar will have 2,367 dwelling units within ½ mile of the light rail station, 46% higher than the average of all stations in the current system. In fact, it would have more housing close to transit than all but eleven of the existing 52 stations.
>
> Greenbriar would generate about 37% more boardings than the average of the 14 stations on [the DNA] line, and 10% of the approximately 20,000 daily boardings for the entire line.

The DNA line would reduce congestion from other non-Greenbriar sources on I-5 (primarily), SR 70/99, and I-80. According to the DNA Draft Alternatives Analysis Report (2003), the DNA line is expected to transport as many as 1,200 persons per hour during its peak hour of operation and will reduce weekday peak period auto travel to Downtown Sacramento by 4,700 daily trips. By comparison, traffic volumes on I-5 in 2025 will range upwards to around 19,000 peak hour trips (both directions). The large number of people traveling during peak hour in this corridor to access jobs in Downtown demonstrates the need to have a variety of transportation mode choices, including the DNA line, highway improvements and express bus services. Given that the DNA line will parallel I-5, it would likely reduce congestion on I-5, as well as reducing traffic on SR 70/99. A funding mechanism for a portion of the DNA line construction costs has been established by the City, including the collection of fees from development in the North Natomas Community Plan area and land dedications for the light rail alignment and stations. (See FEIR, pp. 4-20 to 4-22.) Please see also Responses to Comments 8-2, 29-47, 29-48, 29-61, S2-13 and Letter 26. (FEIR, pp. 4-208, 4-281, 4-494, 4-496 to 4-497, 6-11.)

Consistency With The RT Master Plan and MTP Funding Process

RT is currently pursuing a variety of sources to fund the construction of the DNA light rail line. For example, RT has been involved in the lengthy Federal Transit Administration (FTA) New Starts funding process, which requires a showing that the light rail line will serve areas with densities that support transit and generate ridership. The Greenbriar project will support this funding by providing appropriate residential densities along the DNA line and adjacent to a proposed station site. As substantiated through oral and written testimony from RT, the population density provided by the project will help make construction and efficient operation of the light rail line a reality. In a letter submitted to the City on November 1, 2005, Dr. Beverly Scott, the then-General Manager and CEO of RT, expressed RT's support for the project as one that will significantly improve the region's competitiveness for federal dollars in extending light rail to the Sacramento International Airport. In her presentation to Sacramento LAFCo on August 3, 2005, Dr. Scott explained the following:

> I am here this evening specifically because the land use decisions that are made regarding the Greenbriar area and the timing of those decisions weigh heavily on the ultimate fate of the Downtown Natomas Airport light rail extension project.

> The connection between our region's DNA project and the Greenbriar area is a real one. It is not contrived and it is not over blown. The direct connection between transit supportive existing land use and future patterns, and the success or lack of success of major capital transit investments and fixed guideway transit systems, like the DNA, is absolutely real. It is also true that today, 50% of the project justification rating for all federal transit funding for rail projects is based on land use criteria.
>
> So the land use decisions that are made in our region, particularly along our planned high capacity transit corridors and specifically within ¼ mile of planned rail and or bus rapid transit stations are not only critical to ridership, but have also become absolutely critical to the federal transit administration's ultimate decisions about these projects.

Also, according to a joint letter to the Planning Commission, dated October 24, 2007, from Regional Transit's Interim General Manager, Mike Wiley and SACOG's Executive Director Mike McKeever:

> We expect [the Federal Transit Authority] to complete their [rail project] recommendations in mid to late fall, 2008. That means that we will be actively advocating with them through 2008 to include the DNA line on their recommended list. That process will start in a few short months. . . . Proceeding with Greenbriar now is an important component of helping the City and region to compete in very stiff competition for federal funding for this project.

At the Planning Commission hearing on October 11, 2007, Fred Arnold, director of real estate for Regional Transit, also testified in favor of the project. According to Mr. Arnold, "without projects like [Greenbriar] being approved, the DNA project in itself without having the ridership and the land use application and connections for ridership, would not meet the current FTA standard for cost-effective modeling." To that end, Greenbriar is "key to the success of having this [DNA] project compete on a national basis and be financially competitive and produce enough ridership." Mr. Arnold concluded his statements by saying that Greenbriar is "a model, quite frankly, of what we want to see other developers achieve and accomplish within a transit-oriented development project."

Paul Marx, the incoming Planning Director for Sacramento Regional Transit, had similar remarks at the Planning Commission hearing on November 8, 2007. At that hearing, Mr. Marx discussed the importance of the Greenbriar project in the context of securing funding for the DNA line. Particularly, in order to qualify for federal funding RT must provide evidence of "sufficient potential ridership within a reasonable time frame north of Natomas, north of the river." And, regarding the need to show that ridership, "the tim[ing] is fairly critical." Mr. Marx also addressed the project's ability to provide the necessary ridership, stating that the Greenbriar community "is close enough to downtown Sacramento to provide the downtown feeling that people want, but it is far enough and integrated enough in its design that they can get a sense of neighborhood. And that seems to be what the market mandates."

The Project Provides High Density Residential Development Within ¼ Mile of a Proposed Light Rail Station.

The Greenbriar project objectives include designing a project that promotes using various modes of transportation by locating high-density residential development within a ¼ mile of a proposed light rail station.

The Project site is located along the proposed Downtown-Natomas-Airport (DNA) light rail extension. Medium and high density housing and retail land uses would be located in the center of the Project site along a new arterial, Meister Way. Easements will be provided for a new light rail station to be constructed along this new roadway arterial by Sacramento RT and RT intends to provide a new light rail stop along the proposed Meister Way, which is parallel to the proposed DNA light rail line alignment. (DEIR, pp. 3-11 to 3-12.)

By providing easy access to a light rail station, the Project promotes reduced vehicle miles traveled per household resulting in shortened commute times, reduced traffic congestion, lessened dependence on automobiles and reduced pollution from vehicle emissions.

The Project Will Dedicate Land for Purposes of Constructing a Light Rail Station.

The Greenbriar Project objectives include providing development and land for construction of a light rail stop along the proposed DNA light rail line with densities that will support the feasibility of a light rail line. The Project includes dedication of a corridor that could accommodate a future transit stop and light rail alignment located near the center of the Project site along the proposed Meister Way roadway. The light rail station would provide public transportation access to downtown Sacramento, Sacramento International Airport and Metro Air Park. (DEIR, pp. 3-11 to 3-12.)

The Project will allow the City to bring its DNA light rail line to fruition and provide the Project site with an easily accessible light rail station.

The Project is Consistent with and Supportive of Sacramento Area Council of Government's (SACOG's) Blueprint Plan.

The Sacramento Area Council of Governments (SACOG) adopted the Sacramento Region Blueprint Transportation and Land Use Study Preferred Blueprint Scenario (Blueprint) in December 2004. The Blueprint is a vision for long-term land uses within the Sacramento region that promotes compact, mixed use development over the type of lower density, sprawling land uses emblematic of past regional growth and development. The overall goal of the Blueprint is to advocate more efficient land use planning that reduces vehicle miles travelled, minimizes greenhouse gas emissions and thereby addresses local contributions to global warming.

The Blueprint designates that the Project site should be developed as high density, mixed residential and single family small lot land uses. The proposed Project would be consistent with the smart growth principles identified in the Blueprint by providing high density housing and a variety of housing types at varying price ranges; focusing on compact development to maximize use of existing land; offering a range of mixed land uses (residential, retail and office);using existing assets by infilling or intensifying the use of underutilized parcels in urbanized areas; incorporating public-use open space within the Project beyond the regulatory requirements; encouraging a distinctive, attractive community with high quality design; and providing transportation choices to encourage people to walk, ride bicycles, ride the bus, ride light rail, take the train, or car pool.

The Draft Greenbriar PUD Guidelines fully incorporate the "Smart Growth" Principles. Section 1.3 of the Draft PUD Guidelines addresses the SACOG Blueprint principles in detail. Consistent with Blueprint principles, the Greenbriar PUD would provide a varied network of both on- and off-street pedestrian pathways and trails, allowing for safe and convenient nonvehicular travel throughout and within the PUD. The street and trail system within the PUD would allow for varied opportunities for safe and convenient non-vehicular travel throughout the plan area. All arterial and collector streets would have striped Class II bike lanes. Nearly all sidewalks within the PUD's streets would be detached from the street edge and separated from the street by a landscape planter of varying width depending upon the street facility. These pedestrian-friendly streets would provide a safe, walkable route to everywhere in the PUD area under a dense canopy of shade trees.

All of the Blueprint's principles have been applied in the design of the proposed project. The project incorporates diverse housing types (i.e., low density, medium density, high density residential), development would be compact (i.e., maximized use space by providing medium and high density residential land uses on more than half of the site), the area of public open space is greater than required by city regulations (project provides 48.4 acres versus City requirement of 48.2 acres), and mixed uses (i.e., residential and commercial land uses on one parcel) would be accommodated on the site. In addition, the project would provide a variety of transit opportunities including walking and bicycling, and by planning for a future light rail extension and station at the project site. Because the proposed Project would meet the smart growth objectives set forth in the Blueprint Preferred Scenario, the Project would be consistent with the Blueprint.

The Executive Director of SACOG, Mike McKeever, provided testimony at the Planning Commission hearing on October 11, 2007 in support of Greenbriar as the type of project that is consistent with the SACOG Blueprint. The project will provide for needed housing immediately adjacent to the Metro Air Park employment center projected to accommodate nearly 40,000 jobs at buildout and will encourage the use of alternative transportation modes between Natomas and Downtown Sacramento – both key Blueprint principles.

According to Mr. McKeever, market competition for development – whether infill or urban edge – does not function simply within city boundaries; it operates at a much greater geographic scale. He emphasized that not only is there enough anticipated long-term demand for housing to warrant planning for both urban edge and infill development within the city, but that enough exists within and adjacent to the greater six-county region that to avoid developing a site such as Greenbriar could exacerbate pressure to develop outside of the region. The fundamental point stressed by Mr. McKeever in his letter and throughout his testimony is that it is dangerous to assume delaying the approval of the Greenbriar project will enhance efforts to develop urban infill projects because other extra-regional market forces may attract development interest outside of the city and region, thereby making it more difficult, not less, to develop successful infill projects. In other words, avoiding timely approval of urban edge development within the City doesn't mean it's replaced with a proportional interest in urban infill development, or interest in any development even within the same region.

Mr. McKeever further testified that opposing a Blueprint project like Greenbriar could stimulate non-Blueprint development in surrounding counties which, in turn, would likely increase vehicle miles traveled as commuters buy homes located further from Sacramento metropolitan employment centers. This type of leap-frog development is, as stated by Mr. McKeever, "the biggest threat to the success of the Blueprint." In his concluding remarks before the Commission on October 11th, Mr. McKeever warned:

> I think that the risk of not building projects like this will stimulate leap frog development farther out is much greater than proceeding with projects like this will dampen infill in North Natomas. . . . Believe me, if the word gets out that projects like [Greenbriar] are not approvable, the pressure in the markets and in the politics with the people who have placed their bets much further out gets intense.

The Project Will Provide Diverse Housing Opportunities in Close Proximity to an Employment Base.

The Project proposes development of approximately 3,473 residential units of various housing types, including high, medium and low density units. The Project also provides an age-restricted facility that provides housing for seniors and retirees to satisfy the requirements of the City's Inclusionary Housing Ordinance (Section 17.190 of the City of Sacramento Zoning Code.) These diverse housing types make the Project ideal for any type of household including couples, small families, single working professionals, seniors and other family groups. The proposed housing will be near the 27.5 net acres of retail/restaurant space, including 155,000 square feet of large-format retail uses (including a 10,000 square foot garden center), 67,000 square feet of grocery uses, and 66,000 square feet of retail shops on the village and community commercial designated parcels, for a total of 288,000 square feet of commercial services. These commercial uses will provide residents with employment opportunities close to their homes.

In addition, the proposed Project site is located in relatively close proximity to the downtown urban core, which serves as a major employment center in the Sacramento region. The Project's location and the proposed DNA light rail extension and station adjacent to the Project site will provide a direct connection to the downtown core and will allow the Project's residents to easily access their work sites.

The Project Will Provide Neighborhood and Community Retail Near Residential Development to Shorten or Reduce the Number of Vehicle Trips.

The Project proposes 27.5 net acres of retail/restaurant space, including 155,000 square feet of large-format retail uses (including a 10,000 square foot garden center), 67,000 square feet of grocery uses, and 66,000 square feet of retail shops on the village and community commercial designated parcels, for a total of 288,000 square feet of commercial space to serve the residents of the 3,473 dwelling units, as well as existing and future residents within the Natomas area. The retail and restaurant uses will allow residents to avoid having to drive to access common neighborhood-serving retail uses, such as coffee/sandwich shops, bars, hair salons, dry cleaning, small grocery stores, flower shops and office-type services.

The close proximity of the future light rail stop would encourage the use of alternative modes of transportation by Project residents and employees. Project residents utilizing alternative modes of transportation, such as light rail, will reduce the number of vehicle miles traveled per household even further. In turn, the Project will result in shortened commute times, reduced traffic congestion, lessened dependence on automobiles and reduced pollution from vehicle emissions. Not driving a vehicle one day a week prevents 55 pounds of pollution each year from being emitted into the air. Overall, residents will save on fuel, vehicle maintenance and parking costs by utilizing the easily accessible light rail line.

The Project Will Provide Parks and Open Spaces.

The Project includes several park and open space features, including greenbelt areas along I-5, SR 70/99, and Elkhorn Boulevard, a 250-foot linear open space/buffer along Lone Tree Canal for the protection of giant garter snake habitat, bike and pedestrian trails located throughout the proposed community, and 48.4 net acres of parks. A 10-acre neighborhood park would be located adjacent to the proposed elementary school in the southeast portion of the site. A total of six smaller park sites (i.e., park sites ranging from 2 to 6 acres) would be located in the eastern half of the project site north and south of Meister Way. A 23-acre community park site would be located in the northeast quadrant of the project site.

The Project's park spaces will be designed and implemented to facilitate open space locations and linkages that create a vibrant, enjoyable community.

The Project Realizes an Infill Development Opportunity.

The Project site is located west of the North Natomas community and will locate 3,473 residential dwelling units and 27.5 net acres of restaurant/retail space in an infill opportunity area close to the downtown urban core. The project site is surrounded by development on three sides. Surrounding land uses include agricultural land uses to the north and south, new residential development in the North Natomas community to the east and south, and the recently approved Metro Air Park development project to the west. The Metro Air Park development consists of proposed commercial, hotel, and recreational (i.e., golf course) land uses. The North Natomas Community Plan (NNCP) area is located adjacent to the eastern boundary of the project site across SR 70/99. Future development in the North Natomas area includes residential and commercial land uses.

The Sacramento Area Council of Governments (SACOG) adopted the Sacramento Region Blueprint Transportation and Land Use Study Preferred Blueprint Scenario (Blueprint) in December 2004. The Blueprint's preferred land use scenario identifies the Greenbriar site for high density mixed residential and single family small lot land uses. Existing North Natomas development to the east across SR 70/99 is designated for single-family large lot and single-family small lot, and the area south of I-5 for single-family large lot, single-family small lot, public, and medium-density mixed-use center or corridor land uses. Undeveloped areas to the north are designated for medium-density and high-density mixed residential land uses with the area to the west designated for industrial land uses.

The City of Sacramento has discretion to determine how it would implement the Blueprint's smart growth principles in its long-term planning. For areas considered as Urban Reserve (i.e., areas designated for future urban growth beyond a 20-year planning horizon), the City determined that future growth within the Natomas Area in accordance with SACOG's Blueprint smart growth principals could result in the development of up to approximately 44,400 housing units, approximately 4 million square feet of commercial space, and 14,600 jobs.

Generally, with the exception of the "pipeline" projects (e.g., Greenbriar, Panhandle, Curtis Park Village, Railyards, etc.), the General Plan anticipates less than 30% of theoretical development capacity for the infill sites. The infill sites constitute only about half of the anticipated growth allocations. Therefore, in order to meet growth targets, the City needs to utilize the new growth sites, including the Greenbriar project site.

All of the Blueprint's principles have been applied in the design of the proposed Greenbriar project. The project incorporates diverse housing types (i.e., low density, medium density, high density residential), development would be compact (i.e., maximize used space by providing medium and high density residential land uses on more than half of the site), the area of public open space is greater than required by city regulations (project provides 48.4 acres versus City requirement of 48.2 acres), and mixed uses (i.e., residential and commercial land uses on one parcel) would be accommodated on the site. In addition, the project would provide a variety of transit opportunities including walking and bicycling, and by planning for a future Downtown-Natomas-Airport light rail extension and station at the project site. Following smart growth principles, the Project shortens future commute times, reduces traffic congestion, lessens dependence on automobiles and provides for housing choices that more closely align with the needs of an aging population. (Letter dated August 27, 2007, from City of Sacramento to Sacramento LAFCo.)

The Project Will Allow the City to Accommodate Projected Future Growth

According to the City's General Plan technical background reports, as of September 2005, there were approximately 14,000 acres of low and medium density parcels of vacant land available. However, the actual number is likely less than this total, because a substantial quantity of land has been developed subsequently in the North Natomas area, where the majority of this land is concentrated. For example, projects considered in a cumulative context include the Westborough, Cambay West, Natomas Crossing, Natomas Town Center, Natomas Creek and Panhandle (595 acres with 3,075 dwelling units) projects; each of which are in the North Natomas area. In the south Sacramento area, M&H Realty and SunCal Companies and Dunmore Homes have submitted an application to develop one of the last remaining large blocks of land in the City, the 925-acre Delta Shores site. Vacant industrial sites at the 240-acre downtown Sacramento railyards (up to 10,000 dwelling units) and 72 acre Curtis Park railyards (540 dwelling units and 188,941 square feet of retail/commercial) are being actively pursued for development, with applications submitted and the environmental review process begun on both. As this shows, the North Natomas area continues to be actively developed, and other large, vacant, or undeveloped parcels are being actively pursued. Further, much of the land is tied up by other landowners interested in development. None of the undeveloped low or medium density residential or residential /mixed-use properties within the NNCP area or in other large, undeveloped areas of the City is currently owned by the Greenbriar property owner.

The City believes that, as a result of the lack of available vacant land within its boundaries, the City will need to look to sites outside the SOI in order to accommodate projected growth. The information provided by the General Plan Update Technical Background Reports and the ongoing City Infill Strategy support this conclusion, as discussed below.

Sufficient holding capacity is available within the City's SOI to accommodate the project's proposed residential development. In spite of the fact that the City may currently have holding capacity for the project, this is not expected to be the case in the foreseeable future. According to Sacramento City staff (McDonald, pers. comm., June 19, 2006), the Technical Background report for the City of Sacramento General Plan Update shows the following:

Current (2005) population:	450,000
Proposed General Plan Holding Capacity (2030):	564,000
Anticipated City population (2030):	650,000

Over the next 25 years, the City is expected to grow by 200,000 people. However, the current General Plan, including the current sphere-of-influence, would accommodate an additional estimated 114,000 people. Additional land would be needed if the City intends to accommodate the 86,000 people above the General Plan's holding capacity that are anticipated to live in the City.

In its July 6, 2007 report, economic consultants EPS estimated that, given the General Plan update area's urban form and land use parameters, the City has vacant and redevelopment capacity for 111,000 additional housing units. The City needs only 42,000 of those units by 2030 to attain agreed-upon growth projections.

However, while the vacant site potential and reuse potential is theoretically a sizable number, EPS believes that the market and site constraints of these potential development areas will not deliver anywhere near the 100,000 dwelling unit need. In other words, these sites are generally low potential (rates of absorption by 2030 at less than 30% of theoretical development capacity). Therefore, in order to meet growth targets, the City needs to utilize the new growth sites, including the Greenbriar project site.

The Project is Consistent with and Promotes the City's Adopted Planning and Land Use Goals.

The City is currently updating the General Plan and the City Council has adopted a vision for the future of the City, as well as several guiding principles to help guide the update and achieve this vision. The Project meets the City's guiding principles and existing General Plan goals, policies and objectives, which include the following:

General Plan Update Vision

Promote the reuse and revitalization of existing developed areas, with special emphasis on commercial and industrial district.

Promote economic vitality and diversification of the local economy.

General Plan Goals and Policies

. . . provide continued support of private and public efforts that promote the Central City's role as the region's commercial office, employment, and cultural center. . .. (Sec. 1-33)

Promote the re-use and revitalization of existing developed areas, with special emphasis on commercial and industrial districts. (Sec. 4-1)

Encourage mixed use developments to generate greater pedestrian activity. (Sec 5-22)

Consistency with LAFCo Policies

Beginning in 2005, the City of Sacramento and Sacramento LAFCo initiated a streamlined environmental review and approval process intended to help expedite project entitlements based on Greenbriar's unique project characteristics and policy consistency. These include the following:

1. Project design as a transit oriented development (TOD) and compatibility with SACOG's recently completed Blueprint Preferred Growth Scenario and the Smart Growth Principles advanced by the City-County Natomas Joint Vision Memorandum of Understanding;
2. Extension of RT's proposed Downtown-Natomas-Airport (DNA) light rail line through the project, the incorporation of a station site centrally located within the project, and RT's interest in remaining competitive for scarce federal funding;
3. The project's ability to accommodate expected population growth in addition to that which would be served by urban infill according to the City's General Plan Update estimates; and,
4. The unique geography of Greenbriar, bordered on three sides by existing and developing urban uses, including the North Natomas Community Plan, and the 1,900-acre Metro Air Park light-industrial office complex that will ultimately employ 38,000 workers immediately west of the project.

The City of Sacramento has formally acknowledged each of these as reasons why Greenbriar "is a unique application and should be treated accordingly" relative to efficient processing and timely approval consideration.

In a letter dated July 25, 2005, addressed to Sacramento LAFCo Executive Director Peter Brundage, then City of Sacramento Interim Planning Director Carol Shearly explained how each unique project characteristic justified LAFCo's consideration of concurrent processing of a sphere of influence amendment and annexation. Sacramento LAFCo, at its August 3, 2005 hearing, responded affirmatively to the City's suggestion for concurrent processing, and on November 1, 2005 the Sacramento City Council unanimously approved three resolutions, setting in motion concurrent sphere of influence and annexation processing.

Nearly two years later, on September 19, 2007, LAFCo conducted a public hearing on the Greenbriar Sphere of Influence Amendment, Municipal Services Review, and Environmental Impact Report (collectively, the SOI Amendment"). At the hearing, Commissioner Yee noted that "Greenbriar is located at a point where it's logical to become part of the City of Sacramento...it is an infill project... ." Mr. Yee also acknowledged that Greenbriar will contribute to the DNA line, and further stated that "Greenbriar is a perfect example of what we call smart growth. Because it's very consistent with the principles [] embodied in the Blueprint." Similarly, Commissioner Fong characterized the potential Greenbriar development as "a logical, orderly path for urbanization," and a project which is "critical...for the City of Sacramento." And Commissioner Peters stated that Greenbriar is "a logical expansion of the City's boundaries" and referred to the project as classic "infill." Similarly, Commissioner Miklos, who has been a member of SACOG for over 10 years, said that Greenbriar is a "perfect example" of Blueprint planning. After considering all public testimony, LAFCo approved the SOI Amendment.

Consistency With SMAQMD Protocol and Support from SMAQMD

As stated in its October 29, 2007 letter to the City, the Sacramento Metropolitan Air Quality Management District supports the Greenbriar project because it offers "many air quality-friendly elements." SMAQMD notes that "[t]he mixed-use design, density, and transit features are consistent with Blueprint, which is one of the key planning tools designed to limit the air quality and transportation impacts of projects in the Sacramento region." Moreover, SMAQMD recognizes that the project "is an essential step toward ensuring the Downtown-Natomas-Airport Regional Transit light rail line implementation."

