

DRAFT

Urrutia Site Restoration and Enhancement Project
North Bank of the American River, Sacramento, California

CEQA PLUS Document



Prepared by the City of Sacramento in coordination with the
Sacramento Area Flood Control Agency (SAFCA)

June 2008

URRUTIA SITE RESTORATION AND ENHANCEMENT –CEQA PLUS DOCUMENT

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URRUTIA SITE RESTORATION AND ENHANCEMENT –CEQA PLUS DOCUMENT

INTRODUCTION

This project, the Urrutia Site Restoration Plan, is co-sponsored by the City of Sacramento and the Sacramento Area Flood Control Agency (SAFCA). Acquisition and restoration of the 123 acre Urrutia site to serve as part of the extensive riparian habitat of the American River Parkway is a long standing local and regional priority for multiple agencies in the Sacramento Area. The site is a former sand and gravel mine located on the north side of the American River approximately 1 mile upstream from the confluence of the American River and the Sacramento River in the City of Sacramento. It is one of the last remaining riverfront sites still under private ownership within the 23 mile American River Parkway. In addition, to extensive habitat values and water quality enhancement which would result from restoration, the site is also an integral part of a regional flood management plan. A full description of the project is included in Part II of the attached Mitigated Negative Declaration.

Funding for the restoration and enhancement of this site will come from multiple sources including local, state and federal funding. SAFCA has received restoration and enhancement funding through a Proposition 50 grant administered by the State Water Resources Control Board (SWRCB) and the Central Valley Water Quality Control Board (CVWQCB). The State Revolving Loan Fund (SRF) administered by SWRCB will also be used. These funds are partially funded by the U.S. Environmental Protection Agency (EPA) and are, therefore, subject to federal environmental regulations.

FEDERAL AND STATE ENVIRONMENTAL COMPLIANCE THROUGH CEQA PLUS

Because the proposed project involves funding sources from both State and federal funds, the project must comply with the environmental clearance requirements of the State of California and those of the federal government. Requirement of the State of California are specified by the California Environmental Quality Act (CEQA) and related guidelines (California Code of Regulations Title 14, Division 6, Chapter 3). Federal environmental clearance requirements are those associated with the National Environmental Protection Act (NEPA) and related statutes. To comply with applicable federal statutes and authorities, EPA established specific “CEQA- PLUS” requirements in the Operating Agreement with SWRCB for administering the SRF Loan Program. Essentially this agreement allows for compliance with CEQA to be functionally equivalent to compliance with NEPA. However, compliance with all other federal requirements is still required. Hence the term CEQA PLUS refers to a program for meeting both CEQA and additional federal requirements in a coordinated process.

CEQA DOCUMENT FOR THE URRUTIA SITE

The City of Sacramento is the lead agency for environmental review of this project under the California Environmental Quality Act (CEQA). The City of Sacramento has prepared an Initial Study for the proposed project which determined that the proposed project may result in significant effects on the environment however; the identified significant effects can be reduced to a less-than-significant level with the employment of required mitigation measures. Based on these findings, the City of Sacramento Environmental Services Division determined that a Mitigated Negative Declaration (MND) should be prepared for the project. A draft MND has been prepared which meets CEQA requirements and which discloses the impacts of the project and states the required mitigation measures to reduce identified impacts to a less-than-significant level. The Draft Mitigated Negative Declaration is included as Exhibit A.

