

RESOLUTION NO. 2008-025

Adopted by the Redevelopment Agency
of the City of Sacramento

May 6, 2008

CERTIFYING THE COMPLETION OF THE FINAL ENVIRONMENTAL IMPACT REPORT FOR THE PROPOSED REDEVELOPMENT PLAN FOR THE RAILYARDS REDEVELOPMENT PROJECT AND THE PROPOSED SEVENTH AMENDMENT TO THE REDEVELOPMENT PLAN FOR THE RICHARDS BOULEVARD REDEVELOPMENT PROJECT; ADOPTING A STATEMENT OF FINDINGS, FACTS, AND OVERRIDING CONSIDERATIONS; AND ADOPTING A MITIGATION MONITORING PLAN

BACKGROUND

- A. The Redevelopment Agency of the City of Sacramento (the "Agency") has prepared a proposed Redevelopment Plan (the "Railyards Plan") for the Railyards Redevelopment Project (the "Railyards Project") and a proposed Seventh Amendment (the "Richards Amendment") to the Redevelopment Plan (the "Richards Plan") for the Richards Boulevard Redevelopment Project (the "Richards Project") in accordance with the provisions of the Community Redevelopment Law of the State of California (Health and Safety Code Section 33000 *et seq.*, the "CRL").
- B. As the Lead Agency, the Agency has prepared an Environmental Impact Report (the "EIR") on the proposed Railyards Plan and Richards Amendment pursuant to the California Environmental Quality Act (Public Resources Code Section 21000 *et seq.*, hereinafter referred to as "CEQA"), the Guidelines for Implementation of the California Environmental Quality Act (14 California Code of Regulations Section 15000 *et seq.*, hereinafter referred to as the "State CEQA Guidelines") and procedures adopted by the Agency relating to environmental evaluation.
- C. On October 25, 2007, the Agency filed a Notice of Preparation of the Draft EIR with the State Clearinghouse and transmitted the Notice of Preparation to local agencies soliciting comments on the probable effects of the adoption of the Richards Amendment and the Railyards Plan (together, the "Project") and scope of the EIR in compliance with CEQA and the State CEQA Guidelines.
- D. In accordance with CEQA and the State CEQA Guidelines, a Notice of Completion and copies of the Draft EIR were distributed to the State Clearinghouse for distribution to those state agencies which have discretionary approval or jurisdiction by law over natural resources affected by the Project and were provided to other interested persons and agencies, including the affected taxing entities. The comments of such persons and agencies were sought. An official forty-five (45) day review period was established by the State

Clearinghouse, beginning on January 22, 2008, and ending on March 7, 2008.

- E. A Notice of Availability of the Draft EIR was distributed to all responsible and trustee agencies and interested groups, organizations, and individuals on January 22, 2008. The Notice of Availability stated that the Agency had completed the Draft EIR and that copies were available at the Downtown Development Group, 1030 15th Street, Suite 250, Sacramento, California 95814. The letter also indicated that the forty-five (45) day public review period for the Draft EIR would end on March 7, 2008.
- G. A public notice was placed in the Sacramento Bee on January 22, 2008, that stated that the Richards Boulevard Redevelopment Plan Amendment and the Railyards Redevelopment Plan Draft EIR was available for public review and comment and that the forty-five (45) day public review period would end on March 7, 2008.
- H. A public notice was posted with the Sacramento County Clerk/Recorder's Office on January 22, 2008, that stated that the Richards Boulevard Redevelopment Plan Amendment and the Railyards Redevelopment Plan Draft EIR was available for public review and comment and that the forty-five (45) day public review period would end on March 7, 2008.
- I. Following closure of the public comment period, the Draft EIR was revised to incorporate comments received and the Agency's responses to said comments, including additional information included in the Final EIR.
- J. The Final EIR consists of the Draft EIR, as revised and supplemented to incorporate all comments received and the responses of the Agency thereto, and is part of the Agency's Report to the City Council on the proposed Richards Amendment and Railyards Plan.

BASED ON THE FACTS SET FORTH IN THE BACKGROUND, THE REDEVELOPMENT AGENCY OF THE CITY OF SACRAMENTO RESOLVES AS FOLLOWS:

- Section 1. The Agency hereby certifies that the Final EIR for the Project is adequate and has been completed in compliance with CEQA, the State CEQA Guidelines, and local procedures adopted by the Agency pursuant thereto and that the Agency has reviewed and considered the information contained in the Final EIR prior to adopting this resolution. The Agency hereby finds that the Final EIR reflects the independent judgment of the Agency.
- Section 2. The Agency hereby adopts the Statement of Findings, Facts, and Overriding Considerations relating to the environmental impacts of the Project as set forth in Exhibit A attached hereto and incorporated herein by this reference (including, without limitation, the mitigation measures set forth therein). Based upon such Statement of Findings, Facts, and Overriding Considerations, the Agency hereby finds that all significant environmental effects have been eliminated or substantially lessened except for the following unavoidable adverse impacts:
 - Air Quality and Microclimate, Impact 5.2-3: Redevelopment could result in long-term operational increases in regional criteria pollutants.