SMAQMD director Larry Greene reiterated the District's endorsement at the November 8, 2007 Planning Commission hearing, where he unequivocally stated that the District supports the

project. Mr. Greene further stated that the project complies with the District's protocol for evaluating health risks associated with land uses adjacent to major freeways, although the District disagrees over some technical aspects of the health risk assessment prepared for the project. In conclusion, Mr. Greene noted that the "project meets the Blueprint's protocols [and] supports transit," and further stated that the project has an "air quality mitigation plan which we [the District] have approved." In fact, the Greenbriar Master Air Quality/TSM Plan approved by SMAQMD demonstrates that the project will result in overall air quality emissions reductions to at least 15% below comparable projects through application of a variety of mitigation measures.

The Project Will Provide Revenue to the City.

The Project will provide revenue to the City from sales taxes generated by the commercial portions of the Project, as well as increased property tax revenues to fund public services and facilities. The creation of temporary construction jobs and permanent office and retail jobs will also financially benefit the City, as will the increase in sales taxes from the purchase of goods by Project residents within the community. The Project will also generate revenues to the City through payment of building fees and development impact fees.

Public Facilities Fee

The Project will be charged a Public Facilities Fee to fund public facilities required to serve the Project. In addition to constructing all backbone infrastructure facilities and a transit station to serve the proposed DNA Light Rail line, the Project will pay fees at building permit that will help fund parks (including the North Natomas Regional Park), library facilities, fire facilities, police facilities, mainline freeway facilities, community center facilities, and bikeways and shuttles. This provides a measure of public benefit because the fee funding aids the contribution of public facilities in North Natomas, which benefits both North Natomas residents and Greenbriar residents. The Project will contribute approximately $10,731,523 for public facilities. ("Greenbriar Environmental Impact Report Alternatives Analysis", prepared by EPS, page 5.)

Permanent Jobs

Development of the Project would increase economic and employment activity in the Central Business District of Sacramento. The Project would include 27.5 net acres of retail and commercial space, which would directly increase employment opportunities.

Construction Jobs

The Project is also expected to create a number of secondary jobs, as implementation of the Project would require construction jobs for the development of the buildings and associated site improvements. Such jobs will provide income and work experience for City residents and other workers and their families.

The revenue generated as a result of the Project will benefit the City and other governmental agencies, and their residents and constituencies by providing needed revenue for provision of required services and amenities.

The Project will Provide All Necessary On-site Infrastructure and Contribute Fair Share Funding to Upgrade the City's Infrastructure System.

Installation of necessary on-site infrastructure would be constructed by the Project applicant and/or the applicant would contribute its fair share of the funding for this infrastructure, resulting in the necessary revenue for the City to fund such improvements. In addition, the Project applicant will have to pay building and development impact fees that will help fund the costs for off-site infrastructure needed to serve the Project.

The North Natomas Financing Plan under funds identified infrastructure needs by about $70 million. This deficiency is the result of construction costs and standards escalating faster than the adjustment of fees. These deficiencies include library, fire, police, transit and roadway facilities.

The North Natomas Financing Plan funded the land acquisition for the North Natomas Regional Park; however, identified deficiencies are the payment of Habitat Conservation Plan Fees and capital improvements for the Regional Park Greenbriar will contribute approximately $3.35 million to help fund this amount.

The Greenbriar project would include phased expansion and extension of public utility infrastructure from adjacent areas (e.g., NNCP area) to the project site. Infrastructure plans would specify the size and locations of pipelines necessary to convey potable water, wastewater (including pump and lift stations if necessary), and storm water drainage to and from the project site. In addition, locations for placing electrical infrastructure and natural gas lines would also be identified on the plans.

The main water supply for the project site would be a 30-inch transmission line that would be extended from South Bayou Road (south of the project site) under I-5 (via a jack and bore construction method) to Elkhorn Boulevard. Additional reliability and redundancy in the water distribution system would be provided through a 24-inch transmission line that would be constructed from Natomas Boulevard and Elkhorn Boulevard (east of the project site) to the intersection of Lone Tree Road and Elkhorn Boulevard where it would connect to on-site distribution facilities. The proposed water distribution system would consist of a grid of 8-inch and 12-inch distribution mains throughout areas designated for residential land uses. An 18-inch transmission main would run under Meister Way from the western edge of the project site to the east; it would then run north between two parcels designated for high density residential land uses (near the eastern boundary), east along the boundary of the site, and would terminate at a 24-inch transmission main located in Elkhorn Boulevard. Three groundwater wells would be constructed on-site; one to periodically maintain flow in Lone Tree Canal; and two to maintain (if needed) flows within the on-site lake detention basin.

The project also includes the construction of a gravity flow and force main wastewater collection system. Approximately one-quarter of the site would be served by a gravity flow system that would connect to the existing 33-inch North Natomas interceptor located at the terminus of Greg Thatch Circle (immediately east of the project site). The remaining portions of the project site would be served by gravity flow to a centrally located lift station. Flows from the lift station would be conveyed by a 16-inch sewer force main that would ultimately connect to the 33-inch North Natomas Interceptor along the northwestern boundary of the property.

(Letter dated August 27, 2007, from City of Sacramento to Sacramento LAFCo.)

Greenbriar will contribute to the North Natomas Financing Plan to help fund several categories of infrastructure and public facilities. The project will provide $3.35 million for the planned Regional Park. In addition, the project will provide $1.78 million for library facilities, a $1.52

million contribution for the construction of fire facilities, and $2.4 million for police facilities, which includes a $1.5 million 880-MegaHerz radio transmission tower.

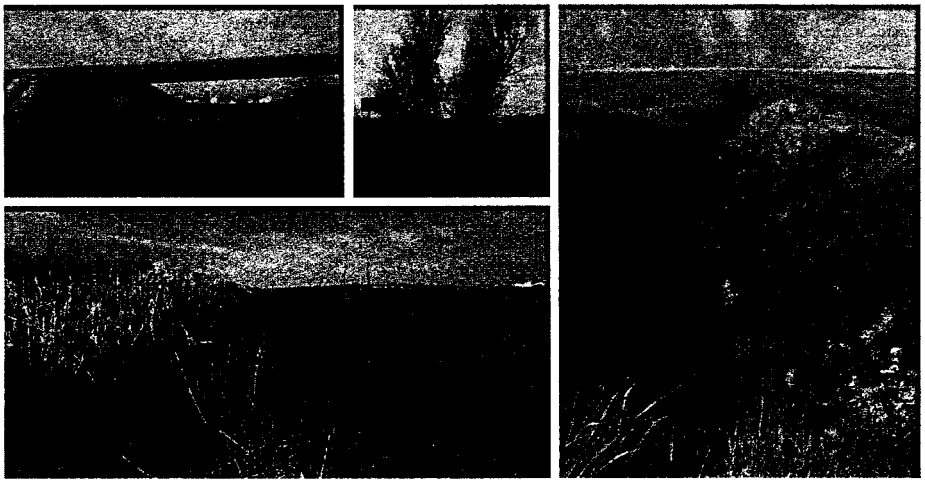
The Project also includes dedication of a corridor that could accommodate a future transit stop and light rail alignment for the Downtown-Natomas-Airport (DNA) light rail extension located near the center of the Project site along the proposed Meister Way roadway. The light rail station would provide public transportation access to downtown Sacramento, Sacramento International Airport and Metro Air Park. The transit station is currently estimated at $2.4 million. RT will also be provided with the right-of-way over the Project site at no cost.

Finally, the Greenbriar project will provide $1.65 million for the improvements to the Elkhorn interchange. (Letter dated August 27, 2007, from City of Sacramento to Sacramento LAFCo.)

EXHIBIT B – MITIGATION MONITORING PLAN

Mitigation Monitoring and Reporting Program
for

Greenbriar Development Project



Prepared for:

City of Sacramento
Environmental Planning Services

and

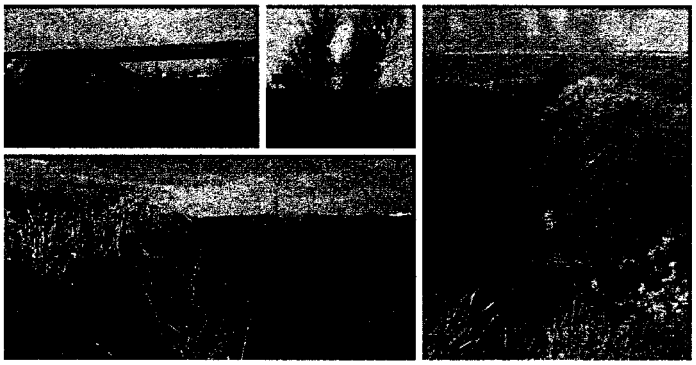
Sacramento Local Agency Formation Commission

September 6, 2007

EDAW

Mitigation Monitoring and Reporting Program
for

Greenbriar Development Project



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MITIGATION MONITORING AND REPORTING PROGRAM

INTRODUCTION

This Environmental Mitigation Monitoring and Reporting Program (MMRP) has been prepared pursuant to the California Environmental Quality Act (CEQA) and the State CEQA Guidelines to provide for the monitoring of mitigation measures required of the Greenbriar Development Project (proposed project) as set forth in the Final Environmental Impact Report (FEIR) prepared for the project.

Section 21081.6 of the California Public Resources Code and Section 15091(d) and 15097 of the State CEQA Guidelines require public agencies "to adopt a reporting or monitoring program for changes to the project which it has adopted or made a condition of project approval in order to mitigate or avoid significant effects on the environment." A Mitigation Monitoring and Reporting Program (MMRP) is required for the proposed project because the EIR for the project identified potentially significant adverse impacts related to construction and implementation activities, and mitigation measures have been identified to reduce most of those impacts to a less-than-significant level.

This MMRP will be adopted by the Sacramento City Council and Sacramento County Local Agency Formation Commission (LAFCo) when they approve their respective elements of the project.

This MMRP will be kept on file at the City of Sacramento Planning Department, 2101 Arena Boulevard, Sacramento CA, 95834 and at LAFCo, 1112 I Street, Suite 100, Sacramento, CA 95814.

PURPOSE OF THE MMRP

This MMRP has been prepared to ensure that all required mitigation measures are implemented and completed according to schedule and maintained in a satisfactory manner during project construction and implementation, as required. The MMRP may be modified by the City or LAFCo during project implementation, as necessary, in response to changing conditions or other refinements. A summary table (attached) has been prepared to assist the responsible parties in implementing the MMRP. The table identifies individual mitigation measures, monitoring/mitigation timing, responsible person/agency for implementing the measure, monitoring procedures, and a record of implementation of the mitigation measures. The numbering of mitigation measures follows the numbering sequence found in the EIR.

ROLES AND RESPONSIBILITIES

Unless otherwise specified herein, the City and LAFCo are responsible for taking all actions necessary to implement the mitigation measures according to the specifications provided for each measure and for demonstrating that the action has been successfully completed. The City and LAFCo at their discretion may delegate implementation responsibility or portions thereof to a licensed contractor.

The City and LAFCo will be responsible for overall administration of the MMRP and for verifying that City or LAFCo staff or a qualified construction contractor has completed the necessary actions for each measure. The City and LAFCo will each designate a project manager to oversee the MMRP during the construction period. Duties of the project manager include the following:

- Ensure that routine inspections of the construction site are conducted by appropriate City and LAFCo staff; and check plans, reports, and other documents required by the MMRP.
- Serve as a liaison between the City/LAFCo and the construction contractor regarding mitigation monitoring issues.

- Complete forms and maintain records and documents required by the MMRP.
- Coordinate and ensure that corrective actions or enforcement measures are taken, if necessary.

CHANGES TO MITIGATION MEASURES

Any substantive change in the MMRP made by City or LAFCo staff shall be reported in writing. Reference to such changes shall be made in the monthly or annual Environmental Mitigation Monitoring Report prepared by City and LAFCo staff. Modifications to the mitigation measures may be made by City or LAFCo staff subject to one of the following findings and documented by evidence included in the record:

1. The mitigation measure included in the Final EIR and the MMRP is no longer required because the significant environmental impact identified in the Final EIR has been found not to exist or to occur at a level which makes the impact less than significant as a result of changes in the project, changes in conditions of the environment, or other factors.

OR

2. The modified or substitute mitigation measure to be included in the MMRP provides a level of environmental protection equal to or greater than that afforded by the mitigation measure included in the Final EIR and the MMRP.

AND

3. The modified or substitute mitigation measures do not have significant adverse effects on the environment in addition to or greater than those which were considered by the responsible hearing bodies in their decisions on the Final EIR and the proposed project.

AND

4. The modified or substitute mitigation measures are feasible, and the City, through measures included in the MMRP or other City procedures, can assure their implementation.

Findings and related documentation supporting the findings involving modifications to mitigation measures shall be maintained in the project file with the MMRP and shall be made available to the public upon request.

MMRP SUMMARY TABLE

The MMRP Summary Table that follows should guide the City and LAFCo in their evaluation and records of the implementation of mitigation measures.

The column categories identified in the MMRP Summary Table are described below:

- **Summary of Mitigation** – lists the mitigation measures by number identified in the EIR and provides the text of the mitigation measures identified in the EIR.
- **Action** – describes the type of action taken to verify implementation of the mitigation.
- **Implementing Party** – identifies the entity responsible for complying with the requirements of the mitigation measure.
- **Timing** – lists the time frame in which the mitigation will take place.
- **Monitoring Party** – identifies the agency that verifies compliance.

Table 1
Mitigation Monitoring and Reporting Table

Summary of Measure	Action	Implementing Party	Timing	Monitoring Party
6.1 Transportation and Circulation				
6.1-1a: Develop a Financial Plan (City of Sacramento and LAFCo) The applicant shall be required to develop the Greenbriar Finance Plan for review and approval by the City prior to annexation. The plan shall identify the financing mechanisms for all feasible transportation improvements defined as mitigation measures, including but not limited to, new roadways, roadways widening, traffic signals, and public transit. The project applicant shall coordinate the preparation of the finance plan with the City of Sacramento, Sacramento County, and the Metro Air Park Public Facilities Financing Plan. All mitigation measures with "fair share" contributions would be implemented through the proposed financing mechanism(s) indicated in the finance plan or by some other mechanism as determined by the City of Sacramento in consultation with the Sacramento County. The Greenbriar Finance Plan shall be adopted by the City at the time the project is considered for approval. A copy of the Draft Greenbriar Finance Plan is included in Appendix C of the EIR.	*Prepare Greenbriar Finance Plan*	*Project applicant, City of Sacramento*	*Concurrent with project approval*	*City of Sacramento Development Services Department; Sacramento LAFCo*
6.1-1b: Meister Way Overpass (City of Sacramento) The project applicant in coordination with the City shall ensure that the Meister Way overpass is constructed and in operation on or before 65% buildout of the project based on total project trips. With implementation of this improvement, operating conditions at study area intersections would substantially improve as shown in Table 6.1-30 below. Exhibit 6.1-16 of the DEIR shows the Baseline plus Project peak-hour turning movement volumes with the Meister Way overpass and Exhibit 6.1-17 shows the Baseline plus Project lane configurations with Meister Way overpass.	*Ensure construction and operation of Meister Way overpass*	*Project applicant and City of Sacramento*	*On or before 65% buildout of project based on total project trip generation*	*City of Sacramento Development Services Department*
6.1-1c: Elverta Road and SR 70/99 (City of Sacramento, Caltrans, County) Before issuance of the first occupancy permit, the project applicant shall restripe the westbound Elverta Road approach to provide two left turn lanes, and a shared through-right turn lane (currently, a left turn lane, a shared left turn-through lane, and a right turn lane). Available right-of way currently exists at this intersection to implement this mitigation measure. Construction outside existing right-of-way would not be required.	*Re-stripe westbound Elverta Road approach to provide two turn lanes and a shared through-right lane*	*Project applicant*	*Prior to issuance of first occupancy permit*	*City of Sacramento Development Services Department*

Table 1
Mitigation Monitoring and Reporting Table

Summary of Measure	Action	Implementing Party	Timing	Monitoring Party
6.1-1d: Elkhorn Boulevard and Lone Tree Road (City of Sacramento and County) On or before 50% buildout of the project based on total project trip generation, the project applicant shall construct a traffic signal at the Elkhorn Boulevard and Lone Tree Road intersection. Existing right-of-way is available to accommodate this improvement.	*Construct traffic signal at Elkhorn Boulevard and Lone Tree Road intersection*	*Project applicant*	*On or before 50% buildout of project based on total project trip generation*	*City of Sacramento Development Services Department*
6.1-1e: SR 70/99 Northbound Ramps and Elkhorn Boulevard (City of Sacramento and Caltrans) Prior to project approval, the project applicant in coordination with the City, shall prepare a City Council-approved Finance Plan to fund necessary traffic mitigation. This funding mechanism shall be in conformance with the Draft Greenbriar Finance Plan presented in Appendix C. This funding mechanism shall ensure that the project applicant will pay their fair-share costs (determined in consultation with the City) toward the installation of a traffic signal at the SR 70/99 Northbound Ramps and Elkhorn Boulevard intersection and shall install the traffic signal before recordation of the first map. The Draft Greenbriar Finance Plan identifies 100% of the funding needed to construct this improvement including funds collected through the Metro Air Park Finance Plan and the North Natomas Public Facilities Finance Plan.	*Prepare City-Council approved Finance Plan to fund traffic mitigation to ensure that the project applicant will pay their fair-share costs toward the installation of a traffic signal at the SR 70/99 Northbound Ramps and Elkhorn Boulevard intersection*	*Project applicant and City of Sacramento*	*Finance Plan shall be prepared prior to project approval* *Traffic signal shall be installed prior to recordation of the first map*	*City of Sacramento Development Services Department*
6.1-1f: Elkhorn Boulevard and E. Commerce Way (City of Sacramento) Before project approval, the project applicant shall in coordination with the City, prepare a City Council-approved Finance Plan to fund necessary traffic mitigation. This funding mechanism shall be in conformance with the Draft Greenbriar Finance Plan presented in Appendix C. This funding mechanism shall ensure that the project applicant will pay their fair-share costs (determined in consultation with the City) toward the installation of a traffic signal at the Elkhorn Boulevard/East Commerce Way intersection. The Draft Greenbriar Finance Plan identifies 100% of the funding needed to implement this improvement.	*Prepare City-Council approved Finance Plan to fund traffic mitigation to ensure that the project applicant will pay their fair-share costs toward the installation of a traffic signal at the Elkhorn Boulevard/East Commerce Way intersection*	*Project applicant and City of Sacramento*	*Prior to project approval*	*City of Sacramento Development Services Department*

Table 1
Mitigation Monitoring and Reporting Table

Summary of Measure	Action	Implementing Party	Timing	Monitoring Party
6.1-1g: Elkhorn Boulevard and Project Street 1 (City of Sacramento) On or before the issuance of the first occupancy permit, the project applicant shall install a traffic signal at the Elkhorn Boulevard/Project Street 1 intersection.	*Construct traffic signal at Elkhorn Boulevard and Project Street 1 intersection*	*Project applicant*	*Prior to issuance of first occupancy permit*	*City of Sacramento Development Services Department*
6.1-1h: Elkhorn Boulevard and Project Street 2 (City of Sacramento) On or before the issuance of the first occupancy permit, the project applicant shall install a traffic signal at the Elkhorn Boulevard/Project Street 2 intersection.	*Construct traffic signal at Elkhorn Boulevard and Project Street 2 intersection*	*Project applicant*	*Prior to issuance of first occupancy permit*	*City of Sacramento Development Services Department*
6.1-i: Elkhorn Boulevard and Project Street 3 (City of Sacramento) On or before issuance of the first occupancy permit, the project applicant shall make revisions to the project plans so that this intersection will be restricted to right in/ right out access only.	*Make revisions to project plans so Elkhorn Boulevard and Project Street 3 intersection is restricted to right in/right out access only*	*Project applicant*	*Prior to issuance of first occupancy permit*	*City of Sacramento Development Services Department*
6.1-2a: Meister Way Overpass (City of Sacramento) The project applicant shall implement Mitigation Measure 6.1-1b above (i.e., construct Meister Way overpass).	*See 6.1-1 b above*	*See 6.1-1 b above*	*See 6.1-1 b above*	*See 6.1-1 b above*
6.1-2b: Elkhorn Boulevard west of SR 70/99 Interchange (City of Sacramento and County) On or before 60% total buildout of the project based on trip generation, the project applicant shall widen Elkhorn Boulevard west of SR 70/99 interchange to Lone Tree road to provide two travel lanes in each direction. Right-of-way for the recommended widening is currently available and has been secured by the City.	*Widen Elkhorn Boulevard west of SR 70/99 interchange to Lone Tree Road to provide two travel lanes in each direction*	*Project applicant*	*On or before60% buildout of project based on total project trip generation*	*City of Sacramento Development Services Department*
6.1-2c: Meister Way west of SR 70/99 (City of Sacramento) On or before 66% total buildout of the project based on trip generation, the project applicant shall widen Meister Way west of SR 70/99 to provide two travel lanes in each direction from the first street intersection of SR 70/99 (Meister Way and 28 Street/36 Street [identified on the tentative map]) west to Lone Tree Road. Right-of-way for the recommended widening is currently available on-site.	*Widen Meister Way west of SR 70/99 to provide two travel lanes in each direction from the first street intersection of SR 70/99 west to Lone Tree Road*	*Project applicant*	*On or before 66% buildout of project based on total project trip generation*	*City of Sacramento Development Services Department*

Table 1
Mitigation Monitoring and Reporting Table

Summary of Measure	Action	Implementing Party	Timing	Monitoring Party
6.1-3a: Meister Way Overpass (City of Sacramento) The project applicant shall implement Mitigation Measure 6.1-1b above (i.e., construct the Meister Way overpass).	*See 6.1-1b above*	*See 6.1-1b above*	*See 6.1-1b above*	*See 6.1-1b above*
6.1-3b: SR 70/99 Northbound to Elkhorn Boulevard off-ramp (City of Sacramento)				
a. The project applicant shall implement mitigation measure 6.1-1e, which would require the installation of a traffic signal at the SR 70/99 Northbound Ramps and Elkhorn Boulevard intersection.	*a. see 6.1-1e*	*a. see 6.1-1e*	*a. see 6.1-1e*	*a. see 6.1-1e*
b. Before project approval, the project applicant shall in coordination with the City, prepare a City Council-approved Finance Plan to fund necessary traffic mitigation. This funding mechanism shall be in conformance with the Draft Greenbriar Finance Plan presented in Appendix C. This funding mechanism shall ensure that the project applicant will pay their fair-share costs (determined in consultation with the City and Caltrans) toward the widening the off-ramp from one lane to two lanes. The Draft Greenbriar Finance Plan identifies 100% of the funding needed to construct this improvement. This improvement is included in the Metro Air Park Financing Plan (MAPFP) and the North Natomas Public Facilities Finance Plan.	*b. Prepare City-Council approved Finance Plan to ensure that the project applicant will pay their fair-share costs toward the widening the off-ramp from one lane to two lanes*	*b. Project applicant and City of Sacramento*	*b. Concurrent with project approval*	*b. City of Sacramento Development Services Dept*
6.1-3c: SR 70/99 Southbound to I-5 Southbound on-ramp (City of Sacramento and Caltrans)				
a. Prior to issuance of any building permits, the City will establish a Traffic Congestion Relief Fund to fund over all congestion relief projects.	*a. Establish a Traffic Congestion Relief Fund*	*a. City of Sacramento*	*a. Upon issuance of building permits*	*a. City of Sacramento Development Services Dept*
b. Upon the City's issuance of any building permit for the project, the project applicant shall pay its fair-share contribution to the City's Traffic Congestion Relief Fund. Monies collected within the City's fund will be used by the City in the time and manner as required by the City of Sacramento, in coordination with Caltrans and other transportation agencies including Regional Transit, to fund improvements that would relieve freeway congestion. As determined in consultation with Caltrans and RT, the project's fair-share contribution for all feasible (project and cumulative) mainline freeway improvements would be $1,135,904.	*b. Pay fair-share to the City's Traffic Congestion Relief Fund*	*b. Project applicant*	*b. Upon issuance of building permits*	*b. City of Sacramento Development Services Dept*