ADDITIONAL FEDERAL REQUIREMENTS OF THE “CEQA PLUS” PROCESS

The CEQA PLUS process also requires compliance with the following federal regulatory requirements:

- Federal Endangered Species Act
- National Historic Preservation Act
- Federal General Conformity Rule for the Federal Clean Air Act (CAA)

Status of Compliance with the Federal Endangered Species Act: The Mitigated Negative Declaration for the Urrutia Site determined that it is likely that the proposed project could impact habitat of the following federally listed species:

1. Giant Garter Snake (*Thamnophis gigas*)
2. Valley Elderberry Longhorn Beetle (VELB) (*Desmocerus californicus dimorphus*)
3. Green sturgeon (*Acipenser medirostris*)
4. Steelhead - Central Valley (*Oncorhynchus mykiss*)
5. Chinook Salmon – Central Valley Spring Run, Winter run, Central Valley fall/late fall run (*Oncorhynchus tshawytscha*)
6. Delta Smelt (*Hypomesus transpacificus*)

To ensure compliance with the federal Endangered Species Act, the SWRCB has been designated as the non-federal representative under the federal Endangered Species Act for all wastewater and water reclamation projects in California that involve an SRF loan. The SWRCB staff will confer informally with the U.S. Fish and Wildlife Service (FWS) and/or National Marine Fisheries Service (NMFS), as appropriate. If the SWRCB staff, in consultation with the FWS/NMFS, determines that the project will adversely affect any federally listed species, it will notify the U.S.

EPA of the need to request formal consultation. The EPA will participate as lead agency in the formal consultation process.

This is a CEQA PLUS document which will be submitted to the SWRCB to initiate informal consultation with USFWS and NMFS. The Mitigated Negative Declaration suggests mitigation measures to reduce the adversity of impacts. The mitigation measures were developed based on current programmatic biological opinions sponsored by USFWS for the affected species.

Status of Compliance with the Federal General Conformity Rule for the Federal Clean Air Act (CAA): Federal clean air laws require areas with unhealthy levels of ozone, carbon monoxide, nitrogen dioxide, sulfur dioxide, and inhalable particulate matter to develop plans, known as State Implementation Plans (SIPs), describing how these areas will attain national ambient air quality standards (NAAQS). A CAA general conformity analysis applies only to projects in a non-attainment area. The Mitigated Negative Declaration prepared for the site utilized the URBEMIS air quality model to estimate emissions related to restoration of the site which includes soil import, soil movement and grading, and construction vehicle emissions. It is not expected that any operational emissions will result since the planned “end use” of the site is open space and habitat. The Sacramento area is a non-attainment area for ozone. Ozone emissions are based on ozone precursors which include reactive organic gases (ROG) and Nitrogen Oxides (NO_x). Based on the URBEMIS results, the proposed project would generate construction period NO_x emissions which exceed the local Sacramento Air Quality Management District’s (SMAQMD) thresholds for significance. Mitigation measures are included in the Mitigated Negative Declaration to reduce the impact of these emissions to a less-than significant level under CEQA requirements. With respect to the Federal Clean Air Act (CAA) conformity rule, the proposed project emissions (unmitigated) would be considered significant if the annual emissions exceeded U.S. EPA’s conformity thresholds. The CAA *de minimus* threshold is 25 tons per year of NO_x, 25 tons per year of ROG, 100 tons of CO and 100 tons per year of particulates (PM₁₀).

Estimated emissions for the proposed project are:

- 0.26 tons per year of ROG which is less than the *de minimus* threshold of 25 tons;
- 2.45 tons per year of NO_x which is less than the *de minimus* threshold of 25 tons;
- 1.18 tons per year of CO which is less than the *de minimus* threshold of 100 tons and;
- 11.17 tons per year of PM₁₀ which is less than the *de minimus* threshold of 100 tons.

Based on the air quality modeling for the site no Federal conformity thresholds are expected to be exceeded by the proposed project.