- Cultural and Historic Resources, Impact 5.4-3: Redevelopment projects and redevelopment engendered development could result in the potential removal or destruction of historic resources.
- Cultural and Historic Resources, Impact 5.4-5 (Cumulative Impact): Redevelopment projects and redevelopment engendered development could contribute to the cumulative loss or alteration of historical resources.
- Noise and Vibration, Impact 5.7-1: Redevelopment engendered development would cause construction noise at sensitive receptors.
- Noise and Vibration, Impact 5.7-3: Redevelopment engendered development could permanently expose existing sensitive receptors to increased traffic and rail noise levels on an ongoing basis.
- Noise and Vibration, Impact 5.7-7 (Cumulative Impact): Redevelopment engendered development would contribute to cumulative increases in traffic and rail noise levels.
- Transportation and Circulation, Impact 5.9-1: Redevelopment would assist in roadway infrastructure construction and remove barriers to Initial Phase development of the Railyards Specific Plan under Baseline plus Initial Phase conditions.
- Transportation and Circulation, Impact 5.9-2: Redevelopment would assist in roadway infrastructure construction and remove barriers to Initial Phase development of the Railyards Specific Plan under Near Term (2013) conditions.
- Transportation and Circulation, Impact 5.9-3: Redevelopment would assist in roadway infrastructure construction and remove barriers to Initial Phase development of the Railyards Specific Plan under Long Term (2030) conditions.
- Transportation and Circulation, Impact 5.9-4: Redevelopment would assist in roadway infrastructure construction and remove barriers to build-out of the Project Areas under Long Term (2030) conditions.

Based upon the foregoing, the Agency finds and determines that the adoption of the Project will have a significant effect upon the environment, but that the benefits of the Project outweigh the unavoidable adverse impacts for the reasons set forth in the Statement of Findings, Facts, and Overriding Considerations, in particular, VIII of Exhibit A.

Section 3. The Agency hereby adopts the Mitigation Monitoring Plan set forth in Exhibit B attached hereto and incorporated herein by this reference.

Section 4. Upon approval and adoption of the Richards Amendment and the Railyards Plan by the City Council, the Secretary is hereby directed to file a Notice of Determination pursuant to the provisions of Section 21152 of CEQA and Section 15094 of the State CEQA Guidelines.

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Exhibit B: Mitigation Monitoring Plan

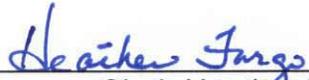
Adopted by the Redevelopment Agency of the City of Sacramento on May 6, 2008 by the following vote:

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

Noes: None.

Abstain: None.

Absent: Councilmember Hammond.



Chair Heather Fargo

Attest:



Shirley Concolino, Secretary

Exhibit A

**STATEMENT OF FINDINGS, FACTS
AND OVERRIDING CONSIDERATIONS**

FOR

**RICHARDS BOULEVARD
REDEVELOPMENT PLAN SEVENTH AMENDMENT
AND THE RAILYARDS REDEVELOPMENT PLAN
SACRAMENTO, CALIFORNIA**

(State Clearinghouse Number 2007102112)

Prepared By:

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

April 2008

**STATEMENT OF FINDINGS, FACTS AND OVERRIDING CONSIDERATIONS
CONCERNING THE FINAL ENVIRONMENTAL IMPACT REPORT FOR THE
RICHARDS BOULEVARD REDEVELOPMENT PLAN SEVENTH AMENDMENT
AND THE RAILYARDS REDEVELOPMENT PLAN**

I. PROJECT DESCRIPTION AND BACKGROUND

The Environmental Impact Report (EIR) for the Richards Boulevard Redevelopment Plan Amendment and the Railyards Redevelopment Plan (Project), prepared in compliance with the California Environmental Quality Act, evaluates the potentially significant and significant adverse environmental impacts that could result from adoption of the Project or alternatives to the Project.

The proposed Project is the adoption of a Seventh Amendment to the Richards Boulevard Redevelopment Plan (Richards Plan), and the adoption of a new Railyards Redevelopment Plan (Railyards Plan). The Railyards portion of the existing Richards Boulevard Project Area will be deleted from the Richards Boulevard Project Area and established as a separate redevelopment project area (Railyards Project Area). A new Redevelopment Plan will be adopted for the Railyards Redevelopment Project Area. The Richards Boulevard Redevelopment Project Area will be amended to reflect the boundary change and rename the amended project area as the River District Redevelopment Project Area (River District Project Area).