Table 1
Mitigation Monitoring and Reporting Table

Summary of Measure	Action	Implementing Party	Timing	Monitoring Party
6.1-4a: Meister Way Overpass (City of Sacramento) The project applicant shall implement Mitigation Measure 6.1-1b above (i.e., construct the Meister Way overpass).	*See 6.1-1b above*	*See 6.1-1b above*	*See 6.1-1b above*	*See 6.1-1b above*
6.1-4b: I-5 North of Del Paso Road (City of Sacramento and Caltrans)				
a. The project applicant shall implement Mitigation Measure 6.1-3c.	*a. See 6.1-3c above*	*a. See 6.1-3c above*	*a. See 6.1-3c above*	*a. See 6.1-3c above*
b. Upon the City's issuance of any building permit for the project, the project applicant shall pay its fair-share contribution to the City's Traffic Congestion Relief Fund. This contribution has been previously identified within the fair-share funds calculated for Mitigation Measure 6.1-3c. Monies collected within the City's fund will be used by the City in the time and manner as required by the City of Sacramento, in coordination with Caltrans and other transportation agencies including Regional Transit. The City's Traffic Congestion Relief Fund will be used to implement projects that would reduce mainline freeway congestion.	*b. Pay fair-share to the City's Traffic Congestion Relief Fund*	*b. Project applicant*	*b. Upon issuance of building permits*	*b. City of Sacramento Development Services Department*
6.1-4c: I-5 north of I-5/I-80 Interchange between I-80 and Arena Boulevard Exit (City of Sacramento and Caltrans)				
a. The project applicant shall implement Mitigation Measure 6.1-3c.	*a. See 6.1-3c above*	*a. See 6.1-3c above*	*a. See 6.1-3c above*	*a. See 6.1-3c above*
b. Upon the City's issuance of any building permit for the project, the project applicant shall pay its fair-share contribution to the City's Traffic Congestion Relief Fund. This contribution has been previously identified within the fair-share funds calculated for Mitigation Measure 6.1-3c. Monies will be deposited within the City's fund in the time and manner as required by the City of Sacramento, in coordination with Caltrans and other transportation agencies including Regional Transit. The City's Traffic Congestion Relief Fund will be used to implement projects that would reduce mainline freeway congestion.	*b. Pay fair-share to the City's Traffic Congestion Relief Fund*	*b. Project applicant*	*b. Upon issuance of building permits*	*b. City of Sacramento Development Services Department*

Table 1
Mitigation Monitoring and Reporting Table

Summary of Measure	Action	Implementing Party	Timing	Monitoring Party
Mitigation Measure 6.1-4d: This mitigation was removed in the Second Recirculated DEIR.				
6.1-4e: SR 70/99 between Elkhorn Boulevard and I-5/SR 70/99 Interchange (City of Sacramento) a. The project applicant shall implement Mitigation Measure 6.1-3c.	*a. See 6.1-3c above*	*a. See 6.1-3c above*	*a. See 6.1-3c above*	*a. See 6.1-3c above*
b. Upon the City's issuance of any building permit for the project, the project applicant shall pay its fair-share contribution to the City's Traffic Congestion Relief Fund. This contribution has been previously identified within the fair-share funds calculated for Mitigation Measure 6.1-3c. Monies will be deposited within the City's fund in the time and manner as required by the City of Sacramento, in coordination with Caltrans and other transportation agencies including Regional Transit. The City's Traffic Congestion Relief Fund will be used to implement projects that would reduce mainline freeway congestion.	*b. Pay fair-share to the City's Traffic Congestion Relief Fund*	*b. Project applicant*	*b. Upon issuance of building permits*	*b. City of Sacramento Development Services Department*
6.1-5a: Elkhorn Boulevard and Lone Tree Road (City of Sacramento and County) The project applicant shall provide an expanded intersection with a right turn pocket length of 200 feet for vehicles turning right onto northbound Lone Tree Road from the westbound Elkhorn Boulevard approach.	*Coordinate with Sacramento County to acquire additional right-of-way to allow expansion of the Elkhorn Boulevard/Lone Tree Road intersection with a right-turn pocket length of 200 feet for vehicles turning right onto northbound Lone Tree Road from westbound Elkhorn Boulevard*	*Project applicant and City of Sacramento*	*Prior to project buildout*	*City of Sacramento Development Services Department*
6.1-5b: SR 70/99 Southbound Ramps and Elkhorn Boulevard (City of Sacramento and Caltrans) Before project approval, the project applicant shall in coordination with the City, prepare a City Council-approved Finance Plan to fully fund necessary traffic mitigation. This funding mechanism shall be in conformance with the Draft Greenbriar Finance Plan presented in Appendix C. This funding mechanism shall ensure that the project applicant will pay their fair-share costs (determined in consultation with	*Prepare City-Council approved Finance Plan to ensure that the project applicant will pay their fair-share costs toward the re-striping of the SR 70/99 southbound off-ramp approach to provide a left-*	*Project applicant and City of Sacramento*	*Prior to project approval*	*City of Sacramento Development Services Department*

Table 1
Mitigation Monitoring and Reporting Table

Summary of Measure	Action	Implementing Party	Timing	Monitoring Party
the City and Caltrans) toward the restriping of the SR 70/99 southbound off-ramp approach to provide a left-turn lane, a shared left turn-right turn lane, and two right-turn lanes (cumulative base lane geometry assumes two left turn and two right turn lanes). The Draft Greenbriar Finance Plan identifies 100% of the funding needed to construct this improvement.	*turn lane, a shared left turn-right turn lane, and two right-turn lanes*			
6.1-5c: SR 70/99 Northbound Ramps and Elkhorn Boulevard (City of Sacramento and Caltrans) Before project approval, the project applicant shall in coordination with the City, prepare a City Council-approved Finance Plan to fully fund necessary traffic mitigation. This funding mechanism shall be in conformance with the Draft Greenbriar Finance Plan presented in Appendix C. This funding mechanism shall ensure that the project applicant will pay their fair-share costs (determined in consultation with the City) toward the restriping of the SR 70/99 northbound off-ramp approach to provide two left-turn lanes, a shared left turn-right turn lane, and a right-turn lane (cumulative base lane geometry assumes two left turn and two right turn lanes). The Draft Greenbriar Finance Plan identifies 100% of the funding needed to construct this improvement.	*Prepare City-Council approved Finance Plan to ensure that the project applicant will pay their fair-share costs toward the re-striping of the SR 70/99 northbound off-ramp approach to provide two left-turn lanes, a shared left turn-right turn lane, and a right-turn lane*	*Project applicant and City of Sacramento*	*Prior to project approval*	*City of Sacramento Development Services Department*
6.1-5d: Metro Air Parkway and I-5 Northbound Ramps (City of Sacramento and Caltrans) Before project approval, the project applicant shall in coordination with the City, prepare a City Council-approved Finance Plan to fully fund necessary traffic mitigation. This funding mechanism shall be in conformance with the Draft Greenbriar Finance Plan presented in Appendix C. This funding mechanism shall ensure that the project applicant will pay their fair-share costs (determined in consultation with the City) toward the restriping of the I-5 northbound off-ramp approach to provide a left-turn lane, a shared left turn-right turn lane and two right-turn lanes (cumulative base lane geometry assumes two left turn and two right turn lanes). The Draft Greenbriar Finance Plan identifies 100% of the funding needed to construct this improvement.	*Prepare City-Council approved Finance Plan to ensure that the project applicant will pay their fair-share costs toward the re-striping of the I-5 northbound off-ramp approach to provide a left-turn lane, a shared left turn-right turn lane and two right-turn lanes*	*Project applicant and City of Sacramento*	*Prior to project approval*	*City of Sacramento Development Services Department*
6.1-5e: Meister Way and Metro Air Parkway (City of Sacramento) Adding a left-turn lane and restriping the westbound Meister Way approach to provide two left-turn lanes and a shared, through right-turn lane (cumulative base lane geometry assumes a left turn lane, a through	*Coordinate with Sacramento County to acquire additional right-of-way to allow adding a left-turn lane and*	*Project applicant and City of Sacramento*	*Prior to project buildout*	*City of Sacramento Development Services Department*

Table 1
Mitigation Monitoring and Reporting Table

Summary of Measure	Action	Implementing Party	Timing	Monitoring Party
lane, and a right turn lane) would mitigate this impact to a less-than-significant level. However, construction of this mitigation measure would require the acquisition of additional right-of-way which is not controlled by the applicant.	*restriping the westbound Meister Way approach to provide two left-turn lanes and a shared, through right-turn lane*			
6.1-5f: Meister Way and Lone Tree Road (City of Sacramento) Adding a left-turn lane for the eastbound and westbound Meister Way approaches, and southbound Lone Tree Road approach would improve the operations of this intersection to LOS C and would reduce this impact to a less-than-significant level. Sufficient right-of-way could be secured by the applicant for the westbound approach; however, right-of-way along eastbound and southbound approach is controlled by the County and not within the City's jurisdiction. Although implementation of this measure would reduce the project's cumulative impacts to this intersection to a less-than-significant level, it is unknown whether additional right-of-way could be secured and whether this measure would be implemented.	*Coordinate with Sacramento County to acquire additional right-of-way to allow adding a left-turn lane for the eastbound and westbound Meister Way approaches, and southbound Lone Tree Road approach*	*Project applicant and City of Sacramento*	*Prior to project buildout*	*City of Sacramento Development Services Department*
6.1-5g: Meister Way and E. Commerce Way (City of Sacramento) On or before 65% buildout of the project based on the project's total trips, the project applicant shall revise the improvement plan to provide a left-turn lane for the northbound East Commerce Way approach, an additional lane for the eastbound Meister Way approach, and restripe the eastbound Meister Way approach to provide a left-turn lane and a right-turn lane (base cumulative lane geometry assumed to have a shared left turn-right turn lane for the eastbound approach).	*Revise the improvement plan to provide a left-turn lane for the northbound East Commerce Way approach, an additional lane for the eastbound Meister Way approach, and restripe the eastbound Meister Way approach to provide a left-turn lane and a right-turn lane*	*Project applicant*	*Prior to 65% buildout of project site*	*City of Sacramento Development Services Department*
6.1-5h: Elkhorn Boulevard and Project Street 1 (City of Sacramento) Construction of an additional through lane for the eastbound and westbound Elkhorn Boulevard approaches (cumulative base lane geometry assumes three through lanes in each direction on Elkhorn Boulevard) would reduce this impact to a less-than-significant level. However, this measure would require the acquisition of additional right-of-way beyond the maximum right-of-way proposed by the City/County	*Not applicable*	*Not applicable*	*Not applicable*	*Not applicable*

Table 1
Mitigation Monitoring and Reporting Table

Summary of Measure	Action	Implementing Party	Timing	Monitoring Party
for this roadway.				
6.1-5i: Elkhorn Boulevard and Project Street 2 (City of Sacramento) Construction of an additional through lane for the eastbound and westbound Elkhorn Boulevard approaches (cumulative base lane geometry assumes three through lanes in each direction on Elkhorn Boulevard) would reduce this impact to a less-than-significant level. However, this measure would require the acquisition of additional right-of-way beyond the maximum right-of-way proposed by the City/ County for this roadway.	*Not applicable*	*Not applicable*	*Not applicable*	*Not applicable*
6.1-5j: Elkhorn Boulevard and Project Street 3 (City of Sacramento) Construction of an additional through lane for the eastbound and westbound Elkhorn Boulevard approaches (cumulative base lane geometry assumes three through lanes in each direction on Elkhorn Boulevard) would reduce this impact to a less-than-significant level. However, this measure would require the acquisition of additional right-of-way beyond the ultimate right-of-way proposed by the City for this roadway. To improve the operations of this intersection under cumulative conditions, before buildout of the project, the project applicant shall restrict the left turn in/out movement at this intersection so that it will be right in/ right out movement only with a stop sign control on the side street. Although the operation of this intersection would improve, it would not cause this intersection to operate at an acceptable level (e.g., LOS D or better).	*Restrict the left turn in/out movement at this intersection so that it will be right in/ right out movement only with a stop sign control on the side street*	*Project applicant and City of Sacramento*	*Prior to project buildout*	*City of Sacramento Development Services Department*
6.1-6a: Elkhorn Boulevard west of SR 70/99 Interchange (City of Sacramento) Widening Elkhorn Boulevard to eight lanes (4 in each direction) would reduce this impact to a less-than-significant level. The City includes widening of Elkhorn Boulevard to six lanes within its General Plan; widening to eight lanes is not feasible nor planned by the City. Therefore, before project approval, the project applicant shall, in coordination with the City, establish a funding mechanism to fully fund necessary traffic mitigation. This funding mechanism shall be in conformance with the Draft Greenbriar Finance Plan presented in Appendix C. This funding mechanism shall ensure that the project applicant will pay their fair-share costs towards widening Elkhorn Boulevard to six lanes west of the SR	*Establish a funding mechanism to fully fund necessary traffic mitigation to ensure that the project applicant will pay their fair-share costs towards widening Elkhorn Boulevard to six lanes west of the SR 70/99 Interchange*	*Project applicant and City of Sacramento*	*Prior to project approval*	*City of Sacramento Development Services Department*

Table 1
Mitigation Monitoring and Reporting Table

Summary of Measure	Action	Implementing Party	Timing	Monitoring Party
70/99 Interchange (the number of lanes planned by the City of Sacramento). The City and developers of the MAP project have identified 100% of the funding necessary to widen the Elkhorn Boulevard/SR 70/99 overpass to six lanes.				
6.1-6b: Meister Way west of SR 70/99(City of Sacramento) The project applicant shall implement Mitigation measure 6.1-2c.	*Widen Meister Way west of SR 70/99 to provide two travel lanes in each direction from the first street intersection of SR 70/99 west to Lone Tree Road*	*Project applicant*	*Prior to 66% buildout of project site*	*City of Sacramento Development Services Department*
6.1-7a: SR 70/99 Northbound to Elkhorn Boulevard off-ramp (City of Sacramento and Caltrans) The project applicant shall coordinate with Caltrans to pay its fair share contribution to implement mitigation measure 6.1-5c, which requires re-striping the SR 99 northbound off-ramp approach to provide two left-turn lanes, a shared left turn-right turn lane and a right-turn lane (cumulative base lane geometry assumes two left turn and two right turn lanes). With implementation of this mitigation measure and widening this ramp from one lane to two lanes, this ramp would operate at LOS C and this impact would be reduced to a less-than-significant level. However, these ramps are not under the jurisdiction of the City of Sacramento (i.e., subject to Caltrans jurisdiction). While the project would contribute funds that would implement measures that would fully mitigate impacts to this intersection to a less-than-significant level, it is unknown whether these measures would be implemented because they are not subject to the control of the City.	*Prepare City-Council approved Finance Plan to ensure that the project applicant will pay their fair-share costs toward the re-striping of the SR 70/99 northbound off-ramp approach to provide two left-turn lanes, a shared left turn-right turn lane, and a right-turn lane*	*Project applicant and City of Sacramento*	*Prior to project approval*	*City of Sacramento Development Services Department*
6.1-7b: I-5 Northbound to SR 70/99 Northbound off-ramp (City of Sacramento and Caltrans)				
a. The project applicant shall implement Mitigation Measure 6.1-3c.	*a. See 6.1-3c above*	*a. See 6.1-3c above*	*a. See 6.1-3c above*	*a. See 6.1-3c above*
b. Upon the City's issuance of any building permit for the project, the project applicant shall pay its fair-share contribution to the City's Traffic Congestion Relief Fund. This contribution has been previously identified within the fair-share funds calculated for Mitigation Measure 6.1-3c. Monies will be deposited within the City's fund in the time and manner as required by the City of	*b. Pay fair-share to the City's Traffic Congestion Relief Fund*	*b. Project applicant*	*b. Upon issuance of building permits*	*b. City of Sacramento Development Services Department*

Table 1
Mitigation Monitoring and Reporting Table

Summary of Measure	Action	Implementing Party	Timing	Monitoring Party
Sacramento, in coordination with Caltrans and other transportation agencies including Regional Transit. The City's Traffic Congestion Relief Fund will be used to implement projects that would reduce mainline freeway congestion.				
6.1-7c: I-5 Northbound to Metro Air Parkway off-ramp (City of Sacramento and Caltrans)				
a. The project applicant shall coordinate with Caltrans and the Metro Air Park Finance Plan to pay its fair share toward widening the off-ramp to provide two additional lanes. Caltrans' DSMP includes the reconstruction of the I-5/Metro Air Park Interchange, but does not identify specific improvements or a project construction date. Widening of the interchange to provide the two additional lanes could be accommodated within the right-of-way proposed as part of the interchange improvement.	*a. Pay fair share toward widening of the off-ramp*	*a. Project applicant*	*a. Prior to project buildout*	*a. City of Sacramento Development Services Department and Caltrans*
b. The project applicant shall also implement mitigation measure 6.1-5d, which requires the establishment of a funding mechanism for restriping the I-5 northbound off-ramp approach to provide a left turn lane, a shared left turn-right turn lane and two right turn lanes (cumulative base lane geometry assumes two left turn and two right turn lanes).	*b. see 6.1-5d above*	*b. see 6.1-5d above*	*b. see 6.1-5d above*	*b. see 6.1-5d above*
6.1-7d: Metro Air Parkway to I-5 Southbound loop on-ramp (City of Sacramento and Caltrans) Before project approval, the project applicant shall, in coordination with the City, prepare a City Council-approved Finance Plan to fully fund necessary traffic mitigation. This funding mechanism shall be in conformance with the Draft Greenbriar Finance Plan presented in Appendix C of the DEIR. This funding mechanism shall ensure that the project applicant will pay their fair-share costs (determined in consultation with the City and Caltrans) toward the widening of the on-ramp to provide two additional lanes. The Draft Greenbriar Finance Plan identifies 100% of the funding needed to construct this improvement.	*Prepare City-Council approved Finance Plan to ensure that the project applicant will pay their fair-share costs toward the toward the widening of the I-5 southbound loop on-ramp to provide two additional lanes*	*Project applicant and City of Sacramento*	*Prior to project approval*	*City of Sacramento Development Services Department*

Table 1
Mitigation Monitoring and Reporting Table

Summary of Measure	Action	Implementing Party	Timing	Monitoring Party
6.1-8a: I-5 east of Powerline Road to the MAP Interchange (City of Sacramento and Caltrans)				
a. The project applicant shall implement Mitigation Measure 6.1-3c.	*a. See 6.1-3c above*	*a. See 6.1-3c above*	*a. See 6.1-3c above*	*a. See 6.1-3c above*
b. Upon the City's issuance of any building permit for the project, the project applicant shall contribute its fair share toward widening this segment to six lanes (currently four lanes). This mitigation would improve the operating conditions of this segment during peak conditions to an acceptable LOS. The Caltrans' District 3 DSMP includes adding an HOV lane to I-5 by the year 2020 and according to the Metro Air Park Finance Plan, this segment of I-5 would be upgraded to six lanes with buildout of the Metro Air Park project. Therefore, before recordation of the first map, the project applicant shall, in coordination with the City, prepare a City Council-approved Finance Plan. This funding mechanism shall be in conformance with the Draft Greenbriar Finance Plan presented in Appendix C of the DEIR. This funding mechanism shall ensure that the project applicant will pay their fair-share costs, determined in consultation with the City and in coordination with the Metro Air Park Finance Plan, toward the widening of I-5 to six lanes.	*b. Pay fair-share to the City's Traffic Congestion Relief Fund*	*b. Project applicant*	*b. Upon issuance of building permits*	*b. City of Sacramento Development Services Department*
6.1-8b: I-5 north of Del Paso Road (City of Sacramento and Caltrans)				
a. The project applicant shall implement Mitigation Measure 6.1-3c.	*a. See 6.1-3c above*	*a. See 6.1-3c above*	*a. See 6.1-3c above*	*a. See 6.1-3c above*
b. Upon the City's issuance of any building permit for the project, the project applicant shall contribute its fair share amount in the City's Traffic Congestion Relief Fund. This contribution has been previously identified within the fair-share funds calculated for Mitigation Measure 6.1-3c. Monies will be deposited within the City's fund in the time and manner as required by the City of Sacramento, in coordination with Caltrans and other transportation agencies including Regional Transit. The City's Traffic Congestion Relief Fund will be used to implement projects that would reduce mainline freeway congestion.	*b. Pay fair-share to the City's Traffic Congestion Relief Fund*	*b. Project applicant*	*b. Upon issuance of building permits*	*b. City of Sacramento Development Services Department*

Table 1
Mitigation Monitoring and Reporting Table

Summary of Measure	Action	Implementing Party	Timing	Monitoring Party
6.1-8c: I-5 north of I-5/I-80 Interchange between I-80 and Arena Boulevard Exit (City of Sacramento and Caltrans)				
a. The project applicant shall implement Mitigation Measure 6.1-3c.	*a. See 6.1-3c above*	*a. See 6.1-3c above*	*a. See 6.1-3c above*	*a. See 6.1-3c above*
b. Upon the City's issuance of any building permit for the project, the project applicant shall contribute its fair share amount in the City's Traffic Congestion Relief Fund. This contribution has been previously identified within the fair-share funds calculated for Mitigation Measure 6.1-3c. Monies will be deposited within the City's fund in the time and manner as required by the City of Sacramento, in coordination with Caltrans and other transportation agencies including Regional Transit. The City's Traffic Congestion Relief Fund will be used to implement projects that would reduce mainline freeway congestion.	*b. Pay fair-share to the City's Traffic Congestion Relief Fund*	*b. Project applicant*	*b. Upon issuance of building permits*	*b. City of Sacramento Development Services Department*
6.1-9: Bicycle and Pedestrian Facilities (City of Sacramento)				
a. Prior to recordation of the first map, the project applicant shall coordinate with the City of Sacramento Development Engineering Division to identify the necessary on- and off-site pedestrian and bicycle facilities to serve the proposed development. These facilities shall be incorporated into the project and could include: sidewalks, stop signs, in-pavement lighted crosswalks, standard pedestrian and school crossing warning signs, lane striping to provide a bicycle lane, bicycle parking, signs to identify pedestrian and bicycle paths, marked and raised crosswalks, and pedestrian signal heads.	*a.–f. Coordinate with the City of Sacramento Development Engineering and Finance Division to identify the necessary on- and off-site pedestrian and bicycle facilities to serve the proposed development*	*a–f. Project applicant*	*a–f. Prior to recordation of the first map*	*a–f. City of Sacramento Development Services Department*
b. Circulation and access to all proposed parks and public spaces shall include sidewalks that meet American with Disability Act Standards.				
c. The project applicant shall dedicate a buffer along the edges of the project site (south, east, and west) to the City of Sacramento. This buffer shall be landscaped by the project applicant and shall provide space for future 10-foot off-street bikeways that would connect residents and employees to the NNCP area and other Class I bike facilities. The buffer on the western edge of the project site shall not encroach on the 250-foot linear open space/buffer proposed for giant garter snake habitat.				