National Historic Preservation Act (NHPA): The CEQA PLUS process requires applicants to demonstrate to the satisfaction of the State Historic Preservation Officer (SHPO) that the project complies with Section 106 of the National Historic Preservation Act. Section 106 of the NHPA requires the development of an Area of Potential Effects (APE) map to facilitate SHPO consultation. For this project, the State of California Department of Parks and Recreation identified an APE which includes the site and surrounding properties. A Historical Research and Archaeological Surface Survey Northgate Site for the Proposed California Indian

Heritage Center Sacramento County, California, was prepared by the State Department of Parks and Recreation, (May 2005). Warren Wulzen, Associate State Archaeologist, Dan Osanna, State Historian III, and Monica Aleman, State Historian II conducted the research for this survey. This document was prepared as a result of the State of California's previous interest in the Urrutia site as a location for outdoor ceremonial events proposed to occur as part of the State's proposed California Indian Heritage Center. The State of California Department of Parks and Recreation has since selected a site in West Sacramento, however, the cultural resources documentation prepared for the Urrutia Site by the State continues to be the most thorough examination of historic and cultural resources available. Based on the Historic and Archaeological Surface Survey prepared by the State, the Mitigated Negative Declaration determined that the proposed project could affect cultural resources and mitigation measures were developed to avoid or reduce these impacts. The City of Sacramento intends to forward this extensive research to the SHPO and the Native American Heritage Commission for their review and comment.

Other Federal Compliance Information: The attached Mitigated Negative Declaration (MND) determined that the proposed site is located along a portion of the American River which is designated a Wild and Scenic River under the National Wild and Scenic Rivers Act. The Wild and Scenic Rivers Act describes procedures and limitations for control of lands in Federally administered components of the system and for dealing with disposition of lands and minerals under Federal ownership. Selected rivers in the United States are preserved for possessing outstandingly remarkable scenic, recreational, geologic, fish and wildlife, historic, cultural, or other similar values. The MND determined that the proposed project would not conflict or adversely affect this designation in so far as the proposed project would restore an inoperative mining site return the site to open space as part of the American River Parkway.

The MND also determined that the river banks of the American River may be considered "jurisdictional waters" under Section 404 of the Federal Clean Water Act. As such, the MND requires the completion of a wetlands delineation study and consultation with the U.S. Army Corps of Engineers (ACOE). The site is also in a designated flood plain. However, no structures are proposed to be built as part of this project; rather the focus of this project is to restore the site for habitat and open space values. Flooding is expected to be a natural occurrence on the site as part of the restoration of the site.

EXHIBIT A: CEQA DOCUMENTATION

DRAFT MITIGATED NEGATIVE DECLARATION FOR THE
URRUTIA SITE RESTORATION AND ENHANCEMENT

INITIAL STUDY AND MITIGATED NEGATIVE DECLARATION

This Initial Study and Mitigated Negative Declaration has been prepared for the City of Sacramento, Development Services Department, Environmental Planning Services, 300 Richards Boulevard, 3rd Floor Sacramento, CA, pursuant to Title 14, Section 15070 of the California Code of Regulations; the Sacramento Local Environmental Regulations (Resolution 91-892) adopted by the City of Sacramento.

This document is organized into the following sections:

SECTION I. - BACKGROUND: Page 2 - Provides summary background information about the project name, location, sponsor, when the Initial Study was completed, and a project introduction.

SECTION II. - PROJECT DESCRIPTION: Page 5 - Includes a detailed description of the Proposed Project.

SECTION III. - ENVIRONMENTAL CHECKLIST AND DISCUSSION: Page 22 - Contains the Environmental Checklist form and a discussion of the checklist questions. The Checklist Form is used to determine the following for the proposed project: 1) “Potentially Significant Impacts” that may not be mitigated with the inclusion of mitigation measures, 2) “Potentially Significant Impacts Unless Mitigated” which could be mitigated with incorporation of mitigation measures, and 3) “Less-than-significant Impacts” which would be less-than-significant and do not require the implementation of mitigation measures.

SECTION IV. - ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED: Page 108 - Identifies which environmental factors were determined to either have a “Potentially Significant Impact” or to be “Potentially Significant Impact Unless Mitigated” as indicated in the Environmental Checklist.