The River District Project Area would consist of approximately 1,068 acres located south of the American River, east of the Sacramento River, and just north of the Central City and the proposed Railyards Project Area, discussed below. The proposed Railyards Project Area would consist of approximately 298 acres, generally bounded by the Sacramento River on the west, North B Street on the north, and I street on the south; the eastern boundary varies between 7th Street and 12th Street. The proposed Project would not expand the land area subject to redevelopment. An approximately 2-acre parcel on the northwest corner of the Federal Courthouse Building at 5th and I Streets would be permanently removed, from any redevelopment area. This de minimis change in the Railyards Project Area does not affect the analysis of environmental impacts presented in the EIR, as the recently-built Federal Courthouse would not have been redeveloped under the existing Richards Boulevard Redevelopment Plan, nor will its use likely change during the life of the proposed Railyards Plan. The Agency would not receive any tax increment from this government-owned property, and it would not be eligible for redevelopment funds.

The principal purposes to be accomplished by establishing the Railyards Project Area as a separate and distinct redevelopment project are 1) To enable the Railyards Project Area to be developed and to provide support and assistance to that development as feasible, necessary and appropriate and 2) To protect the remainder of the River District Project Area from the costs and other development constraints particularly affecting the Railyards Project Area.

The Richards Plan currently authorizes, and the new Railyards Plan will authorize, the following programs and activities:

- Participation in the redevelopment process by owners and occupants of properties located in the project areas, consistent with the Plans and rules adopted by the Agency
- Acquisition of real property by the Agency
- Management of property under the ownership and control of the Agency
- Relocation assistance to displaced occupants of property acquired by the Agency in the project areas
- Demolition or removal of buildings and improvements in the Project Areas
- Installation, construction, expansion, addition, or reconstruction of streets, utilities, and other public facilities and improvements
- Disposition of property by the Agency for uses in accordance with the Plans
- Redevelopment of land by private enterprise and public agencies for uses in accordance with the Plans
- Rehabilitation of structures and improvements by present owners, their successors, and the Agency
- Rehabilitation, development, or construction of low- and moderate-income housing within the Project Areas and/or the City
- Providing for the retention of controls and establishment of restrictions or covenants running with the land so that property will continue to be used in accordance with the Plans.

The proposed Amendment to the Richards Plan does not change any of the Plan's established purposes or goals. And the proposed new Railyards Plan will include purposes and goals similar to those in the Richards Plan. A new Implementation Plan will be adopted for each of the Project Areas that outlines the projects and programs identified for that Project Area.

Permitted land uses in the Project Areas are the land uses designated in the Sacramento City General Plan (General Plan), Central City Community Plan (CCCP), Richards Boulevard Area Plan (RBAP), and Railyards Specific Plan (RSP), or any other land use plan that may be adopted by the City at any point in time. The Sacramento City General Plan governs development standards for the Project Areas, both currently and as amended over time.

The following information is incorporated by reference and made part of the record supporting these findings:

- A. The Draft and Final EIR and all documents relied upon or incorporated by reference including:

1. *Amended and Restated Preliminary Plan for the Richards Boulevard Redevelopment Project, Redevelopment Agency of the City of Sacramento, July 26, 2007.*
2. *Blueprint Preferred Scenario for 2050, Sacramento Area Council of Governments, December 2004.*
3. *Central City Community Plan, City of Sacramento, adopted May 15, 1980, reflecting City Council amendments through December 2007.*
4. *City of Sacramento General Plan, City of Sacramento, updated and adopted January 1988, as revised by City Council in 2000 and 2003.*
5. *City of Sacramento General Plan Update Draft and Final Environmental Impact Report, City of Sacramento, Draft EIR dated March 2, 1987, and Final EIR dated September 30, 1987.*
6. *City of Sacramento General Plan Update Technical Background Report, City of Sacramento Development Services Department, June 2005.*
7. *City of Sacramento Municipal Code, current through Ordinance 2007-077 and the November 2007 code supplement, City of Sacramento, retrieved from <http://ordlink.com/codes/sacramento/index.htm>, accessed January 7, 2008.*
8. *Findings of Fact and Statement of Overriding Considerations for the Adoption of the Sacramento General Plan Update, City of Sacramento, 1988 and all updates.*
9. *Historic Preservation Chapter of the City Code, Title 17, Chapter 17.134, City of Sacramento, current through Ordinance 2007-049 and the code alert page, City of Sacramento, <http://www.qcode.us/codes/sacramento/>.*
10. *Preliminary Plan for the Railyards Redevelopment Project, Redevelopment Agency of the City of Sacramento, July 26, 2007.*
11. *Preservation Element of the City's General Plan, City of Sacramento, adopted April 25, 2000.*
12. *Railyards Specific Plan Amendment EIR, City of Sacramento, Draft EIR dated August 2007, and Final EIR dated November 2007.*
13. *Railyards Specific Plan/Richards Boulevard Area Plan EIR, City of Sacramento, Draft dated June 10, 1992; Draft Supplement dated June 10, 1994, and Final EIR dated October 1994.*
14. *Railyards Specific Plan/Richards Boulevard Area Plan Mitigation Monitoring Plan, City of Sacramento, December 13, 1994.*
15. *Richards Boulevard Redevelopment Plan Environmental Impact Report, Draft dated March 14, 1990, Final dated June 1990.*
16. *Richards Boulevard Redevelopment Plan 3rd Amendment Mitigated Negative Declaration, City of Sacramento, Downtown Development Group, July 16, 2004.*
17. *Richards Boulevard 2005-2009 Implementation Plan, Redevelopment Agency of the City of Sacramento, 2005.*