Table 1
Mitigation Monitoring and Reporting Table

Summary of Measure	Action	Implementing Party	Timing	Monitoring Party
d. The project applicant shall provide on-street bicycle lanes 5-6-feet wide within the community. Details on the design and siting of these bike lanes shall be done in consultation with the City of Sacramento Development Engineering Division. e. Bicycle parking shall conform to City standards and shall be located in high visibility areas to encourage bicycle travel. Class I (i.e., bicycle lockers) and Class II (i.e., racks) bicycle facilities shall be provided throughout the commercial areas of the project, at a ratio of 1 bicycle storage space for every 20 off-street vehicle parking spaces required. Fifty percent of the storage spaces shall be Class I facilities and the remaining 50% shall be Class II facilities. f. The project applicant shall provide residents, tenants, and employees of the project site with information regarding the Sacramento Area Council of Government's (SACOG) Rideshare bicycle commuting program.				
6.1-10: (City of Sacramento) a. Prior to the construction and operation of RT's proposed LRT station along Meister Way, the project applicant shall fund and operate an interim shuttle/bus transportation service for residents and patrons of the project site. The project applicant shall develop this interim transit service in consultation with the City of Sacramento and the RT. The interim transit service shall provide transit services for peak commute periods. To promote the use of public transit services, the project applicant at the sale of proposed residences shall promote the availability of transit services. Once demand for public transit services reaches 50 service requests, the project applicant shall begin to provide transit services and shall increase those services in proportion to the development levels and increased rider ship levels occurring on the project site. b. The transit service shall take residents to the Central Business District (CBD) (i.e., downtown Sacramento) where they can transfer to light rail, bus, or train and connect to anywhere in greater Sacramento region and to the Bay Area. The transit service shall connect residents to the following transit services: Sacramento Regional Transit, El Dorado Transit, Yuba-Sutter Transit, Yolo Bus,	*a.-c. Fund and operate an interim shuttle/bus transportation service for residents and patrons of the project site*	*a.-c. Project applicant*	*a.-c. Prior to construction and operation of LRT station along Meister Way and after receiving 50 service requests from on-site residents*	*a.-c. City of Sacramento Development Services Department*

Table 1
Mitigation Monitoring and Reporting Table

Summary of Measure	Action	Implementing Party	Timing	Monitoring Party
Placer County Transit, San Joaquin Transit, Fairfield/Suisun Transit, Amador Transit, Roseville Transit, ETRAN (Elk Grove), and the Capitol Corridor/Amtrak. Midday service shall also be considered as development and rider ship demands increase. c. Final design and operation of the transit service will be subject to the approval of the City and other proposed operating agencies (e.g., RT).				
6.1-11: (City of Sacramento) a. Prior to issuance of grading permits for the project site, the project applicant shall prepare a detailed Traffic Management Plan that will be subject to review and approval by the City Department of Transportation, Caltrans, Sacramento County, and local emergency services providers including the City of Sacramento fire and police departments. The plan shall ensure that acceptable operating conditions on local roadways and freeway facilities are maintained. At a minimum, the plan shall include: ► the number of truck trips, time an day of street closures, ► time of day of arrival and departure of trucks, ► limitations on the size and type of trucks, provision of a truck staging area with a limitation on the number of trucks that can be waiting, ► provision of a truck circulation pattern, ► provision of driveway access plan along Elkhorn Boulevard so that safe vehicular, pedestrian, and bicycle movements are maintained (e.g., steel plates, minimum distances of open trenches, and private vehicle pick up and drop off areas), ► maintain safe and efficient access routes for emergency vehicles, ► manual traffic control when necessary, ► proper advance warning and posted signage concerning street closures, and ► provisions for pedestrian safety.	*a. Prepare a detailed Traffic Management Plan*	*a. Project applicant*	*a. Prior to issuance of any grading permits*	*a. City of Sacramento Development Services Department*
b. A copy of the construction traffic management plan shall be submitted to local emergency response agencies and these agencies shall be notified at least 14 days before the commencement of construction that would partially or fully obstruct local roadways.	*b. Submit Traffic Management Plan to local emergency response agencies; and notify these agencies of*	*b. Project applicant*	*b. 14 days prior to the commencement of construction*	*b. City of Sacramento Development Services Department*

Table 1
Mitigation Monitoring and Reporting Table

Summary of Measure	Action	Implementing Party	Timing	Monitoring Party
	construction activities that would partially or fully obstruct local roadways			
6.1-12: (City of Sacramento) The project applicant shall submit a detailed parking plan for each proposed land use at the time development entitlements (e.g., building permits or special permits) are sought. The parking plan shall ensure that parking provided on the project site would meet the City's most current parking standards for the proposed land use and it shall identify the number and location of proposed parking spaces including proposed handicap parking spaces. If a light rail station is constructed within project site, then a park and ride lot or park and ride spaces shall be allocated in the retail zoned area in the vicinity of the proposed LRT station. The parking plan shall be subject to the review and approval by the City Development Engineering Division.	*Submit a detailed parking plan for each proposed land use*	*Project applicant*	*Prior to approval of development entitlements*	*City of Sacramento Development Engineering and Finance Division*
6.1-13: (City of Sacramento) a. Prior to 40% buildout of the project site based on total project trips, an exclusive left turn lane and a shared through-right turn lane for the project side streets with stop control shall be provided at the three four-legged project intersections along Meister Way.	*a. Provide an exclusive left turn lane and a shared through-right turn lane for the project side streets with stop control at the three four legged project intersections along Meister Way*	*a, b, c. Project applicant*	*a, b, c. Prior to 40% buildout of project site*	*a, b, c. City Development Engineering and Finance Division*
b. An exclusive left turn lane for vehicles turning left from the eastbound and westbound Meister Way approaches shall be provided at these intersections. Exhibit 6.1-18 shows the proposed traffic controls throughout the project site.	*b. Provide an exclusive left turn lane for vehicles turning left from the eastbound and westbound Meister Way approaches at the three four legged project intersections along Meister Way*			
c. Final design and siting of these improvements shall be subject to the approval of the City Development Engineering Division, Development Services Department.	*c. Submit final design and siting plans*			

Table 1
Mitigation Monitoring and Reporting Table

Summary of Measure	Action	Implementing Party	Timing	Monitoring Party
6.1-14: Traffic Calming Measures (City of Sacramento) During review of the project's tentative map and project entitlements, the project applicant shall coordinate with the City to identify roadways where traffic calming measures including but not limited to narrow travel lanes, speed bumps, round-a-bouts, raised intersections, and stop controls are needed to ensure the orderly, efficient, and safe flow of traffic. Design and siting of these facilities would be subject to approval by the City Development Engineering Division, Development Services Department.	*Coordinate with the City to identify roadways where traffic calming measures including but not limited to narrow travel lanes, speed bumps, round-a-bouts, raised intersections, and stop controls are needed to ensure the orderly, efficient, and safe flow of traffic*	*Project applicant*	*Prior to approval of final map*	*City of Sacramento Development Services Department*
6.1-15: Emergency Access (City of Sacramento) a. During review of the project's tentative map and project entitlements, the project applicant shall coordinate with the City Development Engineering Division, Development Services Department, Fire Department, and Police Department staff to ensure that the roadways provide adequate access for emergency vehicles (i.e., turning radii, lane width).	*Coordinate with the City Development Engineering and Finance Division, Development Services Department, Fire Department, and Police Department staff to ensure that the roadways provide adequate access for emergency vehicles*	*Project applicant*	*Prior to approval of final map*	*City of Sacramento Development Services Department*
b. The project applicant shall implement mitigation measure 6.1-12 (Construction Traffic Management Plan).	*b. See 6.1-12*	*b. See 6.1-12*	*b. See 6.1-12*	*b. See 6.1-12*
6.2 Air Quality				
6.2-1: (City of Sacramento and LAFCo) In accordance with the recommendations of the SMAQMD, the project applicant shall implement the following measures to reduce temporary construction emissions. a. The project applicant shall implement the following measures to reduce NO_X and visible emissions from heavy-duty diesel equipment. i. Before issuance of a grading permit, the project applicant shall provide a plan for approval by the lead agency, in consultation with SMAQMD, demonstrating that the heavy-duty (>50 horsepower), off-road vehicles to be used in the construction	*a (i). Provide a plan for approval by the lead agency demonstrating that the heavy-duty (>50 horsepower), off-road vehicles to be used in the construction project, including owned, leased, and subcontractor vehicles, will achieve a project-wide fleet-*	*a(i).Project applicant and SMAQMD*	*a(i). Prior to issuance of any grading permits*	*a(i). City of Sacramento Development Services Department, Sacramento LAFCo, and SMAQMD*

Table 1
Mitigation Monitoring and Reporting Table

Summary of Measure	Action	Implementing Party	Timing	Monitoring Party
project, including owned, leased, and subcontractor vehicles, will achieve a project-wide fleet-average 20% NO_X reduction and 45% particulate reduction compared to the most recent ARB fleet average at the time of construction. Acceptable options for reducing emissions include the use of late-model engines, low-emission diesel products, alternative fuels, particulate matter traps, engine retrofit technology, after-treatment products, and/or such other options as become available.	*average 20% NOX reduction and 45% particulate reduction compared to the most recent ARB fleet average at the time of construction*			
ii. Before issuance of a grading permit, the project applicant shall submit to the lead agency and SMAQMD a comprehensive inventory of all off-road construction equipment, equal to or greater than 50 hp, that will be used an aggregate of 40 or more hours during any portion of project construction. The inventory shall be updated and submitted monthly throughout the duration of the project, except that an inventory shall not be required for any 30-day period in which no construction operations occur. At least 48 hours before heavy-duty off-road equipment is used, the project applicant shall provide the SMAQMD with the anticipated construction timeline including start date, and the name and phone number of the project manager and on-site foreman.	*a(ii). Submit to the lead agency and SMAQMD a comprehensive inventory of all off-road construction equipment, equal to or greater than 50 hp, that will be used an aggregate of 40 or more hours during any portion of project construction*	*a(ii). Project applicant*	*a(ii.) Prior to issuance of grading permits*	*a(ii). City of Sacramento Development Services Department, Sacramento LAFCo, and SMAQMD*
iii. Before issuance of a grading permit, the project applicant shall ensure that emissions from off-road, diesel-powered equipment used on the project site do not exceed 40% opacity for more than 3 minutes in any 1 hour. Any equipment found to exceed 40% opacity (for white smoke) or Ringlemann 2.0 (for black smoke) shall be repaired immediately, and the SMAQMD shall be notified of non-compliant equipment within 48 hours of identification. A visual survey of all in-operation equipment shall be made at least weekly by the construction contractor, and the contractor shall submit a monthly summary of visual survey results throughout the duration of the construction project, except that the monthly summary shall not be required for any 30-day period in which no construction operations occur. The monthly summary shall include the quantity and type of	*a(iii). Ensure that emissions from off-road, diesel-powered equipment used on the project site do not exceed 40% opacity for more than 3 minutes in any 1 hour*	*a(iii). Project applicant*	*a(iii). Prior to issuance of any grading permits and during construction*	*a(iii). City of Sacramento Development Services Department, Sacramento LAFCo, and SMAQMD*

Table 1
Mitigation Monitoring and Reporting Table

Summary of Measure	Action	Implementing Party	Timing	Monitoring Party
vehicles surveyed, as well as the dates of each survey. The SMAQMD and/or other officials may conduct periodic site inspections to determine compliance.				
b. As recommended by the SMAQMD, the project applicant shall reduce fugitive dust emissions by implementing the measures listed below during construction. i. All disturbed areas, including storage piles that are not being actively used for construction purposes, shall be effectively stabilized of dust emissions using water, a chemical stabilizer or suppressant, or vegetative ground cover. Soil shall be kept moist at all times. ii. All on-site unpaved roads and off-site unpaved access roads shall be effectively stabilized of dust emissions using water or a chemical stabilizer or suppressant. iii. When materials are transported off-site (e.g., trees, plantings), all material shall be covered, effectively wetted to limit visible dust emissions, or maintained with at least 2 feet of freeboard space from the top of the container. iv. All operations shall limit or expeditiously remove the accumulation of project-generated mud or dirt from adjacent public streets at least once every 24 hours when operations are occurring. v. After materials are added to or removed from the surfaces of outdoor storage piles, the storage piles shall be effectively stabilized of fugitive dust emissions using sufficient water or a chemical stabilizer or suppressant. vi. Onsite vehicle speeds on unpaved roads shall be limited to 15 mph. vii. Wheel washers shall be installed for all trucks and equipment exiting unpaved areas, or wheels shall be washed to remove accumulated dirt before such vehicles leave the site. viii. Sandbags or straw waddles shall be installed to prevent silt runoff to public roadways from adjacent project areas with a slope greater than 1%. ix. Excavation and grading activities shall be suspended when winds exceed 20 mph.	*b. Implement measures to reduce fugitive dust emissions*	*b. Project applicant*	*b. During construction*	*b. City of Sacramento Development Services Department and Sacramento LAFCo*

Table 1
Mitigation Monitoring and Reporting Table

Summary of Measure	Action	Implementing Party	Timing	Monitoring Party
x. The extent of areas simultaneously subject to excavation and grading shall be limited, wherever possible, to the minimum area feasible. xi. Emulsified diesel, diesel catalysts, or SMAQMD-approved equal, shall be used on applicable heavy-duty construction equipment that can be operated effectively and safely with the alternative fuel type.				
c. The applicant shall pay $2,587,955 into SMAQMD's off-site construction mitigation fund to further mitigate construction-generated emissions of NO_X that exceed SMAQMD's daily emission threshold of 85 lb/day. The calculation of the fee listed here based on the current cost of $14,300 to reduce a ton of NO_X. However, the then current cost of reducing NO_X should be used at the time of the payment of the fee. The fee shall be paid to SMAQMD prior to the issuance of any grading permit for any portion of the project. The fee can be paid on an acre basis ($4,485.19) as development occurs and grading permits sought. (See Appendix D of the DEIR for calculation worksheet).	*c. Pay $2,587,955 into SMAQMD's off-site construction mitigation fund*	*c. Project applicant*	*c. Prior to issuance of grading permits*	*c. City of Sacramento Development Services Department, Sacramento LAFCo, and SMAQMD*
d. In addition to the measures identified above, construction operations are required to comply with all applicable SMAQMD rules and regulations.	*d. Comply with all applicable SMAQMD rules and regulations*	*d. Project applicant*	*d. During project construction*	*d. City of Sacramento Development Services Department and Sacramento LAFCo*
6.2-2: (City of Sacramento and LAFCo) When a proposed project's operational emissions are estimated to exceed SMAQMD's threshold of significance of 65 lb/day for ROG or NO_X, an Air Quality Mitigation Plan (AQMP) to reduce operational emissions by a minimum of 15% shall be submitted to SMAQMD for approval. The following mitigation is included in the SMAQMD-approved AQMP for this project (Appendix E) and shall be incorporated to achieve a 15% reduction. a. The entire project shall be located within ½ mile of a Class I or Class II bike lane b. The project shall provide for pedestrian improvements	*Submit Air Quality Mitigation Plan to SMAQMD for approval*	*Project applicant*	*Prior to issuance of any grading permits*	*City of Sacramento Development Services Department and Sacramento LAFCo*

Table 1
Mitigation Monitoring and Reporting Table

Summary of Measure	Action	Implementing Party	Timing	Monitoring Party
c. Residential use shall be within 1/4 mile of planned transit. d. Neighborhoods shall serve as focal points. e. Separate, safe, and convenient bicycle and pedestrian paths shall connect residential, commercial, and office uses. f. The project shall provide a development pattern that eliminates physical barriers that impede bicycle or pedestrian circulation. g. The lowest emitting commercially available furnaces shall be installed. h. Average residential density shall be seven dwelling units per acre or greater (residential). i. The project shall be mixed-use. j. A display case/kiosk displaying transportation information shall be provided. k. Minimum amount of parking shall be provided. l. Parking lot shade shall be increased by 10%. m. The project shall become a permanent member of a Transportation Management Association (TMA). n. The project shall provide a transportation coordinator. o. The project shall contract with landscapers complying with ARB standards.				
6.2-4: (City of Sacramento and LAFCo) Onsite Mobile Sources. The following mitigation measures shall be implemented: a. Proposed facilities that would require the long-term use of diesel equipment and heavy-duty trucks shall develop and implement a plan to reduce emissions, which may include such measures as scheduling such activities when the residential uses are the least occupied, and requiring such equipment to be shut off when not in use and prohibiting heavy-trucks from idling. The plan shall be submitted to and approved by the City before loading dock activities begin. Copies of the plan shall be provided to all residential dwellings located within 1,000 feet of loading dock areas.	*a. Develop and implement a plan to reduce diesel emissions at loading dock facilities*	*a. Project applicant*	*a. Prior to issuance of occupancy permits for facilities with loading docks*	*a. City of Sacramento Development Services Department and Sacramento LAFCo*
b. Proposed commercial/convenience land uses (e.g., loading docks) that have the potential to emit toxic air emissions shall be located as far away as feasibly possible from existing and proposed sensitive receptors.	*b. Locate commercial/convenience land uses as far away as feasibly possible from*	*b. Project applicant*	*b. Prior to recordation of the first map*	*b. City of Sacramento Development Services*

Table 1
Mitigation Monitoring and Reporting Table

Summary of Measure	Action	Implementing Party	Timing	Monitoring Party
	existing and proposed sensitive receptors			*Department and Sacramento LAFCo*
Although above mitigation would reduce health-related risks associated with on-site mobile-source TACs, they would not reduce impacts to less-than-significant levels. Therefore, this would be a significant and unavoidable impact.				
6.2-5: (City of Sacramento and LAFCo) The following mitigation measures shall be implemented: a. To the extent feasible, proposed commercial/convenience land uses that have the potential to emit objectionable odor emissions shall be located as far away as possible from existing and proposed receptors.	*a. Locate commercial/convenience land uses with potential to emit objectionable emissions as far away from existing and proposed receptors*	*a. Project applicant*	*a. Prior to recordation of the first map*	*a. City of Sacramento Development Services Department and Sacramento LAFCo*
b. When permitting the facility that would occupy the proposed commercial/convenience space, the City shall take into consideration its odor-producing potential.	*b. Consider odor-producing potential of commercial/convenience space*	*b. City of Sacramento*	*b. Prior to approval of final map*	*b. City of Sacramento Development Services Department and Sacramento LAFCo*
c. If an odor-emitting facility is to occupy space in the commercial/convenience area, the City shall require odor control devices (e.g., wet chemical scrubbers, activated carbon scrubbers, biologically-active filters, enclosures) to be installed to reduce the exposure of receptors to objectionable odor emissions.	*c. Install odor control devices at commercial facilities with potential to emit odors*	*c. Facility operator*	*c. Prior to approval of business license for land uses with odor-emitting facilities*	*c. City of Sacramento Development Services Department and Sacramento LAFCo*
6.3 Noise				
6.3-1: (City of Sacramento and LAFCo) Construction operations shall be limited to the hours between 7 a.m. to 6 p.m. Monday through Saturday, and 9 a.m. to 6 p.m. on Sunday.	*Limit construction hours to the hours between 7 a.m. to 6 p.m. Monday through Saturday, and 9 a.m. to 6 p.m. on Sunday*	*Construction manager and project applicant*	*During project construction activities*	*City of Sacramento Development Services Department and Sacramento LAFCo*

Table 1
Mitigation Monitoring and Reporting Table

Summary of Measure	Action	Implementing Party	Timing	Monitoring Party
6.3-2: (City of Sacramento and LAFCo) The project applicant shall implement the following measures to reduce the exposure of existing sensitive receptors to project-generated traffic noise levels. a. As individual facilities and elements of the proposed project are permitted by the City, the City shall evaluate each for compliance with the County's exterior noise standard and the substantial increase threshold [i.e., relative to existing levels attributed to existing year 2005 traffic volumes (Section 6.1, "Transportation and Circulation")] for transportation noise sources at the existing residences in unincorporated Sacramento County located along Lone Tree Road south of Elkhorn Boulevard (house is 50 feet west of centerline of Lone Tree Road), Power Line Road between Elkhorn Boulevard and Del Paso Road (house is located 80 feet east of centerline of Power Line Road), and Elkhorn Boulevard between Power Line Road and Lone Tree Road (houses are located 575 feet south of centerline of Elkhorn Boulevard and 175 feet south of centerline of Elkhorn Road). Where traffic noise levels generated by individual projects do not clearly comply with the County's exterior noise standards or result in a substantial increase in ambient noise levels at these locations, the City shall offer the owners of the affected residences the installation of solid barriers (e.g., berms, wall, and/or fences) along their affected property line. Actual installation of the barriers/fences would either be funded by, or completed by the project applicant. The barriers/fences must be constructed of solid material (e.g., wood, brick, or adobe) and be of sufficient density and height to minimize exterior noise levels. The barriers/fences shall blend into the overall landscape and have an aesthetically pleasing appearance that agrees with the color and character of nearby residences, and not become the dominant visual element of the community. Where there is a question regarding premitigation or postmitigation noise levels in a particular area, site-specific noise studies/modeling may be conducted to determine compliance or noncompliance with standards. Funding for the installation of this mitigation measure shall be provided by the project applicant.	*Evaluate each map to determine whether off-site, Sacramento County properties would comply with Sacramento County's exterior noise standards. If noise levels would exceed County noise thresholds, offer the owners of the affected residences the installation of solid barriers (e.g., berms, wall, and/or fences) along their affected property line. Conduct site-specific noise studies/modeling to determine compliance with County noise thresholds, where necessary.*	*Project applicant and City of Sacramento*	*Prior to issuance of each building permit*	*City of Sacramento Development Services Department and Sacramento LAFCo*

Table 1
Mitigation Monitoring and Reporting Table

Summary of Measure	Action	Implementing Party	Timing	Monitoring Party
6.3-4: (City of Sacramento and LAFCo) The project shall implement the following measures before the occupancy of any proposed uses in the related impact areas, to reduce the exposure of sensitive receptors to significant noise associated with surface transportation (Bollard Acoustical Consultants, Inc. 2006):				
a. For noise impact/mitigation area A (see Exhibit 6.3-6), a solid (e.g., earth, concrete, masonry, wood, and other materials) noise barrier shall be constructed of 10 feet in height relative to backyard elevation at the residences located nearest to the southern boundary, stepping down linearly to 6 feet at its northwestern terminus. The wrapped portion of the barrier along the southeast corner shall also step down to 6 feet in height at its terminus.	*a. Construct a solid (e.g., earth, concrete, masonry, wood, and other materials) noise barrier in noise impact/mitigation area A*	*a. Project applicant*	*a. Prior to issuance of occupancy permits for residences in area A*	*City of Sacramento Development Services Department and Sacramento LAFCo*
b. For noise impact/mitigation area B (see Exhibit 6.3-6), the drainage opening shall be shifted to the north by two lots to close the acoustic opening.	*b. Shift the drainage opening to the north by two lots in noise impact/mitigation area B*	*b. Project applicant*	*b. Prior to approval of final map*	*b. City of Sacramento Development Services Department and Sacramento LAFCo*
c. For noise impact/mitigation area C (see Exhibit 6.3-6), the spaces between the residences shall be bridged with solid noise barriers (e.g., earth, concrete, masonry, wood, and other materials) of 6 feet in height, rather than conventional wood privacy fences. Gates constructed for access into the rear yard spaces shall be constructed so as not to create appreciable acoustic leaks (e.g., constructed of solid wood, sealed to prevent sound and be continuous in length and height with minimal gap at the ground).	*c. Bridge the spaces between the residences with solid noise barriers (e.g., earth, concrete, masonry, wood, and other materials) in noise impact/mitigation area C*	*c. Project applicant*	*c. Prior to issuance of occupancy permits for residences in area C*	*c. City of Sacramento Development Services Department and Sacramento LAFCo*
d. For noise impact/mitigation area D (see Exhibit 6.3-6), all identified side-on residences shall be reoriented so that they face the roadways and the backyard spaces would be shielded by the residences. Following the reorienting of the side-on residences, the side space adjacent to the residences shall be bridged in same manner as specified above under c. Furthermore, the side yard privacy fences at end lots shall be replaced with solid noise barriers (e.g., earth, concrete, masonry, wood, and other materials) 7 feet in height to adequately shield backyard spaces.	*d. Reorient side-on residences so that they face the roadways and the backyard spaces would be shielded by the residences in noise impact/mitigation area D. Bridge spaces between side spaces at side-on residences. Construct solid*	*d. Project applicant*	*d. Prior to approval of final map (re-orientation of residences) and prior to issuance of occupancy permits (bridging of side yards and*	*d. City of Sacramento Development Services Department and Sacramento LAFCo*