SECTION V. - DETERMINATION: Page 109 - Identifies the determination of whether impacts associated with development of the Proposed Project are significant, and what, if any, additional environmental documentation may be required.

I. BACKGROUND

The City of Sacramento is the lead agency for the preparation of this Initial Study for the Urrutia Site Restoration and Enhancement Project. This initial study examines the effects of the project which are identified as potentially significant effects on the environment in order to identify the most appropriate type of environmental document which should be prepared for the project. The Initial Study also identifies areas where impacts could occur and additional analysis is needed.

This analysis is incorporating by reference the general discussion portions of earlier environmental documents (CEQA Guidelines Section 15150(a)). Select documents are available for public review at the City of Sacramento, Sacramento. Other documents referred to in the following text are listed in the Reference Section of this document.

- *City of Sacramento General Plan, City of Sacramento*, adopted January 19, 1988, as updated through September 2000.
- *City of Sacramento General Plan Update, Draft and Final EIR*, 1988
- *The 2010 Sacramento City/County Bikeway Master Plan DEIR*, 1992
- *Central City Community Plan*, 1986 as amended
- *2005-2010 Parks and Recreation Master Plan*, December 7, 2004
- *American River Parkway Plan*, County of Sacramento, 1985
- *Draft American River Parkway Plan Update*, County of Sacramento, 2006.
- *City of Sacramento Register of Historical and Cultural Resources*, City of Sacramento, 2005
- *Land Use Planning Policy Within the 100-Year Floodplain (M89-054)* adopted by the City Council on February 6, 1990
- *Historical Research and Archaeological Surface Survey Northgate Site for the Proposed California Indian Heritage Center Sacramento County, California*, May 2005, State of California Department of Parks and Recreation, Acquisition and Development Division
- *California Indian Heritage Museum Final Draft, Natural Resources - Northgate Site*, prepared by the State Department of Parks and Recreation Northern Service Center Natural Resources Staff, May 2005.
- *Design Memorandum for the Urrutia Pond*, prepared by Jones and Stokes Associates for the Sacramento Area Flood Control Agency, April 2007
- *Phase I Environmental Site Assessment Three Parcels, Urrutia Property 599 Garden Highway Sacramento, CA* prepared by Kleinfelder February 6, 2003
- *Geoprobe Soil and Groundwater Assessment Urrutia Property 599 Garden Highway Sacramento, California*, prepared by Kleinfelder, February 14, 2003.

Project Name: Urrutia Site Restoration and Enhancement Project

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Date Initial Study Completed: June 1, 2008

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II. PROJECT DESCRIPTION

INTRODUCTION

The proposed project is the public acquisition and restoration of the Urrutia Site (also known as the Gardenland Sand and Gravel Mine). The City of Sacramento (City) is the lead agency for the acquisition of the site. The Sacramento Area Flood Control Agency (SAFCA) will be the agency responsible for restoration and enhancement of the site once the site is in public ownership. The goal of the project is to restore the riparian habitat values of the site in order that the site may be a contributing environmental and recreational feature of the American River Parkway. The American River Parkway is a 23 mile regional system of park and open space along the American River. The site is located in the Discovery Park portion of the American River Parkway.

LOCATION

The site is located approximately one mile upstream of the confluence of the American and Sacramento Rivers. It is bounded on the south by the American River, on the west by Discovery Park, on the north by Bannon Slough and the Garden Highway, and on the east by County-owned American River Parkway land and by Camp Pollock, a Boy Scouts of America (BSA) camp. (See Figure 1)

The site includes 122.8 acres (rounded elsewhere in this document to 123 acres) comprised of the following contiguous Assessor's Parcels owned by Mr. Henry Urrutia:

Sacramento County Parcel No.	Acreage
274-0120-004-0000	23.24
274-0120-005-0000	23.24
274-0120-006-0000	76.32