18. *Sacramento Railyards Specific Plan, Public Review Draft, City of Sacramento, November 1, 2007.*
 19. *Sacramento Register, City of Sacramento Listing of Landmarks, Historic Districts, and Contributing Resources, updated February 2007.*
 20. *Sacramento Urban Design Plan, Central Business District Urban Design Framework Plan, Sacramento Housing and Redevelopment Agency, adopted February 18, 1987.*
- B. The Mitigation Monitoring Plan dated April 2008 as contained in the Final EIR for the Project.
 - C. Testimony, documentary evidence and all correspondence submitted or delivered to the Agency/City in connection with the Agency/City hearing on this project and associated EIR.
 - D. All staff reports, memoranda, maps, letters, minutes of meetings, and other documents relied upon or prepared by Agency/City staff relating to the project including but not limited to City of Sacramento General Plan and the Draft and Final Environmental Impact Report for the City of Sacramento General Plan Update.

II. Findings Concerning Significant Impacts That Can Be Avoided

Finding

As authorized by Public Resources Code Section 21081 and Title 14, California Code of Regulations Sections 15091, 15092, and 15093, the Agency/City Council finds that changes or alterations have been required in, or incorporated into, the Project which avoid or substantially lessen to a level of insignificance the significant or potentially significant environmental impacts listed below, as identified in the EIR.

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

- 1) Impact 5.2-14: *Redevelopment-engendered construction and development could contribute to global climate change.***
(DEIR pages 5.2-44 through 5.2-47).

a. Potentially Significant Impact

Redevelopment is primarily a mechanism to engender and facilitate new development in blighted areas, and can itself reduce an area's greenhouse gas (GHG) emissions through the recycling of older, less efficient buildings into new development that can incorporate new and future technologies to reduce GHG emissions. Though the proposed Project encourages efficient, high density development that will likely decrease GHG emissions on a normalized scale, the overall cumulative effect of

development in the area, left unmitigated, has the potential to result in cumulatively considerable GHG emissions.

b. Facts in Support of Finding

Redevelopment would occur in the context of City plans and initiatives to address deteriorating air quality and GHG emissions, including:

- Smart Growth Principles, incorporated into the Sacramento General Plan in 2001, which discourage urban sprawl and promote infill development, reduce vehicle emissions, and improve air quality.
- The Infill Program, which offers incentives to help achieve infill development goals.
- The Sacramento Sustainability Master Plan, based on the United Nations Environmental Accords, will integrate environmentally sustainable practices into City policies, procedures, and operations.
- A forthcoming City Building Ordinance which will adopt the LEED Green Building Rating System Silver certification standards for new buildings in Sacramento.

The Agency anticipates that various energy conservation measures, related to architectural items, mechanical and plumbing systems, electrical systems, and landscaping and irrigation, will be included in individual building designs as feasible and appropriate, consistent with City policies and ordinances.

Compliance with federal and state programs will also help to reduce the production of GHGs throughout the City, including new development in the Project Areas. For instance, California Energy Commission energy efficiency standards for buildings, appliance energy efficiency standards, diesel-engine idling restrictions, use of E6 fuel, and vehicle emission standards are directly and indirectly applicable to development in the Project Areas.

Redevelopment engendered construction and development would also comply with all feasible and applicable measures described in the 2006 California Climate Action Taskforce (CAT) Report, and the draft 2007 CAT Report, on Proposed Early Action to Mitigate Climate Change in California. Applicable measures from the CAT Report address solid waste and recycling, efficient water use, green building, solar roof and panel installations, idling diesel engines, and urban forestry.

Attorney General Strategies applicable to redevelopment in the Project Areas include alternative fuels, transportation emissions reduction, diesel anti-idling, solid waste reduction, water use efficiency, energy efficiency and renewable energy standards, lighting efficiency standards, and smart land use and intelligent transportation systems.

The City has incorporated many effective mitigation measures in the RSP Draft EIR, which applies to the majority of future development in the Railyards Project Area.

Inclusion of similar measures in the revision of the RBAP currently underway will effectively mitigate GHG emissions from future development in the River District Project Area.