Table 1
Mitigation Monitoring and Reporting Table

Summary of Measure	Action	Implementing Party	Timing	Monitoring Party
	noise barriers for side yard privacy fences at end lots.		*solid noise barrier) for residences in area D.*	
e. For noise impact/mitigation area E (see Exhibit 6.3-6), it would not be feasible to utilize the types of noise mitigation described above (e.g., walls between individual units), to achieve satisfaction with City noise standards due to the orientation and shape of the residences. As a result, a solid barrier (e.g., earth, concrete, masonry, wood, and other materials) consisting of a berm, a wall, or combination thereof, shall be constructed at the approximate location shown in Exhibit 6.3-6. The barrier shall be 10 feet in height relative to pad elevations of the residences behind the barrier.	*e. Construct a solid barrier (e.g., earth, concrete, masonry, wood, and other materials) consisting of a berm, a wall, or combination thereof in noise impact/mitigation area E*	*e. Project applicant*	*e. Prior to issuance of occupancy permits for residences in area E*	*e. City of Sacramento Development Services Department and Sacramento LAFCo*
f. For noise impact/mitigation area F (see Exhibit 6.3-6), a solid noise barrier of 8 feet in height shall be constructed to adequately shield Meister Way traffic noise. In addition, because no discrete outdoor activity areas are identified with the higher density residential developments on the north and south sides of Meister Way near the eastern portion of the site, a solid barrier shall be constructed along both sides of Meister Way at these locations (see exhibit 6.3-6). Where Meister Way becomes elevated at the portion heading east over Highway 99, the barrier shall extend along the top of the cut (at the roadway elevation), to provide efficient shielding to the residences below.	*f. Construct a solid noise barrier in noise impact/mitigation area F along Meister Way in noise impact/mitigation area F*	*f. Project applicant*	*f. Prior to issuance of occupancy permits for residences in area F*	*f. City of Sacramento Development Services Department and Sacramento LAFCo*
g. For noise impact/mitigation area H (see Exhibit 6.3-6), a solid noise barrier or berm/wall combination of 12 feet in height shall be constructed along Elkhorn Boulevard to adequately shield residences which back up to this roadway. In addition, because no discrete outdoor activity areas are identified with the higher density residential developments on the south side of Elkhorn at the northeast corner of the project site, a solid noise barrier or berm/wall combination of 12 feet in height shall be constructed along Elkhorn boulevard at these locations (see Exhibit 6.3-6). The barriers shall be extended inward along the project site access roads.	*g. Construct a solid noise barrier or berm/wall combination along Elkhorn Boulevard in noise impact/mitigation area H*	*g. Project applicant*	*g. Prior to issuance of occupancy permits for residences in area H*	*g. City of Sacramento Development Services Department and Sacramento LAFCo*

Table 1
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Summary of Measure	Action	Implementing Party	Timing	Monitoring Party
h. For noise impact/mitigation area I (see Exhibit 6.3-6), a solid noise barrier of 6 feet in height shall be constructed along Lone Tree Road to adequately shield residences which back up to the canal east of and adjacent to this roadway.	*h. Construct a solid noise barrier along Lone Tree Road in noise impact/mitigation area I*	*h. Project applicant*	*h. Prior to issuance of occupancy permits for residences in area H*	*h. City of Sacramento Development Services Department and Sacramento LAFCo*
i. Prior to issuance of any building permits, site-specific acoustical analyses shall be conducted once construction plans are available for residential developments located within the 60 dBA Ldn contours (see Exhibit 6.3-5) to ensure satisfaction with the City of Sacramento interior noise level standards. The acoustical analyses shall evaluate exposure of proposed noise-sensitive receptors to noise generated by surface transportation sources, in accordance with adopted City of Sacramento interior noise standards (Table 6.3-8). These site-specific acoustical analyses shall also include site-specific design requirements to reduce noise exposure of proposed on-site receptors and all feasible design requirements shall be implemented into the final site design. Noise reduction measures and design features may include, but are not limited to the use of increased noise-attenuation measures in building construction (e.g., dual-pane, sound-rated windows; mechanical air systems; and exterior wall insulation). Given the predicted future traffic noise environment at the exterior facades of the residences nearest to Highway 99 and Interstate5, upgrades to windows will likely be required at many residences, as well as the use of stucco siding or the acoustic equivalent. Implementation of these design measures would ensure interior noise levels meet the City's noise standards.	*i. Conduct site-specific acoustical analyses for residences located within the 60 dBA Ldn contours (Exhibit 6.3-5 of EIR)*	*i. Project applicant*	*i. Prior to issuance of building permits for residences in the 60 dBA Ldn contours (Exhibit 6.3-5 of EIR)*	*i. City of Sacramento Development Services Department and Sacramento LAFCo*
6.3-5. (City of Sacramento and LAFCo) a. Prior to issuance of any building permits, site-specific acoustical analyses shall be conducted once construction plans are available for the proposed school to ensure satisfaction with the City of Sacramento interior noise level standards. This site-specific acoustical analyses shall include site-specific design requirements to reduce noise exposure of proposed on-site receptors and all feasible design requirements shall be implemented into the final site design. Noise reduction measures and design features may include, but are	*Conduct site-specific acoustical analyses for the proposed school*	*Project applicant*	*Prior to issuance of building permits*	*City of Sacramento Development Services Department and Sacramento LAFCo*

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not limited to the use of increased noise-attenuation measures in building construction (e.g., dual-pane, sound-rated windows; mechanical air systems; and exterior wall insulation). Implementation of these design measures would ensure interior noise levels meet the City's noise standards and ANSI standard, including the ANSI standard that the interior of schools shall not exceed 40 dBA Leq and measured during the peak hour of noise during school operations.				
6.3.6: (City of Sacramento and LAFCo) Operation of heavy construction equipment (i.e., with engines greater than 50 horsepower) shall not be operated within 60 feet of inhabited residences or within 15 feet of uninhabited structures.	*Ensure operation of heavy construction equipment is not operated within 60 feet of inhabited residences or within 15 feet of uninhabited structures*	*Construction manager and project applicant*	*During project construction activities*	*City of Sacramento Development Services Department and Sacramento LAFCo*
6.4 Utilities				
6.4-5: (City of Sacramento and LAFCo) The project applicant shall fully fund the installation of a new pump that would increase pumping capacity at the RD 1000's plant #3 by 75 cubic feet per second.	*Fund the installation of a new pump*	*Project applicant*	*Prior to issuance of the first building permit*	*City of Sacramento Development Services Department and Reclamation District 1000*
6.5 Public Services				
6.5-1: (City of Sacramento and LAFCo) a. The project applicant shall coordinate with the City of Sacramento and SFD to determine the timing of construction of a new fire station that would serve the proposed project. The project applicant shall enter into an agreement with SFD to ensure that adequate fire protection services would be in place before the issuance of the project's first occupancy permit. Potential options for adequate services could include construction of a new fire station or an agreement for temporary dedicated services to serve the project site.	*a. Coordinate with the City of Sacramento and SFD to determine the timing of construction of a new fire station that would serve the proposed project and enter into an agreement with SFD to ensure adequate services are in place*	*a. Project applicant*	*a. Prior to issuance of first occupancy permit*	*a. City of Sacramento Development Services Department and Sacramento LAFCo*
b. The project's Finance Plan shall identify necessary public facility improvements needed to serve the project, 100% of the costs	*b. Pay into a fee program, as established by the*	*b. Project applicant*	*b. Prior to issuance of first*	*b. City of Sacramento*

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required, and all the project's fair-share costs associated with provision of these facilities and services. The project applicant shall pay into a fee program, as established by the Greenbriar Finance Plan that identifies the funding necessary to construct needed public facilities (e.g., police, fire, water, wastewater, library, and schools). The Draft Greenbriar Finance Plan is provided in Appendix C. The Finance Plan would be structured to ensure that adequate public facilities are in place as development occurs.	*Greenbriar Finance Plan that identifies the funding necessary to construct needed public facilities (e.g., police, fire, water, wastewater, library, and schools)*		*occupancy permit*	*Development Services Department and Sacramento LAFCo*
6.6 Parks and Open Space				
6.6-2: (City of Sacramento and LAFCo) a. Consistent with the principles of the City/County Natomas Joint Vision Memorandum of Understanding, the project applicant shall coordinate with the City to identify appropriate lands to be set aside in permanent conservation easements at a ratio of one open space acre converted to urban land uses to one-half open space acre preserved and at a ratio of one habitat acre converted to urban land uses to one-half habitat acre preserved. The total acres of land conserved shall be based on final site maps indicating the total on-site open space and habitat converted. Conserved open space and habitat areas could include areas on the project site, lands secured for permanent habitat enhancement (e.g., giant garter snake, Swainson's hawk habitat), or additional land identified by applicant in consultation with the City. All conserved open space and habitat land shall be located in the NNJV area. Should the City and County change adopted mitigation ratios before issuance of any grading permits, the project applicant shall comply with the revised policy. **LAFCo** Prior to annexation, the city shall implement mitigation measure 6.6-2.	*Coordinate with the City to identify appropriate lands to be set aside in a permanent conservation easements and dedicate lands to the City, County, TNBC, or other appropriate open space agent for conservation*	*Project applicant and City of Sacramento*	*Prior to approval of final maps*	*City of Sacramento Development Services Department and Sacramento LAFCo*
6.7 Aesthetics				
6.7-4: (City of Sacramento and LAFCo) a. The project applicant shall install light fixtures that have light sources aimed downwards and install shielded lighting outside to prevent glare or reflection or any nuisance, inconvenience, and hazardous interference of any kind on adjoining streets or property.	*a. Install light fixtures that have light sources aimed downwards and install shielded lighting outside*	*a. Project applicant*	*a. Prior to issuance of occupancy permits*	*a. City of Sacramento Development Services Department and*

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Summary of Measure	Action	Implementing Party	Timing	Monitoring Party
				Sacramento LAFCo
b. The project applicant shall adhere to all requirements of the City of Sacramento design guidelines regarding appropriate building materials, lighting, and signage in the office/commercial areas to prevent light and glare from adversely affecting motorists and adjacent land uses. All proposed development plans shall be approved by the City.	*b. Adhere to all requirements of the City of Sacramento design guidelines regarding appropriate building materials, lighting, and signage in the office/commercial areas*	*b. Project applicant*	*b. Prior to issuance of building permits*	*b. City of Sacramento Development Services Department and Sacramento LAFCo*
6.8 Public Health and Hazards				
6.8-2: (City of Sacramento) In the event of discovery of an undocumented or unknown UST or residual soil contamination (e.g., stained or odiferous soil) on the project site, construction activities adjacent to the UST or in the area of the soil contamination shall cease and the County EMD shall be contacted immediately. Any USTs discovered during construction shall be removed and any contaminated soils shall be excavated and treated according to County EMD procedures before the resumption of construction.	*Cease construction activities adjacent to an UST or in the area of soil contamination and contact the County EMD immediately*	*Construction contractor*	*During construction activities*	*City of Sacramento Development Services Department*
6.8-3: (City of Sacramento and LAFCo) a. Prior to City pre-zoning and prior to annexation, the City shall request a consistency determination of proposed land use with the CLUP from Sacramento County ALUC. The consistency determination shall describe the specific land uses that would be allowable and consistent with the CLUP in accordance with ALUC standards. b. Prior to City pre-zoning and prior to annexation, if the consistency determination by ALUC comes to the conclusion that certain proposed land uses would be inconsistent with the CLUP the City shall review the decision of the ALUC and determine whether to override the ALUC's decision. The City shall submit its notice to override the consistency to the ALUC for review before approving the override.	*Request a consistency determination of proposed land use with the CLUP from Sacramento County ALUC*	*City of Sacramento*	*Prior to City pre-zoning and prior to annexation*	*City of Sacramento Development Services Department and Sacramento LAFCo*
6.8-4: (City of Sacramento and LAFCo) a. To ensure that the final location and design of the lake/detention basin is consistent with the recommendations of the ALUC	*a,b. Prepare a design and management plan for the*	*a,b. Project applicant*	*a,b. Prior to issuance of any*	*a,b. City of Sacramento*

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regarding wildlife hazards to aviation, the project applicant shall prepare a design and management plan for this proposed water feature. This plan shall be prepared in coordination with the Sacramento International Airport Operations Manager before commencement of construction. The plan shall determine an appropriate size for the lake/detention basin and incorporate specific design measures deemed sufficient by SCAS and the ALUC to minimize bird strikes and other wildlife-related airspace safety hazards in the vicinity of the project area. The plan shall include information sufficient to satisfy requirements for preparation of a Wildlife Hazard Management Plan and shall be prepared by a qualified wildlife hazard damage biologist. The project applicant shall submit a detailed design drawing of the proposed lake/detention basin to SCAS for review.	*lake/detention basin in coordination with the Sacramento International Airport Operations Manager*		*grading permits*	*Development Services Department and Sacramento LAFCo*
b. To reduce bird attractants associated with the lake/detention basin, the Wildlife Hazards Management Plan for the lake/detention basin and surrounding landscape shall include the following:				
i. To minimize growth of aquatic vegetation that attracts waterfowl, the lake shall be sufficiently deep to prevent growth of cattails and other aquatic plants. Lake edges shall be lined and maintained to prevent vegetation growth;				
ii. Concrete bulkheads approximately 1 to 2 feet high shall be constructed along the lake's perimeter. A detailed description of the design of the bank edge shall be submitted to SCAS for review;				
iii. Any vegetation planted in the vicinity of the lake shall consist of plant species that do not provide birds with opportunities for cover, nesting, perching, or feeding. A detailed design plan for landscaping surrounding the lake/detention basin shall be submitted to SCAS for review;				
iv. Barriers (e.g., walls, fences) shall be constructed a minimum of 48 inches high and be located between the lake and nearby grassy areas to dissuade geese or other waterfowl from walking to the lake.				
v. Signs shall be placed at regular intervals around the perimeter of the lake prohibiting the public from feeding birds. The project proponent shall maintain such signs in good order and replace				

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such signs as necessary. This responsibility shall transfer to the Homeowner's Association (HOA) and shall be articulated in the covenants, conditions, and restrictions (CC&Rs).				
vi. Trash receptacles with covers shall be placed at regular intervals around the lake and be designed to prevent access to refuse by birds. The CC&Rs shall specify that the project proponent and HOA shall be responsible for ensuring trash receptacles with covers are provided and properly emptied on a regular basis and replaced as necessary. vii. Installation of structures near the lake that could serve as perches for gulls and other birds shall be minimized. The CC&Rs shall prohibit the future installation of such structures. viii. The project applicant shall prohibit all activities and uses that could conflict with implementation of the wildlife hazard management program.				
c. An Adaptive Management Plan shall be prepared and incorporated into the Wildlife Hazard Management Plan. The Adaptive Management Plan shall provide for the long-term management of nuisance birds around the lake. The management plan shall involve perpetual monitoring and employment of various techniques for controlling birds using adaptive information and bird control products. The Homeowner's Association shall be responsible for ensuring the implementation and continued enforcement of the Adaptive Management Plan and provision of adequate funding. This requirement shall be specified in the CC&Rs. The Adaptive Management Plan shall include the following components: i. Bird control program that involves use of the most efficient and effective bird control techniques available that are practicable and compatible with surrounding land uses and recreational uses of the lake, ii. Monitoring program that involves patrolling of the lake and assessment of the effectiveness of bird control measures, the presence of potential bird attractants, and the need for modifying or increasing bird control measures, iii. Funding mechanism such as use of an endowment fund or assessment district to fund the long-term monitoring and	*c-1. Prepare and incorporate an Adaptive Management Plan into the Wildlife Hazard Management Plan*	*c-1. Project applicant*	*c-1. Prior to issuance of any grading permits*	*c-1. City of Sacramento Development Services Department and Sacramento LAFCo*

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adaptive management program. iv. Any use of the lake that conflicts with the wildlife control program shall be prohibited. d. The Adaptive Management Plan shall include the best available information on various bird control techniques, an explanation of the situations in which various techniques are best employed, and instructions for implementing such techniques. The entity responsible for implementing the management plan shall employ a qualified and experienced Wildlife Damage Biologist/Manager (Manager) who shall be responsible for determining which bird control techniques to implement based on information provided in the management plan and the best scientific and commercial information available. The Manager shall be trained in bird control techniques by the U.S. Department of Agriculture-Wildlife Services (USDA). The initial cost of such training shall be borne by the project proponent. The cost of subsequent training shall be borne by the HOA. The Manager shall have the discretion to use new technologies or information regarding bird control provided they are practicable and within the management budget, and do not conflict with surrounding land uses or the recreational and flood control functions of the lake. e. The monitoring and maintenance portion of the Adaptive Management Plan shall include the following: i. patrol to ensure the lake area is kept clean and free of refuse and other such material that may attract birds; ii. patrol to ensure the public is abiding by rules prohibiting feeding of birds; iii. control of vegetative growth around the lake to minimize any vegetation that would attract birds for purpose of cover, nesting, perching, or food; iv. remove all nesting material prior to completion of nest if any birds attempt to nest in areas surrounding the lake. All nest removal activities must comply with provisions of the Migratory Bird Treaty Act, the California Endangered Species Act, and the federal Endangered Species Act; v. inspect the lake area to determine whether additional measures are needed to reduce bird use of the lake; and				

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vi. aggressively haze wildlife to discourage use of the lake.				
f. If monitoring efforts reveal that additional control efforts are necessary, the Bird Control Program Manager may implement one or more control techniques outlined in the Adaptive Management Plan, or other techniques based on best available scientific and commercial information. Bird control techniques currently being used at airports, on agricultural lands, and in other areas where birds pose a hazard or nuisance shall be described in the Adaptive Management Plan. The Bird Control Program Manager shall have discretion of using any one or more of the techniques based on the need, practicability, and land use compatibility. These techniques may include, but are not limited to:				
i. Allowing grass to grow over 8 inches in height (currently being employed at some airports).				
g. In addition to these control techniques, the Adaptive Management Plan shall outline an education program for the Homeowner's Association to implement ensuring that the public is aware of the importance of eliminating bird attractants from the area around the lake. The public shall be prohibitive from feeding birds around the lake and engaging in any other activities within the boundaries of the development project which may attract wildlife hazards to aircraft operations. The public shall be made aware of the purpose and importance of various bird control measures being implemented by the Bird Control Program Manager.				
h. Prohibited Uses of Lake: all activities and uses of the lake/detention basin that may conflict with the wildlife control program shall be expressly prohibited.				
i. Post signs prohibiting swimming in the lake/detention basin.				
j. Review by Sacramento County Airport System: If the SCAS determines that conditions in the Greenbriar/ Arbor Landing Development are not consistent with the above listed Management Program, SCAS may take the following actions:				
i. notify the property owner that the wildlife control measures are out of compliance;				
ii. that the County Airport System may, at its option, initiate control measures at the site, with the costs of such measures billed to the owner; and				

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iii. in the event of an immediate threat to aircraft safety, County Airport System personnel can take immediate action to remedy the air hazard emergency. k. To reduce attractants for Canada geese, American coots, or gulls associated with the lake/detention basin and surrounding landscape the Management Plan shall include the following: i. Signs shall be posted and identify that feeding birds is prohibited. ii. A 30-foot barrier strip of tall grass (6 inches or more) adjacent to the lakeshore; or a fence or other barrier (e.g., dense hedges) shall be constructed between the lakeshore and surrounding grasslands. iii. Any nest building activity associated with birds shall be removed including all nesting materials. l. To prevent the establishment of resident populations of Canada geese on the project site, the Bird Control Program Manager shall take the following, but not limited to, actions: i. Chase birds from site, ii. Use of noise generators (e.g., pyrotechnic devices, blank cartridges), iii. Use of visual devices (e.g., flags, scarecrows, water sprays) iv. Use of chase dogs, v. Live trapping or netting, and/or vi. Use of chemical repellants.				
6.8-6 (City of Sacramento) a. To ensure that operation and design of the lake/detention basin is consistent with the recommendations of the MVCD regarding mosquito control, the project applicant shall prepare a Vector Control Plan. This plan shall be prepared in coordination with the MVCD and shall be submitted to the MVCD for approval before issuance of the grading permit for the lake/detention basin. The plan shall incorporate specific measures deemed sufficient by MVCD to minimize public health risks from mosquitoes. The plan shall include the following: 1. Description of the project	*a. Prepare a Vector Control Plan in coordination with the Mosquito Vector Control District*	*a. Project applicant*	*a. Prior to issuance of grading permit for the lake/detention basin*	*a. City of Sacramento Development Services Department and the Mosquito Vector Control District*

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2. Description of lake/detention basin and all facilities that would control on-site water levels 3. Goals of the plan				
4. Description of the water management elements and features that would be implemented: a. Best management practices that would implemented on-site b. Public education and awareness c. Sanitary methods used (e.g., disposal of garbage) d. Mosquito control methods used (e.g., fluctuating water levels, biological agents, pesticides, larvacides, circulating water) e. Stormwater management (consistent with Stormwater Management Plan) 5. Long-term maintenance of the lake/detention basin and all related facilities (e.g., specific ongoing enforceable conditions or maintenance by a homeowner's association)				
b. To reduce the potential for mosquitoes to reproduce in the lake/detention basin, the project applicant shall coordinate with the MVCD to identify and implement BMPs based on their potential effectiveness for project site conditions. Potential BMPs that the applicant could implement include, but not limited to, the following: ► Stock the lake/detention basin with mosquito fish, guppies, backswimmers, flatworms, and/or other invertebrate predators. ► Maintain a stable water level the lake/detention basin to reduce water level fluctuation resulting from evaporation, transpiration, outflow, and seepage.	*b. Identify and implement BMPs in coordination with the Mosquito Vector Control District*	*b. Project applicant*	*b. During project operation*	*b. City of Sacramento Development Services Department and the Mosquito Vector Control District*
6.9 Geology and Soils				
6.9-1: (City of Sacramento) a. Before issuance of a grading permit, a geotechnical report shall be prepared by a qualified geotechnical engineer. This report shall be completed to assess the extent to which the recommendations are appropriate and sufficient for construction of the buildings described in the final project design plans. The geotechnical engineer shall prepare a comprehensive site-specific geotechnical report with	*a. Prepare a site-specific geotechnical report by a qualified geotechnical engineer*	*a. Project applicant*	*a. Prior to issuance of any grading permits*	*a. City of Sacramento Development Services Department*