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

- 5.2-14a The City of Sacramento shall incorporate GHG reduction measures into the revision of the RBAP to reduce GHG emissions from electricity use, natural gas combustion, solid waste, and trip generation, consistent with the CAT and Attorney General's strategies, as outlined in Table 5.2-6 of the Final EIR.
- 5.2-14b The Agency shall provide development incentives for constructing LEED Silver or better buildings, and meeting other strategies outlined in the Final EIR.

2) Impact 5.7-2: *Redevelopment engendered development could permanently expose future sensitive receptors to traffic, rail, and industrial noise levels on an ongoing basis.*
(DEIR pages 5.7-21 through 5.7-23).

a. *Potentially Significant Impact*

Redevelopment engendered development could result in impacts related to exposure of future sensitive receptors to traffic noise from local and interstate traffic noise sources, and rail noise associated with freight, passenger rail, and light rail services. Redevelopment engendered development would also contribute to traffic volumes along area roadways, which would result in increases in traffic noise levels at existing sensitive receptors. New residential development consistent with adopted land use plans may also be constructed near existing industrial facilities, such as the Sims recycling facility in the River District Project Area, which generate noise levels that may affect future residential development.

b. *Facts in Support of Finding*

The City of Sacramento's exterior noise standard for common outdoor areas at residential uses is 60 dB L_{dn}. Noise from existing traffic, rail, and industrial sources in the Project Areas already exceeds this level at certain ranges and future development in the Project Areas, consistent with land use plans, could locate sensitive receptors in proximity to these sources such that the exterior noise standard is exceeded for those receptors.

Existing noise levels in the Project Areas associated with I-5 and the Union Pacific Railroad rail alignment typically exceed 60 dB L_{dn} at distances of 150 to 500 feet from these sources. Some existing industrial noise generators also currently exceed 60 dB

L_{dn}. Existing industrial sources are eligible for a variance from the exterior noise standard for their existing operations and under such a variance would be able to continue to emit noise at the same level, despite their proximity to new sensitive receptors. Future residential construction, however, will be required to meet the City's standards for interior noise levels, such that interior noise will be reduced to acceptable ranges, despite proximity to these traffic, rail, and industrial sources. Multi-family residential uses in the Project Areas would not have outdoor residential spaces that would be exposed to exterior noise levels above 60 L_{dn}. Shielded exterior recreation areas would be provided for common use where feasible. Nevertheless, existing industrial noise could be perceived as an ongoing nuisance and affect enjoyment of unshielded outdoor areas. This potentially significant effect will be reduced to a less-than-significant level with the implementation of the following mitigation measure:

5.7-2 Future buyers and tenants of residential properties located within 1000 feet of an existing industrial use shall be notified that such industrial uses may generate noise levels that are audible and may approach or exceed the City of Sacramento noise ordinance standards. A signed acknowledgement of such notification shall be included with the real estate transaction.

3) Impact 5.7-4: Redevelopment engendered development could expose sensitive receptors in the Project Areas to noise produced by on-site stationary sources.
(DEIR page 5.7-25)

a. Significant Impact

Ongoing operation of new development in the Project Areas would introduce new stationary sources such as heating, ventilation and air conditioning (HVAC) equipment, garbage pickup activity, and truck activity at residential and commercial building loading docks. Due to the possibility of stationary source noise exceeding the standards established by the Sacramento Municipal Code at nearby residential and other noise-sensitive uses, future operational stationary noise sources would be considered to have a significant impact.

b. Facts in Support of Finding

The type and the size of HVAC systems installed to service future residential, commercial, and industrial buildings within the redeveloped areas will not be known until building permit applications are submitted to the City. The potential for noise impacts from such equipment will also depend on their proximity to noise-sensitive uses, existing or proposed at the time these buildings are under development. For these reasons, the City Planning Director will evaluate the potential for noise impacts from on-site stationary sources prior to issuing building permits, to ensure that stationary source equipment design will control noise generated from any new stationary source to at least 10 dBA below existing ambient levels.

The Agency shall ensure that the following mitigation measures are implemented for all redevelopment projects in the Project Areas to reduce the significant effect listed above to a less-than-significant level:

- 5.7-4a Prior to the issuance of building permits, the applicant shall submit engineering and acoustical specifications for project mechanical HVAC equipment to the Planning Director demonstrating that the equipment design (types, location, enclosure, specifications) will control noise from the equipment to at least 10 dBA below existing ambient levels at nearby residential and other noise-sensitive land uses.
- 5.7-4b Noise generating stationary equipment associated with proposed commercial and/or office uses, including portable generators, compressors, and compactors, shall be enclosed or acoustically shielded to reduce noise-related impacts to noise-sensitive residential uses.

4) Impact 5.7-5: Construction of redevelopment engendered development could temporarily increase levels of groundborne vibration.
(DEIR pages 5.7-26 through 5.7-27)

a. Significant Impact

Construction activities can generate ground-borne vibrations. These vibrations can pose a risk to nearby structures. Constant or transient vibrations can weaken structures, crack facades, and disturb occupants.

b. Facts in Support of Finding

The groundborne vibrations from pile driving associated with redevelopment engendered development is anticipated to exceed the City's threshold for structural damage, 0.5 inches per second. Therefore, the City will work to prevent potential structural damage wherever possible, by requiring pre-drilling pile holes and protective coverings or temporary shoring for historic structures. Where damage does nevertheless occur, construction will only proceed under vibration limits established by a qualified engineer, and all damage will be repaired. The contractor responsible for any given redevelopment project shall ensure that the following measures are implemented during all phases of project construction, to reduce this potentially significant effect to a less-than-significant level:

- 5.7-5a Pile holes will be pre-drilled to the maximum feasible depth. This will reduce the number of blows required to seat the pile, and will concentrate the pile driving activity closer to the ground where noise can be attenuated more effectively by the construction/noise barrier.

- 5.7-5b Provide protective coverings or temporary shoring of on-site or adjacent historic features as necessary, in consultation with the City's Preservation Director.
- 5.7-5c The pre-existing condition of all buildings within a 50-foot radius will be recorded in order to evaluate damage from construction activities. Fixtures and finishes within a 50-foot radius of construction activities susceptible to damage will be documented (photographically and in writing) prior to construction. All damage will be repaired back to its pre-existing condition.
- 5.7-5d If fire sprinkler failures are reported in surrounding buildings to the disturbance coordinator, the contractor shall provide monitoring during construction and repairs to sprinkler systems shall be provided.
- 5.7-5e Should damage occur despite the above mitigation measures, construction operations shall be halted and the problem activity shall be identified. A qualified engineer shall establish vibration limits based on soil conditions and the types of buildings in the immediate area. The contractor shall monitor the buildings throughout the remaining construction period and follow all recommendations of the qualified engineer to repair any damage that has occurred to the pre-existing state, and to avoid any further structural damage.

5) Impact 5.7-6: Redevelopment engendered development could expose new receptors to vibration on an ongoing basis.
 (DEIR pages 5.7-27 through 5.7-28)

a. Significant Impact

Based on a vibration analysis that screened areas for potential vibration impacts, there are areas within each Project Area that may be subjected to disruptive levels of vibration from rail, light rail transit, and highway sources.

b. Facts in Support of Finding

Future light rail alignment and use of heavy rail lines will potentially impact residential and hotel uses. It is expected that museum and exhibit space and a performing arts facility will be located within the zone of potential vibration impact from the realigned Union Pacific Railroad tracks. Buildings will not be located within the zone of impact for I-5 traffic, however.

Actual vibration levels in areas of potential vibration impact will depend on uses, building design, site layout, construction techniques, the relocated rail alignment, construction methods for the relocated tracks, and other factors. As redevelopment will occur over a 30-year time span, details on each of these factors are currently unknown.

During the design phase of individual redevelopment projects, subsequent evaluation will be needed in the areas of potential impact identified by the screening analysis, to determine the extent of vibration impacts and appropriate methods for minimizing vibration.

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

- 5.7-6a The City shall work with Regional Transit to identify methods of vibration reduction that could be implemented during light rail track construction for the proposed Downtown-Natomas-Airport light rail line. Such methods could include, but would not be limited to:
- Soil densification under the tracks
 - Use of deep piles under the track bed
 - Use of tire derived aggregate below the track bed
 - Floating slab tracks
 - Use of a resiliently supported fastener system
 - Installation of a ballast mat beneath the track
- 5.7-6b A certified vibration consultant shall prepare a site-specific vibration analysis for redevelopment projects with residential uses and historic structures that are within the screening distance for freight and passenger trains or light rail trains. The analysis shall detail how the vibration levels at these receptors would meet the applicable vibration standards to avoid potential structural damage and annoyance. The results of the analysis shall be incorporated into project design.

III. Findings Concerning Significant Impacts That Cannot Be Avoided

Finding

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

6) Impact 5.2-3: Redevelopment could result in long-term operational increases in regional criteria pollutants.
(DEIR pages 5.2-35 through 5.2-37)

a. Significant Impact

Redevelopment would remove barriers to growth in the Project Areas. Development consistent with full and effective use of the land under applicable Plans would generate an increase in criteria pollutants from new residential, commercial, and recreational land uses. Sacramento County is in nonattainment for ozone under both federal and state standards. The RSP/RBAP EIR and the RSP EIR determined that operational emissions resulting from build-out in the Project Areas would exceed the Sacramento Metropolitan Air Quality Control Board (SMAQMD) thresholds of 65 lbs/day for two key ozone precursors, ROG and NOx.

b. Facts in Support of Finding

Mobile sources, non-permitted stationary sources, and permitted stationary sources of emissions were considered when evaluating the potential for the Project to cause an increase in criteria pollutants, particularly ozone and ozone precursors.