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specific design recommendations sufficient to ensure the safety of soil conditions (e.g., percent subsidence/expansive soils impacts), project structures, and site occupants.				
b. All water supply and wastewater pipelines shall be designed per City standards to minimize the potential for damage in the event of strong ground shaking and potential liquefaction.	*b. Design water supply and wastewater pipelines per City standards*	*b. Project applicant*	*b. Prior to approval of final map*	*b. City of Sacramento Development Services Department*
c. During project design and construction, all measures outlined in the preliminary geotechnical report for the project (Wallace Kuhl & Associates 2002) as well as specific design measures included in the geotechnical report shall be implemented, at the direction of the City engineer, to prevent significant impacts associated with seismic activity. A geotechnical engineer shall be present on-site during earthmoving activities to ensure that requirements outlined in the geotechnical reports are adhered to for proper fill and compaction of soils.	*c. Implement all measures outlined in the preliminary geotechnical report for the project and specific design measures included in the geotechnical report*	*c. Project applicant*	*c. Prior to approval of final map and during construction activities*	*c. City of Sacramento Development Services Department*
d. Should the construction schedule require continued work during the wet weather months (e.g., October through April), the project applicant shall consult with a qualified civil engineer and implement any additional recommendations provided, as conditions warrant. These recommendations would include but not be limited to (1) allowing a prolonged drying period before attempting grading operations at any time after the onset of winter rains; and (2) implementing aeration or lime treatment, to allow any low-permeability surface clay soils intended for use as engineered fill to reach a moisture content that would permit the specified degree of compaction to be achieved (Wallace Kuhl & Associates 2002; Perry, pers. comm., 2005).	*d. Consult with a qualified civil engineer and implement any additional recommendations provided, as conditions warrant*	*d. Project applicant*	*d. During construction activities*	*d. City of Sacramento Development Services Department*
6.9-2: (City of Sacramento) a. A grading and erosion control plan shall be prepared by a California Registered Civil Engineer and submitted to the City of Sacramento Development Services Department for approval prior to issuance of the first building permits. The plan shall be consistent with the California Building Standards Code grading requirements and shall	*a. Prepare and submit to the City of Sacramento Department of Public Works a grading and erosion control prepared by a*	*a. Project applicant*	*a. Prior to issuance of an grading permits*	*a. City of Sacramento Development Services Department*

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identify the site-specific grading to be used for new development. All grading shall be balanced on-site, where feasible.	*California Registered Civil Engineer*			
b. To ensure soils do not directly or indirectly discharge sediments into surface waters as a result of construction activities, the project applicant shall develop a Stormwater Pollution Prevention Plan (SWPPP) as discussed in Section 6.10, "Hydrology, Drainage, and Water Quality." The SWPPP shall identify Best Management Practices that would be used to protect stormwater runoff and minimize erosion during construction. The project applicant shall prepare plans to control erosion and sediment, shall prepare preliminary and final grading plans, and shall prepare plans to control urban runoff from the project site during construction, in compliance with the City of Sacramento Grading, Erosion, and Sediment Control Ordinance.	*b. Prepare a Stormwater Pollution Prevention Plan*	*b. Project applicant*	*b. Prior to issuance of any grading permits*	*b. City of Sacramento Development Services Department*
6.9-3: (City of Sacramento) The project applicant shall implement Mitigation Measure 6.9-1, described above, to reduce the risks to people and structures from subsidence or compression of unstable soils at the project site.	*See 6.9-1 above*	*See 6.9.1 above*	*See 6.9-1 above*	*See 6.9-1 above*
6.9-4: (City of Sacramento) The project applicant shall implement Mitigation Measure 6.9-1, described above, to reduce the potential for damage associated with expansive soils.	*See 6.9-1 above*	*See 6.9-1 above*	*See 6.9-1 above*	*See 6.9-1 above*
6.10 Hydrology and Water Quality				
6.10-1: (City of Sacramento) a. The project applicant shall demonstrate compliance through its grading plans with all requirements of the City's Grading, Erosion, and Sediment Control Ordinance (Title 15, Chapter 15.88 of the City Code) including preparing erosion, sediment, and pollution control plans for each construction phase and postconstruction, if necessary. The project's grading plans shall be submitted to the City of Sacramento Development Services Department and approved by the City of Sacramento, Department of Utilities.	*a. Demonstrate compliance with the City's Grading, Erosion, and Sediment Control Ordinance in grading plans*	*a. Project applicant*	*a. Prior to issuance of any grading permits*	*a. City of Sacramento Development Services Department*

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b. The project applicant shall demonstrate compliance through its grading plans with all requirements of the City's Stormwater Management and Control Code (Chapter 13.16 of the City Code), which regulates stormwater and prohibits nonstormwater discharges except where regulated by an NPDES permit. The project applicant shall implement measures including the use of soil stabilizers, fiber rolls, inlet filters, and gravel bags to prevent pollutants from being carried off-site in stormwater generated on the project site. These measures shall be designed to accommodate stormwater discharges associated with proposed measures that would be implemented to control on-site dust generation (e.g., wheel washing, active watering).	*b. Demonstrate compliance with the City's Stormwater Management and Control Code in grading plans*	*b. Project applicant*	*b. Prior to issuance of any grading permits*	*b. City of Sacramento Development Services Department*
c. The project applicant shall consult with the Central Valley RWQCB to acquire the appropriate regulatory approvals that may be necessary to obtain Section 401 water quality certification, SWRCB statewide NPDES stormwater permit for general construction activity, Central Valley RWQCB NPDES permit for construction dewatering activity, and any other necessary site-specific waste discharge requirements.	*c. Obtain Section 401 water quality certification, SWRCB statewide NPDES stormwater permit for general construction activity, Central Valley RWQCB NPDES permit for construction dewatering activity, and any other necessary site-specific waste discharge requirements*	*c. Project applicant*	*c. Prior to issuance of any grading permits*	*c. City of Sacramento Development Services Department*
d. As required under the NPDES stormwater permit for general construction activity, the project applicant shall prepare and submit the appropriate Notice of Intent and prepare the SWPPP and other necessary engineering plans and specifications for pollution prevention and control. The SWPPP and other appropriate plans shall identify and specify the use of erosion sediment control BMPs, means of waste disposal, implementation of approved local plans, nonstormwater management controls, permanent post-construction BMPs, and inspection and maintenance responsibilities. The SWPPP would also specify the pollutants that are likely to be used during construction and that could be present in stormwater drainage and nonstormwater discharges. A sampling and monitoring program shall be included in the SWPPP that meets the requirements of	*d-f. Prepare and submit Notice of Intent and prepare the SWPPP*	*d-f. Project applicant*	*d-f. Prior to issuance of any grading permits*	*d-f. City of Sacramento Development Services Department*

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SWRCB Order 99-08-DWQ to ensure the BMPs are effective. e. Construction techniques shall be identified that would reduce the potential runoff, and the plan shall identify the erosion and sedimentation control measures to be implemented. The SWPPP shall also specify spill prevention and contingency measures, identify the types of materials used for equipment operation, and identify measures to prevent or clean up spills of hazardous materials used for equipment operation and hazardous waste. Emergency procedures for responding to spills shall also be identified. BMPs identified in the SWPPP shall be used in subsequent site development activities. The SWPPP shall identify personnel training requirements and procedures that would be used to ensure that workers are aware of permit requirements and proper installation and performance inspection methods for BMPs specified in SWPPP. The SWPPP shall also identify the appropriate personnel responsible for supervisory duties related to implementation of the SWPPP. All construction contractors shall retain a copy of the approved SWPPP on the construction site. f. The project applicant shall prepare and submit a Notice of Intent and acquire authorization for a Central Valley RWQCB NPDES permit for construction dewatering activities that may be necessary for foundation and utility installations within the project site.				
6.10-3: (City of Sacramento and LAFCo) The following mitigation shall apply in the event that FEMA revises the FIRM and issues a new SFHA designation that indicates the Natomas levees can no longer provide 100-year flood protection (decertification). The City anticipates that after decertification, but before recertification, FEMA will likely remap the Natomas area (including the Greenbriar project site) as one of three potential SFHA designations: AE, AR, or A99 zone. Each designation prescribes specific building and design requirements for new, above-ground development. If the Greenbriar project site is remapped by FEMA into an AE, AR, or A99 zone, then: (1) the City will require development within the project site to	*Participate in a funding mechanism established by SAFCA for the purpose of implementing levee improvements that would provide no less than 100-year flood protection for the project site*	*Project applicant*	*If levees currently providing adequate flood protection to the project site are decertified and can no longer provide 100-year flood protection as determined by FEMA, prior to issuance of any*	*City of Sacramento Development Services Department and Sacramento LAFCo*

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Summary of Measure	Action	Implementing Party	Timing	Monitoring Party
comply with all applicable building and design regulations identified by FEMA and by the City of Sacramento's Floodplain Management Ordinance in existence at the date of issuance of building permits pertaining to the applicable remapped zone; (2) the project applicant shall participate in a funding mechanism such as an assessment district established by SAFCA and/or the City for the purpose of implementing measures that would provide no less than 100-year flood protection for the Greenbriar project site, or for that portion of the Natomas Basin requiring recertification for 100-year flood protection including the Greenbriar project site provided that such funding mechanism is i. based on a nexus study; ii. is regional in nature; iii. is proportionate, fair, and equitable; and iv. complies with all applicable laws and ordinances. (3) the requirements of the applicable FEMA zone and corresponding requirements under the City of Sacramento's Floodplain Management Ordinance shall be satisfied prior to the issuance of building permits for the project. Homeowners within the floodzone shall maintain federal flood insurance, as required under the applicable FEMA and City of Sacramento Floodplain Management Ordinance regulations. Mitigation measures (1) and (3) above shall terminate upon the first recertification of the levees by the U.S. Army Corp of Engineers. Under any of the three SFHA designations (AE, AR, or A99), homebuilders within the floodzone area shall disclose to all prospective buyers, lenders, bondholders and insurers of property through written disclosure, prior to the sale of units, that the U.S. Army Corps of Engineers has determined that the levees protecting the Natomas Basin may not provide flood protection from a 100-year or greater storm even until the levees are recertified as providing 100-year flood protection.			*grading permits*	

Table 1
Mitigation Monitoring and Reporting Table

Summary of Measure	Action	Implementing Party	Timing	Monitoring Party
6.10-4: (City of Sacramento and LAFCo)				
a. The project applicant shall submit grading plans to the City Department of Utilities that demonstrate that Elkhorn Boulevard has been sufficiently raised to provide 1 foot of freeboard above Lone Tree Canal during a 100-year storm event. Approximately 1,800 linear feet of Elkhorn Boulevard would need to be raised to provide sufficient localized flood protection.	*a. Submit grading plans to the City Department of Utilities that demonstrate that Elkhorn Boulevard has been sufficiently raised to provide 1 foot of freeboard above Lone Tree Canal during a 100-year storm event*	*a. Project applicant*	*a. Prior to issuance of any grading permits*	*a. City of Sacramento Development Services Department*
b. The project applicant shall submit drainage and infrastructure plans to the City Department of Utilities that provide for the installation of a 48-inch culvert in Lone Tree Canal at Elkhorn Boulevard. Construction of this improvement could result in impacts to riparian and other native habitat; impacts to biological resources including giant garter snake habitat, and construction-related air quality (NO_X, PM_{10}), noise, transportation, and stormwater quality impacts. These impacts would be mitigated to less-than-significant levels with implementation of mitigation recommended for the project and presented in this Draft EIR. As a result, no new significant environmental impacts would occur with implementation of this improvement.	*b. Submit drainage and infrastructure plans to the City Department of Utilities that provide for the installation of a 48-inch culvert in Lone Tree Canal at Elkhorn Boulevard*	*b. Project applicant*	*b. Prior to issuance of any grading permits*	*b. City of Sacramento Development Services Department*
6.11 Agriculture				
6.11-1: (City of Sacramento) a. The project applicant shall implement Mitigation Measure 6.6-2. **LAFCo** b. Prior to annexation the applicant shall implement Mitigation Measure 6.6-2.	*See 6.6-2 above*	*See 6.6-2 above*	*See 6.6-2 above*	*See 6.6-2 above*

Table 1
Mitigation Monitoring and Reporting Table

Summary of Measure	Action	Implementing Party	Timing	Monitoring Party
6.11-3: (City of Sacramento) The project applicant shall notify all prospective residents and tenants located within 500 feet of existing agricultural uses north of Elkhorn Boulevard of the types of existing agricultural operations that could occur within close proximity of their homes or businesses. Notification provided to residents and tenants shall include information on the types of land use conflicts that could occur (e.g., noise, dust) and the appropriate means by which to address these conflicts. The City shall approve the content of this notification and this notification shall be included in all residential deed and tenant agreements at the time of sale or lease.	*Prepare a notice for all prospective residents and tenants located within 500 feet of existing agricultural uses north of Elkhorn Boulevard of the types of existing agricultural operations that could occur within close proximity of their homes or businesses*	*Project applicant*	*Prior to issuance of occupancy permits for residences or commercial uses within 500 feet of agricultural uses north of Elkhorn Boulevard*	*City of Sacramento Development Services Department*
6.12 Biological Resources				
6.12-1: (City of Sacramento and LAFCo) a. To mitigate impacts to giant garter snake, the project applicant shall prepare an HCP, pursuant to Section 10(a) of ESA, and shall obtain appropriate authorization for incidental take of giant garter snake from USFWS and DFG. (DFG would issue permits through Section 2081 of the Fish and Game Code.) The HCP shall include a comprehensive giant garter snake conservation strategy, developed through consultation with USFWS and DFG. This strategy shall be consistent with the goals of the regional basin-wide conservation program described in the NBHCP, and shall advance the NBHCP's regional conservation strategy. This conservation strategy shall be designed to include avoidance, minimization and compensation measures that are adequate to assure that the proposed project shall not compromise the effectiveness of the NBHCP. b. The conservation strategy shall include habitat preservation and restoration consistent with the NBHCP's strategy of establishing an interconnected preserve system composed of marshlands, uplands, and rice fields in the Natomas Basin. Key elements of the giant garter snake conservation shall include on-site/off-site habitat preservation, restoration, and creation, and on-site avoidance and minimization measures. The conservation strategy that would ultimately be implemented as mitigation would by developed	*a, b. Prepare an HCP and obtain appropriate authorization for incidental take of giant garter snake from USFWS and DFG*	*a, b. Project applicant*	*a. b. Prior to issuance of any grading permits*	*a, b. City of Sacramento Development Services Department and Sacramento LAFCo*

Table 1
Mitigation Monitoring and Reporting Table

Summary of Measure	Action	Implementing Party	Timing	Monitoring Party
through consultation with DFG and USFWS as part of the permitting process. Refinements may occur through the USFWS/DFG consultation process, to the extent that the NBHCP regional conservation strategy is advanced.				
1. ***Habitat Creation, Preservation, and Management in the Lone Tree Canal Linear Open Space/ Buffer Area*** a. To ensure that the project does not diminish habitat connectivity for giant garter snake between the southwest and northwest zones identified in the NBHCP, approximately 30.6 acres along Lone Tree Canal shall be protected and managed as giant garter snake habitat. This on-site habitat preservation shall protect an approximately 250-foot wide corridor of giant garter snake habitat that includes the canal and approximately 200 feet of adjacent uplands. Uplands within the linear open space/buffer area shall be managed as perennial grassland as described below. Additional aquatic habitat for giant garter snake shall be created along the east bank of Lone Tree Canal by construction and maintenance of a 2.7 acre tule bench. The habitat shall be managed in perpetuity as high-quality habitat for giant garter snake. Compliance and biological effectiveness monitoring shall be performed and annual monitoring reports prepared within six months of completion of monitoring for any given year. This monitoring, reporting, and adaptive management shall be performed as described in Section IV of the NBHCP.	*b(1)(a). Protect and manage approximately 30.6 acres along Lone Tree Canal as giant garter snake habitat and prepare annual monitoring reports for compliance and biological effectiveness monitoring within six months of completion of monitoring for any given year*	*b(1)(a). Project applicant*	*b(1)(a). Prior to issuance of any grading permits and within six months of completion of habitat*	*b(1)(a). City of Sacramento Development Services Department and Sacramento LAFCo*
b. To ensure that the project does not diminish giant garter snake movement along Lone Tree Canal, all new road crossings of Lone Tree Canal shall be designed to minimize obstacles to giant garter snake movement. The use of culverts under new road crossings on Lone Tree Canal shall be prohibited unless it can be demonstrated that the culverts will not diminish the potential for giant garter snake movement through the section of Lone Tree Canal protected by the setback fence and conservation easement.	*b(1)(b-d). Design all new road crossings of Lone Tree Canal to minimize obstacles to giant garter snake movement*	*b(1)(b-d) Project applicant*	*b(1)(b-d) Prior to final map approval*	*b(1)(b-d) City of Sacramento Development Services Department and Sacramento LAFCo*

Table 1
Mitigation Monitoring and Reporting Table

Summary of Measure	Action	Implementing Party	Timing	Monitoring Party
c. Upland giant garter snake habitat within the Lone Tree Canal linear open space/buffer area shall be created and managed to provide cover, basking areas, and refugia during the winter dormant period. Hibernaculae would be constructed at regular intervals by embedding concrete or coarse rock in the bank or in a berm along the Lone Tree Canal corridor to provide additional winter refugia. Upland habitat with the linear open space/buffer areas shall be converted to native perennial grassland and managed, in perpetuity, as perennial grassland habitat.				
d. Aquatic habitat shall be maintained throughout the giant garter snake active season in Lone Tree Canal, in perpetuity. This is the legal responsibility and obligation of Metro Air Park property owners (MAP). The MAP HCP includes provisions for maintaining water in the canal such that the basic habitat requirements of the giant garter snake are met. The MAP HCP also provides a road map, through "Changed Circumstances," to address procedures to follow if water is not being maintained in the canal to meet these requirements. As described in the MAP HCP, the MAP is legally obligated to assure these requirements are met, and financial and procedural mechanisms are included in the MAP HCP to enforce this. It is, therefore, assumed that MAP will provide water to Lone Tree Canal, as required by the MAP HCP and ITP, in perpetuity. It is also assumed that USFWS will use all reasonable means available to it, to enforce this MAP HCP requirement. If water is not provided to Lone Tree Canal by the MAP to meet the habitat requirements of giant garter snake, as required by the MAP HCP, and USFWS exhausts its enforcement responsibilities, the project applicant shall assume the responsibility of providing suitable giant garter snake aquatic habitat throughout the section of Lone Tree Canal protected by the fence and conservation easement. However, as stated herein, the project applicant shall only assume this responsibility if it has been sufficiently demonstrated to the City that USFWS has exhausted all reasonable means to compel MAP to comply with the relevant conditions of the MAP ITP.				

Table 1
Mitigation Monitoring and Reporting Table

	Summary of Measure	Action	Implementing Party	Timing	Monitoring Party
	Specific requirements related to ensuring suitable aquatic habitat in Lone Tree Canal is present, in perpetuity, throughout the giant garter snake active season shall be developed through consultation with DFG and USFWS, and included in the new or amended HCP for Greenbriar, and may include mechanisms, such as installation of a well, to assure water is provided in the canal to meet habitat requirements.				
e.	A barrier shall be installed between the giant garter snake habitat linear open space/buffer area and the adjacent Greenbriar development to ensure that giant garter snakes do not enter the development area, and to prohibit humans and pets from entering the giant garter snake habitat. The design of this barrier shall be subject to USFWS and CDFG review and approval. The entire length of the barrier, which shall be bordered by yards rather than roadways, shall be maintained on the preserve side by a nonprofit land trust to ensure that vegetation or debris does not accumulate near the barrier and provide opportunities for wildlife and pets to climb over the barrier. On the development side, Covenants, Codes and Restrictions (CCRs) shall prohibit accumulation of vegetation or debris adjacent to the barrier. Chain link fencing shall be placed at both ends of the corridor, with locked gates permitting entry only by RD 1000 and NMWD for channel maintenance, and by the preserve manager for habitat monitoring and maintenance purposes.	*b(1)(e) Install barrier between the giant garter snake habitat linear open space/buffer area and the adjacent Greenbriar development to ensure that giant garter snakes do not enter the development area, and to prohibit humans and pets from entering the giant garter snake habitat*	*b(1)(e) Project applicant*	*b(1)(e) Prior to final map approval*	*b(1)(e) City of Sacramento Development Services Department and Sacramento LAFCo*
f.	Specific requirements associated with the barrier shall be developed through consultation with USFWS and DFG, and may include the following and/or other specifications that DFG and USFWS consider to be equally or more effective: ► Adequate height and below-ground depth to prevent snakes or burrowing mammals from providing a through-route for snakes by establishing burrows from one side to the other crossing; ► Constructed using extruded concrete or block construction extending a minimum of 36-inches above ground level;	*b(1)(f) Consult with USFWS and DFG to develop specific requirements of the giant garter snake barrier*	*b(1)(f)Project applicant*	*b(1)(f) Prior to final map approval*	*b(1)(f) City of Sacramento Development Services Department and Sacramento LAFCo*

Table 1
Mitigation Monitoring and Reporting Table

Summary of Measure	Action	Implementing Party	Timing	Monitoring Party
▸ Maintenance to repair the barrier and to prevent the establishment of vegetation or collection of debris that could provide snakes with a climbing surface allowing them to breech the barrier; ▸ A cap or lip extending at least two-inches beyond the barrier's vertical edge to prevent snakes from gaining access along the barrier's top edge; and ▸ Signage to discourage humans and their pets from entering the area.				
g. The Lone Tree Canal linear open space/buffer area shall be protected in perpetuity under a conservation easement and managed to sustain the value of this area for giant garter snake habitat connectivity. Compliance and biological effectiveness monitoring shall be performed and annual monitoring reports prepared. This monitoring, reporting, and adaptive management shall be performed as described in Section IV of the NBHCP or following procedures developed in formal consultation with USFWS and DFG and contained in an ESA Incidental Take Permit for the Greenbriar project.	*b(1)(g) Establish a conservation easement for the Lone Tree Canal linear open space/buffer area in perpetuity*	*b(1)(g)Project applicant*	*b(1)(g) Prior to final map approval*	*b(1)(g) City of Sacramento Development Services Department and Sacramento LAFCo*
2. ***Off-site Habitat Preservation, Restoration, and Creation***				
a. The project applicant shall preserve, restore, and manage giant garter snake habitat at two off-site locations identified as having high regional conservation value, and contributing to an interconnected regional reserve system as envisioned in the NBHCP. Off-site habitat preservation, restoration, and creation shall be implemented on the Sacramento County portion of the Spangler property ("Spangler Site") and the Natomas 130 parcel ("Natomas 130 Site") to ensure that implementation of the proposed project would result in no net loss of overall giant garter snake habitat value. The habitat shall be managed in perpetuity as high-quality habitat for giant garter snake. Compliance and biological effectiveness monitoring shall be performed and annual monitoring reports prepared. This monitoring, reporting, and adaptive management shall be performed as described in Section IV of the NBHCP.	*b(2)(a-b) Preserve, restore, and manage garter snake habitat at the Spangler and Natomas 130 sites*	*b(2)(a-b) Project applicant*	*b(2)(a-b) Prior to issuance of any grading permits*	*b(2)(a-b) City of Sacramento Development Services Department and Sacramento LAFCo*

Table 1
Mitigation Monitoring and Reporting Table

Summary of Measure	Action	Implementing Party	Timing	Monitoring Party
The Spangler Site is located in northern Sacramento County along the Sutter County line, northeast of the Sacramento Airport and west of SR 70/99 (Exhibit 6.12-4). This site is currently in irrigated rice. It is surrounded by agriculture (primarily rice) on all sides. Existing water channels provide potential habitat connectivity for giant garter snake between the Spangler Site and Lone Tree Canal. A minimum of 190 acres of managed marsh, including 55.2 acres of upland habitat, shall be created and preserved for giant garter snake on the Spangler Site. The 55.2 acres of upland habitat shall also serve as mitigation for impacts to Swainson's hawk described under Impact 6.12-2. To further reduce impacts to Swainson's hawk, a minimum 45.4 acres of high-quality Swainson's hawk foraging habitat (e.g., alfalfa) shall be created and managed on the Spangler Site, as further discussed below. The North Natomas 130 Site is adjacent to the Natomas Basin Conservancy's Cummings preserve to the south, Fisherman's Lake to the east, rice land to the north, and the Sacramento River to the west. The Natomas 130 Site provides potential habitat connectivity for giant garter snake to existing preserves and Lone Tree Canal via a series of water drainage and delivery channels. A minimum of 14.2 acres of managed marsh, including 4.3 acres of upland habitat, shall be created and preserved for giant garter snake on the North Natomas 130 Site. The 4.3 acres of upland habitat shall also serve as mitigation for impacts to Swainson's hawk described under Impact 6.12-2. To further reduce impacts to Swainson's hawk, 14.2 acres of high-quality foraging habitat shall be managed to provide Swainson's hawk foraging habitat on the North Natomas 130 Site. Habitat created and preserved on the North Natomas 130 Site shall also include 1.9 acres of riparian, which could provide potential nesting sites for Swainson's hawk.				
b. The off-site conservation lands shall be restored with giant garter snake habitat consisting of a mosaic of habitat types with variations in topography and an abundance of edges within and between habitat types. The managed marsh shall consist of				