For permitted stationary sources, the SMAQMD will require that new equipment meet the lowest achievable emission rate for that equipment class. As for mobile sources, commuting and on-site motor vehicles represent the greatest proportion of emission sources in the Project Areas.

As new development is proposed in the Project Areas over time, site-specific potential air quality impacts will be assessed and mitigated to the extent feasible at the project level, per SMAQMD requirements. Mixed use, transit-oriented project design will go towards meeting SMAQMD's requisite 15 percent reduction in ozone precursor emissions for any given project. RSP EIR MM 6.1-3 provides additional emission reduction strategies, outlined in detail in the Air Quality Management Plan adopted by the City and endorsed by SMAQMD. Implementing all of the proposed emission reduction measures of MM 6.1-3 would result in a 35.65 percent reduction in emissions. However, this decrease will not reduce operational impacts to a level below the SMAQMD threshold of significance, since most emissions associated with RSP build-out are the result of vehicle trips. There are no other feasible mitigation measures available, and no mitigation measures beyond those adopted for development within the RBAP and RSP are available for this Project.

7) Impact 5.4-3: Redevelopment projects and redevelopment engendered development could result in the potential removal or destruction of historic resources.
(DEIR pages 5.4-40 through 5.4-41)

a. Significant Impact

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

b. Facts in Support of Finding

Under the standards of significance for cultural and historic resources, a significant impact would occur if the Project could cause a substantial change in the significance of an historical resource or archaeological resource. Compliance with measures in the RBAP, RSP, and the City's Preservation Element and Preservation Ordinance will help preserve and protect historic resources in the Project Areas, but any loss of a listed or eligible building, or character defining features of a listed or eligible building would nevertheless be a significant impact.

The goals of the Preservation Element of the Sacramento General Plan include (1) to establish and maintain a comprehensive citywide preservation program, (2) to foster public awareness and appreciation of the City's heritage and its historic and cultural resources, and (3) to identify and protect archaeological resources that enrich the City's understanding of the early Sacramento area. The Preservation Element requires that the City regard demolition of historic resources as a last resort, to be permitted only after the City determines that the resources retain no reasonable economic use, that demolition is necessary to protect health, safety, welfare, or that demolition is necessary to proceed with a new project where the benefits of the new project outweigh the loss of the historic resource. (Goal B.8.)

The Richards Boulevard Special Planning District and the Railyards Special Planning District have been afforded preservation protection by ordinance. The City has already completed an architectural and historical property survey within the Richards Boulevard Special Planning District to identify structures within the potential North 16th Street preservation area. An application to demolish or relocate any structure identified in this survey will be subject to review by the City Preservation Director, pursuant to the Preservation Ordinance, to determine whether the structure should be nominated for listing on the official register and potentially afforded all of the protections of the Preservation Ordinance.

The RBAP includes policies for the protection of historic resources, including guidelines for proposed alterations that would preserve street facades in order to retain the character and historic value of a building. The RSP designated the Central Shops Historic District and a transition zone surrounding the District to ensure that the Central Shops are protected and new development would complement the historic buildings. Even with this mitigation, the potential remains, however, that some redevelopment could affect historic resources, which would be a significant impact.

No mitigation beyond compliance with the protective measures and mitigation identified in the RBAP, the RSP, the City Preservation Element, and the City Preservation Ordinance is available at this programmatic level.

8) Impact 5.7-1: Redevelopment engendered development would cause construction noise at sensitive receptors
(DEIR page 5.7-18 through 5.7-21)

a. Significant Impact

Construction activities related to public and private projects undertaken as a result of redevelopment in the Project Areas could result in an increase in ambient noise levels during construction. This would be a short-term significant impact.

b. Facts in Support of Finding

The following mitigation measures are required to reduce the intensity of impacts for the Project:

The contractor shall ensure that the following measures are implemented during all phases of construction:

- 5.7-1a Whenever construction occurs adjacent to occupied residences (on- or off-site), temporary barriers shall be constructed around the construction sites to shield the ground floor of the noise-sensitive uses. These barriers shall be of ¾ inch Medium Density Overlay plywood sheeting, or other material of equivalent utility and appearance, and shall achieve a Sound Transmission Class (STC) of STC-30, or greater, based on certified sound transmission loss data taken according to American Society for Testing and Materials (ASTM) Test Method E90 or as approved by the City of Sacramento Building Official.
- 5.7-1b Construction activities shall comply with the City of Sacramento Noise Ordinance, which limits such activity to the hours of 7:00 a.m. to 6:00 p.m. Monday through Saturday, the hours of 9:00 a.m. to 6:00 p.m. on Sunday, prohibits nighttime construction, and requires the use of exhaust and intake silencers for construction equipment engines. Exceptions to these regulations may be granted by the building inspector, consistent with the Noise Ordinance.
- 5.7-1c Construction equipment staging areas shall be located as far as feasible from residential areas while still serving the needs of construction contractors.
- 5.7-1d Quieter “sonic” pile-drivers shall be used, unless engineering studies are submitted to the City that show this is not feasible and cost-effective, based on geotechnical considerations.