Table 1
Mitigation Monitoring and Reporting Table

Summary of Measure	Action	Implementing Party	Timing	Monitoring Party
seasonal marsh with shallow and deep water configurations, permanent marsh, and upland habitats in the form of buffers, islands, and other high-ground habitats scattered throughout the marsh's wetland component. A significant portion of the upland component shall be above winter flood levels to protect giant garter snakes in their winter retreats. Vegetation shall be natural marsh vegetation such as cattails, spike rush, tule clumps, and thimbleberry, placed to maximize protected resting and basking sites and escape cover for the snakes.				
3. ***On-site Avoidance and Minimization Measures*** The measures described below shall be incorporated into the giant garter snake conservation strategy to avoid and minimize take of giant garter snakes during construction activities, including construction of managed marsh habitat: a. All grading activity within giant garter snake habitat (aquatic habitat and uplands within 200 feet of aquatic habitat) shall be restricted to a period between May 1 and September 30. Because this is during the snakes' active stage, it would allow snakes to actively move away from danger and thereby reduce chances of snake mortality. Additionally, this restriction is timed to avoid grading during the snakes' breeding, dispersal, fall foraging and over-wintering periods, when they are most vulnerable to disturbance. If grading cannot be scheduled between May 1 and September 30, the Applicant shall contact the USFWS to determine whether additional measures are necessary to avoid and/or minimize take of giant garter snake. Grading shall only occur during the period between October 2 and April 30 upon written USFWS approval.	*b(3)(a) Restrict All grading activity within giant garter snake habitat (aquatic habitat and uplands within 200 feet of aquatic habitat) to a period between May 1 and September 30*	*b(3)(a)Constructi on contractor*	*b(3)(a) During construction activities*	*b(3)(a) City of Sacramento Development Services Department and Sacramento LAFCo*
b. A qualified biologist with experience identifying giant garter snakes shall survey the construction area for giant garter snakes no more than 24 hours prior to the start of construction activities. If construction activities stop on the project site for a period of two weeks or more, a new giant garter snake survey shall be completed no more than 24 hours prior to the re-start of construction activities.	*b(3)(b) Survey the construction area for giant garter snakes*	*b(3)(b) Project applicant*	*b(3)(b) 24 hours prior to any construction activities*	*b(3)(b) City of Sacramento Development Services Department and Sacramento LAFCo*

Table 1
Mitigation Monitoring and Reporting Table

Summary of Measure	Action	Implementing Party	Timing	Monitoring Party
c. Between April 15 and September 30, all irrigation ditches, canals, or other aquatic habitat within the construction area shall be completely dewatered, with no ponded water remaining, for at least 15 consecutive days prior to the excavation or filling in of the dewatered habitat. The purpose of dewatering the aquatic habitat prior to filling is to compel giant garter snakes to leave the area on their own. A qualified biological monitor shall ensure that dewatered habitat does not continue to support giant garter snake prey, which could attract snakes into the area. Netting and salvage of prey may be necessary if a site cannot be completely dewatered.	*b(3)(c) Dewater all irrigation ditches, canals, or other aquatic habitat within the construction area, with no ponded water remaining, between April 15 and September 30*	*b(3)(c) Construction contractor*	*b(3)(c) Prior to excavation or filling of dewatered habitat*	*b(3)(c) City of Sacramento Development Services Department and Sacramento LAFCo*
d. Construction activity shall be avoided within the approximately 250-foot Lone Tree Canal linear open space/buffer area, except for the purpose of habitat restoration activities carried out under the direction of a qualified biological monitor with experience identifying giant garter snakes. To minimize habitat disturbance during construction of the urban development, the approximate 250-foot wide corridor shall be bordered on the outer edge with exclusionary fencing that shall prevent giant garter snakes from entering the construction area, but shall allow any giant garter snakes within the construction area, that may have otherwise been trapped, to cross into the canal corridor. Movement of heavy equipment associated with construction of the urban development shall be restricted to the construction area outside the corridor, except for approved restoration activity within the corridor.	*b(3)(d) Avoid construction activity within the approximately 250-foot Lone Tree Canal linear open space/buffer area*	*b(3)(d) Construction contractor*	*b(3)(d) During construction activities*	*b(3)(d) City of Sacramento Development Services Department and Sacramento LAFCo*
e. Clearing and grading shall be confined to the minimum area necessary to facilitate construction activities as determined by a qualified biologist. Habitat that will be avoided shall be cordoned off, clearly flagged, and designated as an "Environmentally Sensitive Area" by a qualified biologist. An exclusion fence shall be erected between the development area and the Lone Tree Canal linear open space/buffer area prior to and during construction to prevent giant garter snake entry into the construction zone. The fence shall be erected prior to the	*b(3)(e) Confine clearing and grading to the minimum area necessary to facilitate construction activities as determined by a qualified biologist*	*b(3)(e) Construction contractor*	*b(3)(e) During construction activities*	*b(3)(e) City of Sacramento Development Services Department and Sacramento LAFCo*

Table 1
Mitigation Monitoring and Reporting Table

	Summary of Measure	Action	Implementing Party	Timing	Monitoring Party
	onset of the dormant season preceding construction when giant garter snakes are less likely to occupy upland retreats on the project site. The interior or project side of the exclusion fence shall be routinely monitored for giant garter snakes stranded by the fence. Snakes encountered should be relocated to the nearest suitable habitat off-site by a qualified biologist.				
f.	All construction personnel shall receive worker environmental awareness training from a USFWS-approved biologist prior to commencing any construction-related activities on the project site. This training shall instruct workers on how to identify the giant garter snake and its habitat, and what to do if a giant garter snake is encountered during construction activities.	*b(3)(f) Provide worker environmental awareness training to all construction personnel*	*b(3)(f) Construction contractor*	*b(3)(f) Prior to any construction activities*	*b(3)(f) City of Sacramento Development Services Department and Sacramento LAFCo*
g.	A USFWS-approved biological monitor shall be present during grading activities within 200 feet of aquatic giant garter snake habitat to ensure that construction activities do not encroach into unauthorized areas. If a live giant garter snake is found during construction activities, the biological monitor shall immediately notify USFWS. The biological monitor shall have the authority to stop construction in the vicinity of the snake. The snake shall be monitored and given a chance to leave the area on its own. If the snake does not show signs of leaving, then the biological monitor shall slowly move toward the snake to flush it toward adjacent habitat away from the construction area. Potential escape routes for giant garter snakes shall be determined in advance of construction. If the garter snake does not leave on its own within 1 working day, the biological monitor shall consult with the USFWS to determine necessary additional measures. Any giant garter snake mortality shall also be reported by the biological monitor within 1 working day to USFWS. Any project-related activity that results in giant garter snake mortality shall cease so that this activity can be modified to the extent practicable to avoid future mortality.	*b(3)(g) Have biological monitor present during grading activities within 200 feet of aquatic giant garter snake habitat*	*b(3)(g) Construction contractor*	*b(3)(g) During grading activities*	*b(3)(g) City of Sacramento Development Services Department and Sacramento LAFCo*

Table 1
Mitigation Monitoring and Reporting Table

Summary of Measure	Action	Implementing Party	Timing	Monitoring Party
h. Upon completion of construction activities, construction debris shall be completely removed from the site. If this material is situated near existing giant garter snake aquatic habitat, it shall be inspected by a qualified biologist prior to removal to assure that giant garter snakes are not using it for hibernaculae or temporary refuge.	*b(3)(h) Remove construction debris from the project site*	*b(3)(h) Construction contractor*	*b(3)(h) During completion of construction activities*	*b(3)(h) City of Sacramento Development Services Department and Sacramento LAFCo*
i. No plastic, monofilament, jute, or similar erosion control matting that could entangle snakes shall be placed on a project site when working within 200 feet of snake aquatic or rice habitat. Possible substitutions include coconut coir matting, tactified hydroseeding compounds, or other material approved by DFG and USFWS.	*b(3)(i) No placement of plastic, monofilament, jute, or similar erosion control matting within 200 feet of snake aquatic or rice habitat*	*b(3)(i) Construction contractor*	*b(3)(i) During construction activities*	*b(3)(i) City of Sacramento Development Services Department and Sacramento LAFCo*
6.12-2: (City of Sacramento and LAFCo) a. The project applicant shall implement Mitigation Measure 6.12-1. The project shall include a conservation strategy which shall be designed to include avoidance, minimization and compensation measures that are adequate to assure that the proposed project shall not compromise the effectiveness of the NBHCP. Implementation of this mitigation measure would require preservation of 27.9 acres of on-site managed grassland within the Lone Tree Canal linear open space/buffer area, which would provide low-quality Swainson's hawk foraging habitat, and would require off-site habitat at several locations Off-site mitigation for impacts to Swainson's hawk foraging habitat on the Spangler Site would include creation and management of 55.2 acres of upland habitat that would provide moderate-quality foraging habitat, and creation and management of 45.4 acres of high-quality foraging habitat. Off-site mitigation on the North Natomas 130 Site would include creation and preservation of 4.3 acres of moderate-quality foraging habitat and 14.2 acres of high-quality foraging habitat. Off-site mitigation at the North Natomas 130 site also includes creation and preservation of 1.9 acres of riparian habitat that could provide potential nesting sites for Swainson's hawks. In addition to creation and management of foraging habitat provided by Mitigation Measure 6.12-1, the project applicant shall acquire a	*a. Implements Mitigation Measure 6.12-1 and acquire at a minimum, 49 acres to provide high-quality foraging habitat and receive USFWS and DFG approval for off-site mitigation lands*	*a. Project applicant*	*a. Prior to issuance of any grading permits*	*a. City of Sacramento Development Services Department and Sacramento LAFCo*

Table 1
Mitigation Monitoring and Reporting Table

Summary of Measure	Action	Implementing Party	Timing	Monitoring Party
minimum of 49 acres of land enhanced and managed to provide high-quality foraging habitat so that the cumulative value of on-site and off-site habitat is of equal or greater value to Swainson's hawk than that lost through project development. Swainson's hawk habitat acquired off-site shall either be located within 1 mile of the Swainson's hawk zone or an existing TNBC reserve, or, with USFWS and DFG concurrence, within two miles of more than one active Swainson's hawk nests. Thus, in total, 27.9 acres of low-quality, 59.5 acres of moderate-quality, 108.6 acres (including the additional 49 acres referenced above) of high-quality, and 1.9 acres of potential nesting habitat would be provided as mitigation for the loss of approximately 546 acres of low- and moderate-quality foraging habitat. The totals described above represent the acreage, of the quality described, likely to mitigate the loss of habitat value associated with the proposed project. This represents potential acreage within a range that could be used to mitigate loss of habitat value. Acquired and preserved acreage could range up to a replacement of 1:1 (or higher) ratio, if needed to replace lost habitat value. Alternatively, a lesser acreage that is enhanced and managed as high-quality foraging habitat (e.g., alfalfa) for Swainson's hawk in perpetuity, as proposed herein, would be acceptable provided that USFWS and DFG concur that, with the replacement habitat, the project would provide equal or greater value to the species than would the foraging habitat present at the project site. Compliance and biological effectiveness monitoring shall be performed and annual monitoring reports shall be prepared. This monitoring, reporting, and adaptive management shall be performed as described in Section IV of the NBHCP.				
b. In addition, the following avoidance and minimization measures shall be implemented:				
1. Pre-construction surveys shall be conducted for Swainson's hawk and other raptors no more than 14 days and no less than 7 days prior to the beginning of any construction activity between March 15 and August 15. The survey area shall include all potential nesting sites located within ½ mile of the project and mitigation-sites	*b(1). Conduct pre-construction surveys for Swainson's hawk and other raptors*	*b(1). Project applicant*	*b(1). No more than 14 days prior to commencement of construction activities*	*b(1). City of Sacramento Development Services Department and Sacramento LAFCo*

Table 1
Mitigation Monitoring and Reporting Table

Summary of Measure	Action	Implementing Party	Timing	Monitoring Party
2. Should nesting be discovered within the survey area, a qualified biologist shall notify DFG and no new disturbance shall occur within ½ mile of the nest until the nest is no longer active or appropriate avoidance measures are approved by DFG to ensure that the nest is adequately protected. Potential mitigation measures may include visual screening and timing restrictions for construction activity. Monitoring (funded by the project applicant) of active nests by a DFG-approved raptor biologist shall be required to determine if project construction is disturbing Swainson's hawks at the nest site. Exact implementation of this measure shall be based on specific information at the project site.	*b(2). If an occupied nest is found, prevent disturbances within ½ mile of nest until the nest is no longer occupied*	*b(2). Project applicant*	*b(2). Prior to and during construction activities*	*b(2). City of Sacramento Development Services Department and Sacramento LAFCo*
6.12-3: (City of Sacramento and LAFCo)				
a. The project applicant shall implement Mitigation Measure 6.12-1 to avoid impacts to waters of the United States and wetlands associated with Lone Tree Canal.	*a. See 6.12-1 above*	*a. See 6.12-1 above*	*a. See 6.12-1 above*	*a. See 6.12-1 above*
b. Prior to project approval, the project applicant shall obtain a verified wetland delineation from USACE. Based on the results of the verified delineation, the project applicant shall commit to replace, restore, or enhance on a "no net loss" basis, in accordance with USACE and the Central Valley RWQCB, as appropriate for each agency's jurisdiction, the acreage of all waters of the United States and wetland habitats, including isolated wetlands that would be removed with implementation of the project. Wetland restoration, enhancement, and/or replacement shall be at a location and by methods acceptable to the USACE, DFG, and Central Valley RWQCB, as determined during the Section 404, Section 1600, and Section 401 permitting processes.	*b. Obtain a verified wetland delineation from USACE*	*b. Project applicant*	*b. Prior to project approval*	*b. City of Sacramento Development Services Department and Sacramento LAFCo*
c. In conjunction with preparation and implementation of the giant garter snake mitigation described under Mitigation Measure 6.12-1, the project applicant shall prepare and submit a habitat mitigation and monitoring plan to USACE for the creation of jurisdictional waters at a mitigation ratio no less than 1:1 acres of created water of the United States, including wetlands, to each acre filled. The mitigation plans shall demonstrate how the USACE criteria for	*c. Prepare and submit a habitat mitigation and monitoring plan to USACE for the creation of jurisdictional waters at a mitigation ratio no less than 1:1 acres of created water of*	*c. Project applicant*	*c. Prior to issuance of any grading permits*	*c. City of Sacramento Development Services Department and Sacramento LAFCo*

Table 1
Mitigation Monitoring and Reporting Table

Summary of Measure	Action	Implementing Party	Timing	Monitoring Party
jurisdictional waters will be met through implementation. Wetland mitigation achieved through implementation of Mitigation Measure 6.12-1 can satisfy this mitigation measure if conducted in such a way that it meets both habitat function and the USACE criteria for creation of waters of the United States. The wetland creation section of the habitat mitigation and monitoring plan shall include the following: ► target areas for creation, ► a complete biological assessment of the existing resources on the target areas, ► specific creation and restoration plans for each target area, ► performance standards for success that will illustrate that the compensation ratios are met, and ► a monitoring plan including schedule and annual report format.	*the United States, including wetlands, to each acre filled*			
d. The project applicant shall secure the following permits and regulatory approvals, as necessary, and implement all permit conditions before implementation of any construction activities associated with the proposed project:				
1. Authorization for the fill of jurisdictional waters of the United States shall be secured prior to placing any fill in jurisdictional wetlands from the USACE through the CWA Section 404 permitting process. Timing for compliance with the specific conditions of the 404 permit shall be per conditions specified by the USACE as part of permit issuance. It is expected that the project would require an individual permit because wetland impacts would total more than 0.5 acre. In its final stage and once approved by the USACE, this mitigation plan is expected to detail proposed wetland restoration, enhancement, and/or replacement activities that would ensure no net loss of jurisdictional wetlands function and values in the project vicinity. As required by Section 404, approval and implementation of the wetland mitigation and monitoring plan shall ensure no net loss of jurisdictional waters of the United States, including jurisdictional wetlands. Mitigation for impacts to isolated wetlands shall be included in the same mitigation	*d(1). Secure authorization for the fill of jurisdictional waters of the United States*	*d(1). Project applicant*	*d(1). Prior to issuance of any grading permits*	*d(1). City of Sacramento Development Services Department and Sacramento LAFCo*

Table 1
Mitigation Monitoring and Reporting Table

Summary of Measure	Action	Implementing Party	Timing	Monitoring Party
plan. All mitigation requirements identified through this process shall be implemented before construction begins in any areas containing wetland features.				
2. Prior to construction in any areas containing wetland features, the project applicant shall obtain water quality certification pursuant to Section 401 of the Clean Water Act for the project. Any measures required as part of the issuance of water quality certification shall be implemented.	*d(2). Obtain water quality certification pursuant to Section 401 of the Clean Water Act*	*d(2). Project applicant*	*d(2). Prior to issuance of grading permits for areas where wetlands are present*	*d(2). City of Sacramento Development Services Department and Sacramento LAFCo*
3. The project applicant shall obtain a Streambed Alteration Agreement under Section 1600 et seq. of the California Fish & Game Code for impacts to Waters of the State as defined under Section 1602 of the California Fish & Game Code.	*d(3). Obtain a Streambed Alteration Agreement under Section 1600 et seq. of the California Fish & Game Code*	*d(3). Project applicant*	*d(3). Prior to issuance of grading permits for areas where wetlands are present*	*d(3). City of Sacramento Development Services Department and Sacramento LAFCo*
4. The project applicant shall file a report of waste discharge with the Central Valley RWQCB for activities affecting waters of the state. For other mitigation measures aimed at maintaining water quality, including obtaining National Pollutant Discharge Elimination System (NPDES) permits, see Mitigation Measure 6.10-1 in "Hydrology, Drainage and Water Quality."	*d(4). File a report of waste discharge with the Central Valley RWQCB for activities affecting waters of the state*	*d(4). Project applicant*	*d(4). Prior to issuance of grading permits for areas where wetlands are present*	*d(4). City of Sacramento Development Services Department and Sacramento LAFCo*
6.12-4: (City of Sacramento and LAFCo)				
a. Before the initiation of any ground-disturbing or vegetation-clearing activities, the project applicant shall retain a qualified botanist to conduct focused surveys in the project area for Delta tule pea and Sanford's arrowhead. The botanist shall conduct surveys for these special-status plant species at the appropriate time of year when the target species would be in flower, and therefore, clearly identifiable. Surveys shall be conducted following the approved DFG protocol for surveying for special-status plant species.	*a. Retain a qualified botanist to conduct focused surveys in the project area for Delta tule pea and Sanford's arrowhead*	*a. Project applicant*	*a. Prior to ground-disturbing or vegetation-clearing activities*	*a. City of Sacramento Development Services Department and Sacramento LAFCo*

Table 1
Mitigation Monitoring and Reporting Table

Summary of Measure	Action	Implementing Party	Timing	Monitoring Party
b. If no special-status plants are found during focused surveys, the botanist shall document the findings in a letter report to USFWS, DFG, and CNPS and no further mitigation shall be required.	*b. Document findings in letter report and submit to USFWS, DFG, and CNPS, if applicable*	*b. Project applicant*	*b. Prior to ground-disturbing or vegetation-clearing activities*	*b. City of Sacramento Development Services Department and Sacramento LAFCo*
c. If special-status plant populations are found, the project applicant shall consult with the DFG to determine the appropriate mitigation measures for any population that may be affected by the project. Mitigation measures may include creation of off-site populations on project mitigation sites, through seed collection or transplanting, preserving and enhancing existing populations, or restoring or creating suitable habitat in sufficient quantities to compensate for the impact.	*c. Consult with the DFG to determine the appropriate mitigation measures for any special-status plant populations that may be affected by the project*	*c. Project applicant*	*c. Prior to ground-disturbing or vegetation-clearing activities*	*c. City of Sacramento Development Services Department and Sacramento LAFCo*
6.12-5: (City of Sacramento and LAFCo)				
a. No more than 30 days and no less than 14 day prior to project site grading, a qualified biologist shall conduct focused surveys for burrowing owls in areas of suitable habitat on and within 300 feet of the project site. Surveys shall be conducted in accordance with DFG protocol (DFG 1995).	*a. Conduct focused surveys for burrowing owls*	*a. Project applicant*	*a. No more than 30 days prior to commencement of any grading activities*	*a. City of Sacramento Development Services Department and Sacramento LAFCo*
b. If no occupied burrows are found in the survey area, a letter report documenting survey methods and findings shall be submitted to DFG, and no further mitigation is necessary.	*b. Submit letter report documenting survey methods and findings to DFG if no occupied burrows are found*	*b. Project applicant*	*b. Prior to grading activities*	*b. City of Sacramento Development Services Department and Sacramento LAFCo*
c. If occupied burrows are found in the survey area, impacts shall be avoided by establishing a buffer of 165 feet during the non-breeding season (September 1 through January 31) or 300 feet during the breeding season (February 1 through August 31). The size of the buffer area may be adjusted if a qualified biologist and DFG determine it would not be likely to have adverse effects. No project activity shall commence within the buffer area until a qualified biologist confirms that the burrow is no longer occupied. If the	*c. Establish a buffer of 165 feet during the non-breeding season (September 1 through January 31) or 300 feet during the breeding season (February 1 through August 31), if occupied burrows are found in the survey area*	*c. Project applicant*	*c. Prior to commencement of grading activities within 300 feet of an occupied burrowing owl nest*	*c. City of Sacramento Development Services Department and Sacramento LAFCo*

Table 1
Mitigation Monitoring and Reporting Table

	Summary of Measure	Action	Implementing Party	Timing	Monitoring Party
	burrow is occupied by a nesting pair, a minimum of 6.5 acres of foraging habitat contiguous to the burrow shall be preserved until the breeding season is over.				
d.	If impacts to occupied burrows are unavoidable, on-site passive relocation techniques may be used if approved by DFG to encourage owls to move to alternative burrows outside of the impact area. However, no occupied burrows shall be disturbed during the nesting season unless a qualified biologist verifies through non-invasive methods that the burrow is no longer occupied. Foraging habitat for relocated pairs shall be provided in accordance with guidelines provided by DFG (1995). DFG guidelines recommend a minimum of 6.5 acres of foraging habitat per pair or unpaired resident bird, be acquired and permanently protected.	*d. Passively re-locate burrowing owls subject to DFG approval or prevent disturbance of occupied burrows during the nesting season unless a qualified biologist verifies through non-invasive methods that the burrow is no longer occupied*	*d. Project applicant*	*d. Prior to commencement of grading activities within 300 feet of an occupied burrowing owl nest*	*d. City of Sacramento Development Services Department and Sacramento LAFCo*
e.	If relocation of the owls is approved for the site by DFG, the developer shall hire a qualified biologist to prepare a plan for relocating the owls to a suitable site. The relocation plan must include: (a) the location of the nest and owls proposed for relocation; (b) the location of the proposed relocation-site; (c) the number of owls involved and the time of year when the relocation is proposed to take place; (d) the name and credentials of the biologist who will be retained to supervise the relocation; (e) the proposed method of capture and transport for the owls to the new site; (f) a description of the site preparations at the relocation-site (e.g., enhancement of existing burrows, creation of artificial burrows, one-time or long-term vegetation control, etc.); and (g) a description of efforts and funding support proposed to monitor the relocation. Relocation options may include passive relocation to another area of the site not subject to disturbance through one way doors on burrow openings, or construction of artificial burrows in accordance DFG guidelines.	*e. Hire a qualified biologist to prepare a plan for relocating the owls to a suitable site, if relocation of the owls is approved by DFG*	*e. Project applicant*	*e. Prior to commencement of grading activities within 300 feet of an occupied burrowing owl nest*	*e. City of Sacramento Development Services Department and Sacramento LAFCo*
f.	The project applicant shall implement Mitigation Measure 6.12-2 to mitigate for the loss of burrowing owl foraging habitat.	*f. See 6.12-2 above*	*f. See 6.12-2 above*	*f. See 6.12-2 above*	*f. See 6.12-2 above*

Table 1
Mitigation Monitoring and Reporting Table

Summary of Measure	Action	Implementing Party	Timing	Monitoring Party
6.12-6: (City of Sacramento and LAFCo) a. The project applicant shall implement Mitigation Measure 6.12-1.	*a. See Mitigation Measure 6.12-1*	*a. See Mitigation Measure 6.12-1*	*a. See Mitigation Measure 6.12-1*	*a. See Mitigation Measure 6.12-1*
b. Construction personnel shall participate in a worker environmental awareness program. Under this program, workers shall be informed about the potential presence of western pond turtles in the construction area, and shall be provided guidance on appropriate steps to take if a pond turtle is encountered during project construction.	*b. Conduct worker environmental awareness program*	*b. Project applicant*	*b. Prior to construction activities*	*b. City of Sacramento Development Services Department and Sacramento LAFCo*
c. Within 24 hours prior to commencement of construction activities, the site shall be inspected for turtles by a qualified biologist. The construction area shall be re-inspected whenever a lapse in construction activity of two weeks or greater has occurred.	*c. Inspect site for turtles*	*c. Project applicant*	*c. 24 hours prior to construction activities and when construction ceases for 2 weeks or more*	*c. City of Sacramento Development Services Department and Sacramento LAFCo*
d. If a turtle is encountered on the project site, any construction activity that could result in harm of the turtle shall immediately cease and shall not resume until the monitoring biologist has determined that the turtle has moved away from the construction-site on their own volition or a qualified biologist has moved the turtle to a safe location.	*d. Cease all construction activity immediately when a turtle is identified and could be harmed*	*d. Construction contractor*	*d. During construction activities*	*d. City of Sacramento Development Services Department and Sacramento LAFCo*
6.12-8: (City of Sacramento and LAFCo) If initiation of site grading is proposed during the loggerhead shrike nesting season (March 1 to July 31), a qualified biologist shall conduct a focused surveys for loggerhead shrikes in areas of suitable habitat on and within 300 feet of the project site. The survey shall be conducted no more than 30 days and no less than 14 days prior to the start of grading. If surveys identify an active loggerhead shrike nest in the survey area, the applicant shall install brightly colored construction fencing that establishes a boundary 100 feet from the active nest. No disturbance associated with the proposed project shall occur within the 100-foot fenced area during the nesting season of March 1 through July 31 or until a qualified biologist has determine that the young have fledged or that the nest is no longer occupied prior to disturbance of the nest site.	*Conduct a focused surveys for loggerhead shrikes in areas of suitable habitat on and within 300 feet of the project site, if initiation of site grading is proposed during the loggerhead shrike nesting season (March 1 to July 31)*	*Project applicant*	*Prior to grading activities*	*City of Sacramento Development Services Department and Sacramento LAFCo*

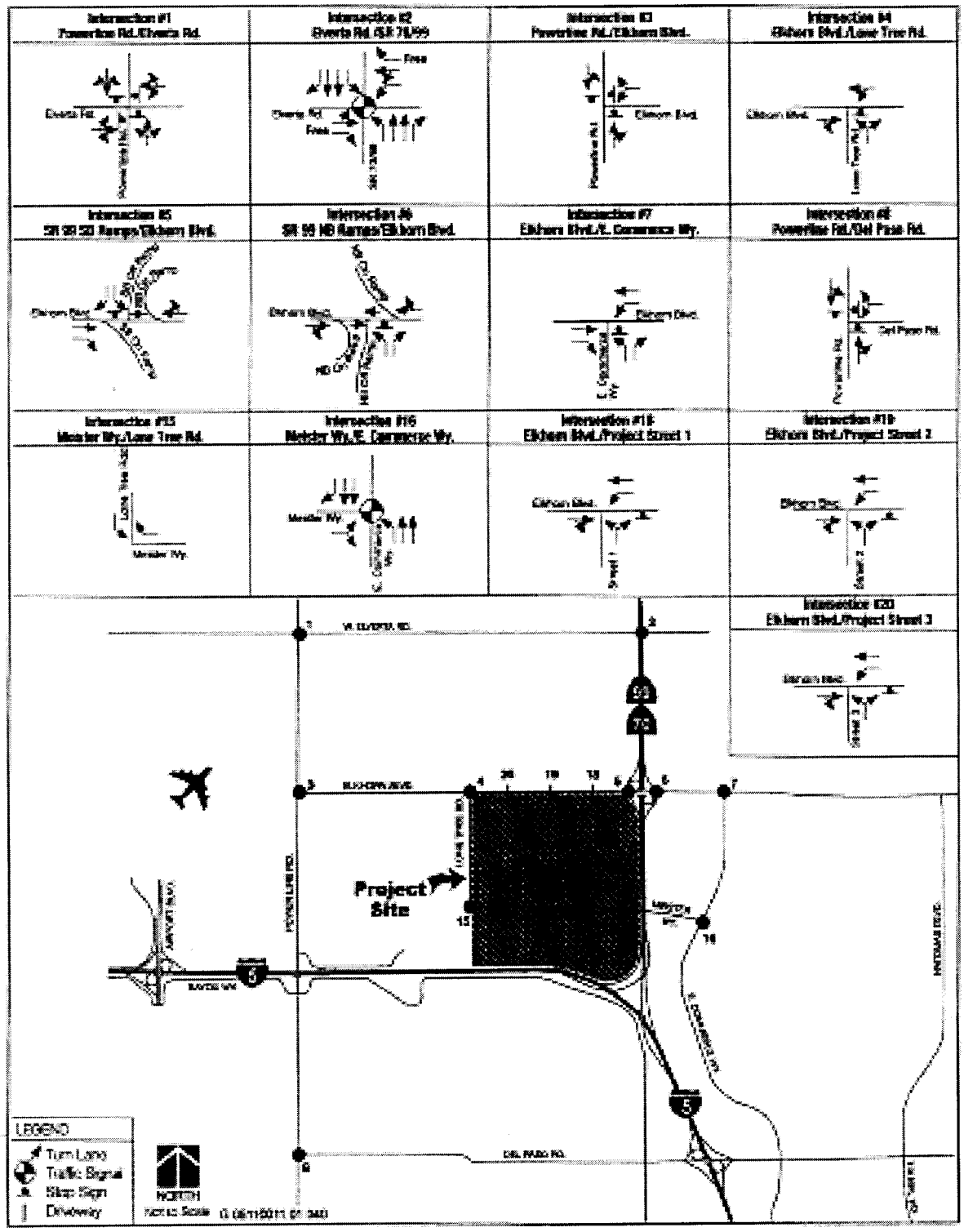
Table 1
Mitigation Monitoring and Reporting Table

Summary of Measure	Action	Implementing Party	Timing	Monitoring Party
6.13 Cultural Resources				
6.13-2: (City of Sacramento and LAFCo) If an inadvertent discovery of cultural materials (e.g., unusual amounts of shell, charcoal, animal bone, bottle glass, ceramics, burned soil, structure/building remains) is made during project-related construction activities, ground disturbances in the area of the find shall be halted and a qualified professional archaeologist shall be notified regarding the discovery. The archaeologist shall determine whether the resource is potentially significant as per CEQA and develop specific measures to ensure preservation of the resource. Specific measures for significant or potentially significant resources could include, but not necessarily be limited to in-field documentation, archival research, subsurface testing, and excavation. The specific type of measure necessary would be determined according to evidence indicating degrees of resource integrity, spatial and temporal extent, and cultural associations and would be conducted in a manner consistent with CEQA and the City's guidelines for preserving archaeological and cultural artifacts.	*Halt ground-disturbing activities if an inadvertent discovery of cultural materials is made. Notify qualified professional archaeologist*	*Construction contractor*	*During construction activities*	*City of Sacramento Development Services Department and Sacramento LAFCo*
6.13-3: (City of Sacramento and LAFCo) In accordance with the California Health and Safety Code, if human remains are uncovered during ground disturbing activities all such activities in the vicinity of the find shall be halted immediately and the City or the City's designated representative shall be notified. The City shall immediately notify the county coroner and a qualified professional archaeologist. The coroner is required to examine all discoveries of human remains within 48 hours of receiving notice of a discovery on private or state lands (Health and Safety Code Section 7050.5[b]). If the coroner determines that the remains are those of a Native American, he or she must contact the NAHC by phone within 24 hours of making that determination (Health and Safety Code Section 7050[c]). The responsibilities of the Agency for acting upon notification of a discovery of Native American human remains are identified in detail in the California Public Resources Code Section 5097.9. The City or their appointed representative and the professional archaeologist shall consult with a Most Likely Descendant (MLD) determined by the NAHC regarding the removal or preservation and avoidance of the remains and determine if additional burials could be present in the vicinity.	*Halt ground-disturbing activities if an inadvertent discovery of human remains is made. Notify City of Sacramento's designated representative*	*Construction contractor*	*During construction activities*	*City of Sacramento Development Services Department and Sacramento LAFCo*

Table 6.1-30
Baseline Peak-Hour Intersection Operating Conditions

ID	Intersections	Traffic Control	Average Delay* (Level of Service)			
			No Project		Plus Project (with the Meister Way- SR 70/99 Overpass)	
			AM	PM	AM	PM
1	Powerline Road and Elverta Road	All Way Stop	7.2 (A)	7.0 (A)	7.2 (A)	7.1 (A)
2	Elverta Road and SR 70/99	Signal	76.3 (E)	18.2 (B)	**86.1 (F)**	26.8 (C)
	With Mitigation				**36.8 (D)**	19.0 (B)
3	Powerline Road and Elkhorn Boulevard	All Way Stop	7.1 (A)	7.3 (A)	7.9 (A)	9.4 (A)
4	Elkhorn Boulevard and Lone Tree Road	One Way Stop	No Traffic on Lone Tree Road		**55.9 (F)**	**505 (F)**
	With Mitigation	Signal			6.3 (A)	32.3 (C)
5	SR 70/99 SB Ramps and Elkhorn Boulevard	One Way Stop	9.3 (A)	9.1 (A)	14.2 (B)	26.3 (D)
6	SR 70/99 NB Ramps and Elkhorn Boulevard	One Way Stop	13.2 (B)	**120+ 270 (F)**	**243 (F)**	**502 (F)**
	With Mitigation	Signal			25.3 (C)	26.2 (C)
7	Elkhorn Boulevard and E. Commerce Way	One Way Stop	**120+ 6,932 (F)**	**120+ 6,676 (F)**	6,943 (F)	6,711 (F)
	With Mitigation	Signal			9.5 (A)	34.4 (C)
8	Powerline Road and Del Paso Road	One Way Stop	9.1 (A)	9.0 (A)	9.1 (A)	9.2 (A)
16	Meiser Way And E. Commerce Way	Signal	No Meister Way overpass		8.1 (A)	23.0 (C)
18	Elkhorn Boulevard and Project Street 1	One Way Stop	No Project Traffic		**30.0 (D)**	**68.9 (F)**
	With Mitigation	Signal			8.5 (A)	8.2 (A)
19	Elkhorn Boulevard and project Street 2	One Way Stop	No Project Traffic		21.8 (C)	**36.3 (E)**
	With Mitigation	Signal			5.6 (A)	7.4 (A)
20	Elkhorn Boulevard and Project Street 3	One Way Stop (Full Access)	No Project Traffic		18.0 (C)	**30.0 (D)**
	With Mitigation	One Way Stop (Right in/Right out Access Only)			13.4 (B)	14.3 (B)

Notes: * Seconds per Vehicle, LOS = Level of Service, Bold = Unacceptable Intersection Operation



Source: TJKM 2006

Baseline Plus Project Lane Configurations (with the Meister Way – SR 70/99 Overpass) Exhibit 6.1-17

Table 6.3-8
City of Sacramento Maximum Acceptable Interior and Exterior Noise Level Standards for New Development without Mitigation

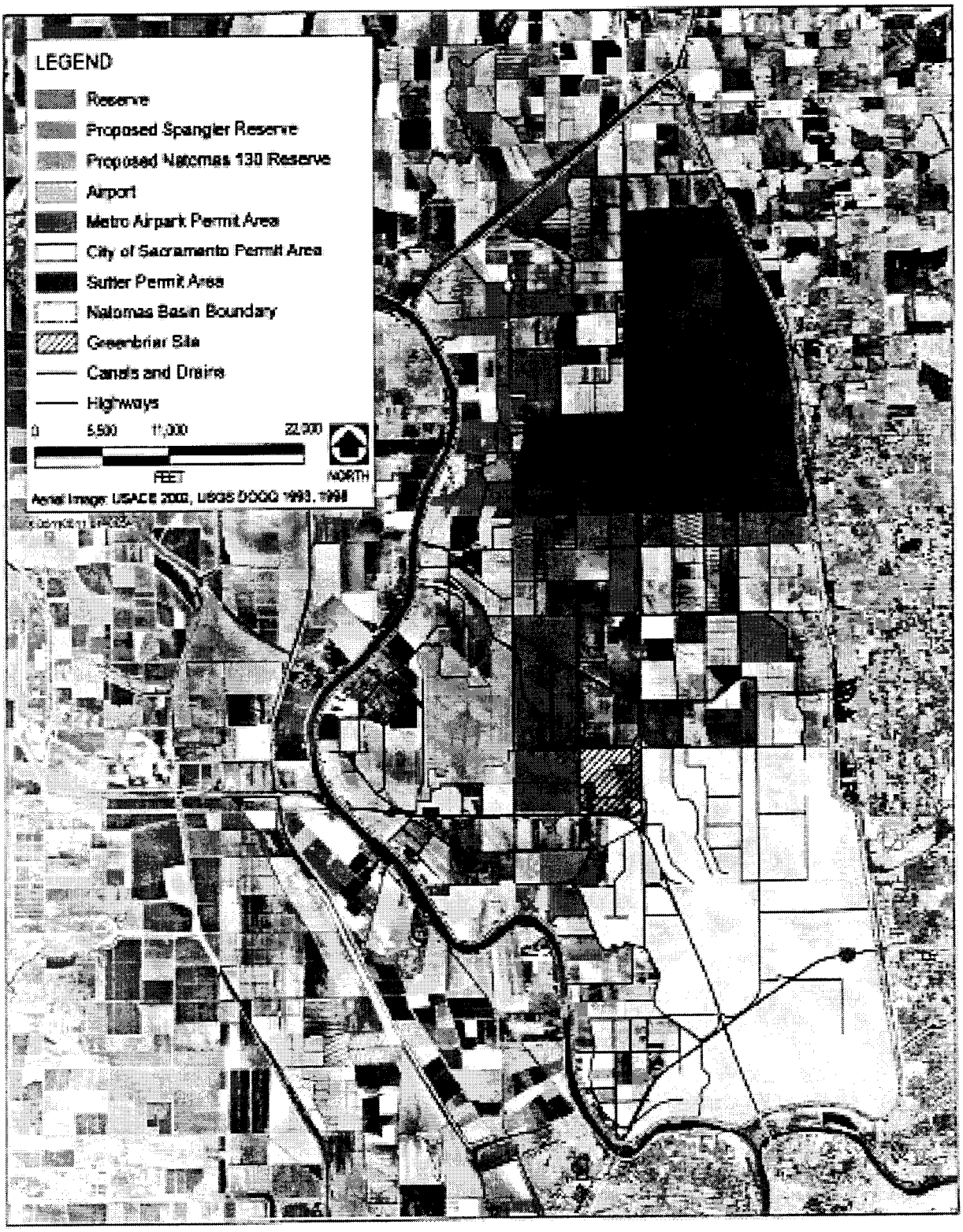
Noise Source	Land Use	Applicable Area		State Requirements [a]	Noise Element Requirements
		Interior	Exterior		
Traffic or fixed source (industrial, plants, etc.)	Single-family	X		None	$L_{dn} \leq 45$ dB [b]
	Single-family		X	None	$L_{dn} \leq 60$ dB in backyards
	Multi-family [c]	X		$L_{dn} \leq 45$ dB	$L_{dn} \leq 45$ dB
	Multi-family		X	None	$L_{dn} \leq 60$ dB in common outdoor use areas
	Schools	X		None	Noisiest hourly $L_{eq} \leq 40$ dB during school day
	Schools		X	None	$L_{dn} \leq 60$ dB
Aircraft	Single-family	X		None	$L_{dn} \leq 45$ dB and maximum instantaneous levels of ≤ 50 dB in bedrooms and ≤ 55 in other habitable rooms [b]
	Single-family		X	CNEL ≤ 65 dB (State Aeronautics Noise Standards) requirement does not apply to Mather and McClellan AFB	CNEL ≤ 60 dB for Sacramento International Airport CNEL ≤ 65 dB for all other areas
	Multi-family	X		$L_{dn} \leq 45$ dB	$L_{dn} \leq 45$ dB and maximum instantaneous levels of ≤ 50 dB in bedrooms and ≤ 55 in other habitable rooms [b]
	Multi-family		X	CNEL ≤ 65 dB (State Aeronautics Noise Standards) requirement does not apply to Mather and McClellan AFB	CNEL ≤ 60 dB for Sacramento International Airport CNEL ≤ 65 dB for all other areas
	Schools	X		None	Noisiest hourly $L_{eq} \leq 40$ dB during school day
	Schools		X	CNEL ≤ 65 dB (State Aeronautics Noise Standards) requirement does not apply to Mather and McClellan AFB	CNEL ≤ 60 dB for Metro Airport CNEL ≤ 65 dB for all other areas

[a] Projects for which U.S. Department of Housing and Urban Development (HUD) financing is requested are subject to HUD noise requirements. The noise element requirements listed in this table are at least as stringent as the HUD requirements.

[b] The requirement for interior noise exposure is triggered when the exterior L_{dn} exceeds 60 dB.

[c] Multi-family includes hotels, motels, apartment houses, and dwellings other than detached single-family dwellings as defined by Title 24, Part 2, California Administrative Code.

Source: City of Sacramento General Plan 1988



Source: EDAW 2006

Location of Greenbriar Project in Natomas Basin **Exhibit 6.12-4**

EDAW

Greenbriar
Open Space, Species and Agriculture: Project Impacts and Mitigation[1]

IMPACTS

Project Impacts

Impact to Open Space

577.0 acres (Total Project Acreage)
- 30.7 acres (Lone Tree Canal Corridor)[2]
- 27.5 acres (Freeway Buffers)[3]
- 26.9 acres (MAP Direct Impacts on Greenbriar, previously mitigated by MAP)[4]
491.9 acres

Impact to Species

577.0 acres (Total Project Acreage)
- 30.7 acres (Lone Tree Canal Corridor)[2]
- 51.2 acres (MAP Direct and Indirect Impacts on Greenbriar, previously mitigated by MAP)[4]
495.1 acres **

** Impact to Swainson's Hawk = 495.1 acres. Impact to GGS = 58.87 (55.56 permanent and 3.31 temporary; note GGS impacts include both aquatic and upland buffer)

MITIGATION

Open Space Mitigation

Lone Tree Canal Corridor		30.7[2]
Freeway Buffer		27.5
Detention Basin/Lake		37.9
Spangler		235.4
Tsakopoulos 65 (Cummings + Natomas 130)		65.0
West Lakeside Buffer		15.9
Unidentified Site as required by EIR (Within Natomas Basin and Consistent with 1994 Guidelines)		49.0
Unidentified Site (Within Natomas Basin), pursuant to County Board Of Supervisors action on November 27, 2007		30.5[5]
	Total	**491.9**

Mitigation Ratio[6]: 1:1

[1] All numbers are rounded to nearest tenth. Unless otherwise indicated, all numbers were obtained from the Environmental Impact Report and/or the Effects Analysis prepared for the Greenbriar project.
[2] This number was obtained from a GIS calculation produced by Wood Rodgers.
[3] This number was obtained from a GIS calculation produced by Wood Rodgers.
[4] This number was obtained from a GIS calculation produced by Wood Rodgers based on the Final EIS for the Metro Air Park Habitat Conservation Plan, prepared by the US Fish and Wildlife Service dated July 2001.
[5] This number was not identified in the Greenbriar EIR, however the applicant has since committed to providing this additional acreage.

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Total Species Habitat Mitigation [7]		
Lone Tree Canal Corridor		30.7 [2]
Spangler		235.4
Tsakopoulos 65 (Cummings + Natomas 130)		65.0
Unidentified Site as required by EIR (Within Natomas Basin and Consistent with 1994 Guidelines)		49.0
Unidentified Site (Within Natomas Basin)		30.5 [5]
	Total	**410.6**
Mitigation Ratio[8]**: 0.83:1**		
GGS Habitat Mitigation [7]		
Lone Tree Canal Corridor		30.7 [2]
Spangler		190.0
Tsakopoulos 65 (Cummings + Natomas 130)		14.4 [9]
	Total	**235.1**
Swainson's Hawk Habitat Mitigation [7]		
Lone Tree Canal Corridor		25.5 [10]
Spangler		100.6
Tsakopoulos 65 (Cummings + Natomas 130)		54.9 [11]
Unidentified Site as required by EIR (Within Natomas Basin and Consistent with 1994 Guidelines)		49.0
Unidentified Site (Within Natomas Basin)		30.5 [5]
	Total	**260.5**
Mitigation Ratio[12]**: 0.53:1** (consistent with 1994 Guidelines)		
Agricultural Land		
Spangler (Approx. 87% Prime Ag Land)		45.4 [13]
Tsakopoulos 65 (Approx. 81% Prime Ag Land)		47.7
Unidentified Site as required by EIR (Within Natomas Basin and Consistent with 1994 Guidelines)		49.0
Unidentified Site (Within Natomas Basin)		30.5 [5]
	Total	**172.6**

[6] To mitigate at ratios required by the Natomas Joint Vision MOU, project must provide open space mitigation lands at a ratio of 1:1, or 491.9 acres.

[7] The distribution between Swainson's hawk and GGS mitigation may change pending additional scientific review, further negotiations with the Wildlife Agencies, and preparation of an EIS.

[8] To mitigate at ratios required by the Natomas Basin HCP, the project must provide species mitigation at a ratio of 0.5:1, or 247.5 acres.

[9] Number represents 4.3 acres of upland and 10.1 acres of wetland/open water.

[10] Number represents the upland/dry portion of the Corridor.

[11] Number includes 1.8 acres of potential nesting habitat that is also present at this site; the 1.8 acres is not included in 0.5:1 mitigation ratio for Swainson's hawk foraging because it is not foraging habitat.

[12] To mitigate at ratios required by the Department of Fish and Game 1994 Guidelines, the project must provide managed hawk mitigation lands at a ratio of 0.3:1, or 247.7 acres.

[13] This number represents a small percentage of the Spangler site, because Spangler will be largely converted from rice to managed marsh for habitat mitigation.

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