- 5.7-1e Activities that generate high noise levels, such as pile driving and the use of jackhammers, drills, and impact wrenches, shall be restricted to the hours of 7:00 a.m. to 6:00 p.m. Monday through Friday, unless it can be proved to the satisfaction of the City that the allowance of Saturday work on certain onsite parcels (i.e., those as far from noise-sensitive uses as possible) would not have an adverse noise impact.

Implementation of the above mitigation measure would ensure maximum feasible reduction of noise impacts on receptors near construction sites by shielding construction activities and staging construction equipment away from residential uses, limiting construction hours to daytime hours, and using exhaust and intake silencers on construction equipment. The actual reduction in noise levels would depend on a number of factors, such as distance between receptor and source and the ability to block line-of-sight. These measures would reduce exposure of occupants on and off-site to the maximum extent feasible. However, due to pile driving and other noisy construction activities that cannot be substantially reduced, this impact would remain significant.

- 9) Impact 5.7-3: *Redevelopment engendered development could permanently expose existing sensitive receptors to increased traffic and rail noise levels on an ongoing basis.***
(DEIR page 5.7-23 through 5.7-25)

a. Significant Impact

Existing sensitive noise receptors include residential uses located along 7th Street, 12th Street, 16th Street, Bannon Street, and Richards Boulevard. Most of these receptors are currently exposed to existing traffic noise from the local roads and I-5, and to noise from the nearby railroad. Increases in ambient noise associated with build-out of the Project Areas would come primarily from traffic, but there may be effects from the proposed UPRR rail alignment modifications and from the planned light rail lines when they are built.

b. Facts in Support of Finding

According to the City of Sacramento General Plan DEIR noise impact criteria, an increase of 3 dB constitutes a significant increase in noise levels. Realignment of the existing UPRR rail line would allow for higher train speeds along stretches of rail within the Railyards Project Area. The expected increase in train speeds would result in an approximately 2 dB increase in noise levels for nearby residents. Since this increase would be less than the 3 dB threshold of significance, the potential impact from the rail alignment is considered less than significant.

According to the noise analysis prepared for the Project Areas, future traffic level increases along North B Street, east of 7th Street, would result in an increase of 4 dB at existing sensitive receptor locations along North B Street and Bannon Street. Estimated

changes in traffic noise levels at other receptors, that would result from a Railyards built-out, ranged from an increase of 0.3 dB to 2.3 dB, to a decrease of 0.2 dB to 0.3 dB.

Redevelopment offers several programs that could assist in mitigating increasing noise levels on existing residents, including those on North B Street and Bannon Street that would see the greatest impact from redevelopment-engendered development. Older homes with poor insulation meet eligibility for Agency programs, such as rehabilitation funding that could improve insulation and replace single-paned windows on older dwelling units. Other programs can assist those residents in transitioning land use areas, such as along Bannon Street, with relocation assistance. Local infrastructure improvements can include the construction of sound walls. These redevelopment programs and activities can reduce interior noise levels to acceptable levels for existing sensitive receptors as growth occurs in the area. However, all programs are voluntary and cannot be proven to mitigate impacts, thus long-term impacts related to noise in the Project Areas would remain significant. No mitigation beyond voluntary redevelopment programs to reduce interior noise levels is available for existing receptors.

10) Impact 5.9-1: Redevelopment would assist in roadway infrastructure construction and remove barriers to Initial Phase development of the Railyards Specific Plan under Baseline plus Initial Phase conditions.

(DEIR page 5.9-17 through 5.9-19)

a. Significant Impact

Adoption of the Railyards Redevelopment Plan would eliminate barriers to redevelopment in the Project Areas and allow full and effective use of the land, including RSP Initial Phase development and infrastructure improvements. Redevelopment would assist with site remediation, installation of streets, utilities, and other public facilities and infrastructure, as well as development assistance. As identified in the RSP/RBAP EIR and the RSP EIR, many, but not all traffic impacts under Baseline plus Initial Phase conditions can be mitigated to less than significant levels. In the City, a project causes a significant traffic impact when the traffic generated by the project degrades peak level of service (LOS) from A, B, or C to D, E, or F. A project also causes a significant traffic impact if the LOS without the project is D, E, or F and project generated traffic increases the average vehicle delay by five seconds or more. Where redevelopment would engender development that would cause an unacceptable level of service at Project Area intersections, the proposed Project would result in a *significant impact*.

b. Facts in Support of Finding

The transportation and circulation impacts associated with build-out of the Richards Boulevard Area Plan and the Railyards Specific Plan were analyzed in the RSP/RBAP EIR and RSP EIR. Findings of Fact and a Statement of Overriding Considerations (Findings) were adopted for each of the Specific Plan areas adopted by the City Council