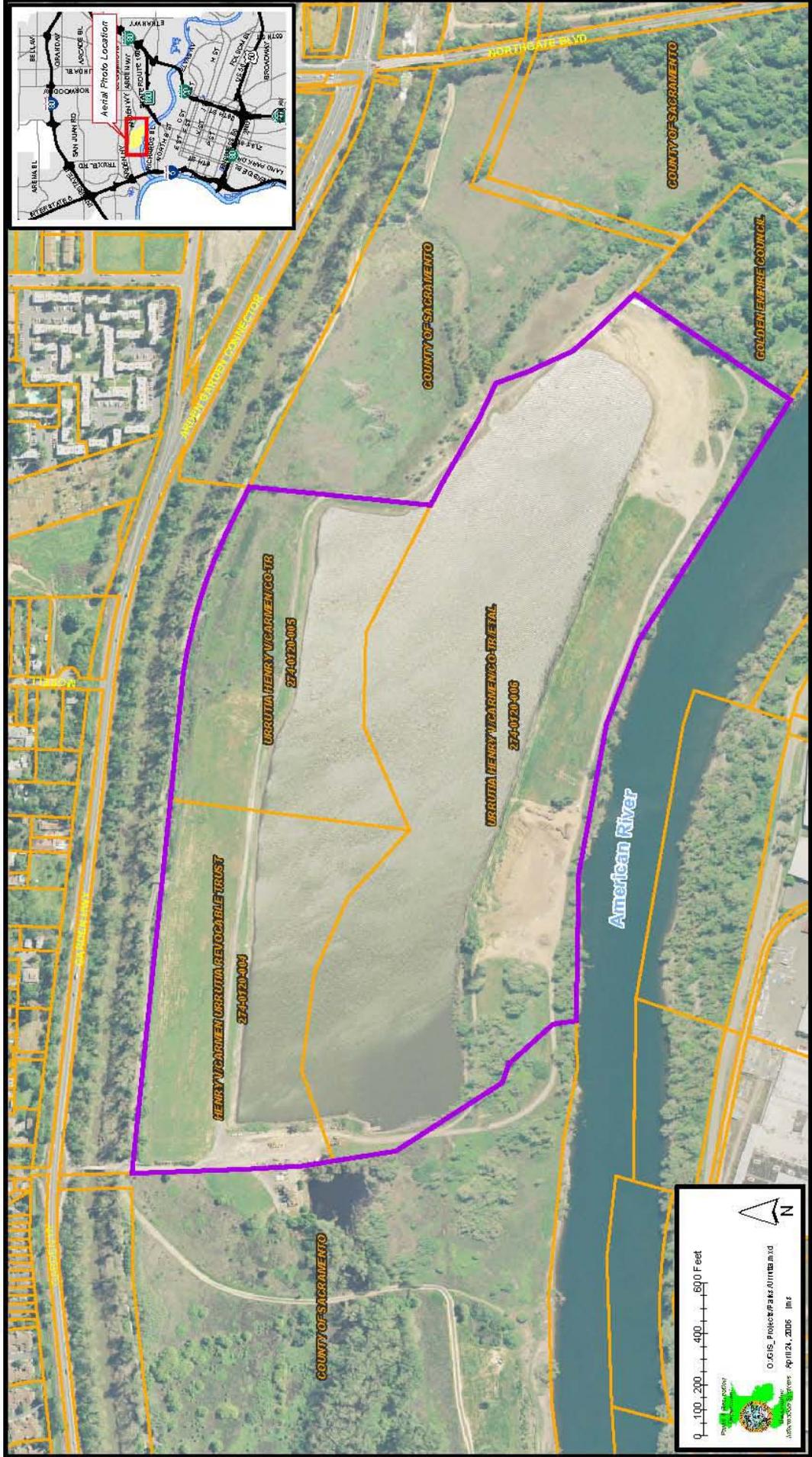
The entire site is within the American River floodway, and is subject to periodic inundation during high flows. To the north of the project site is the Garden Highway levee, is maintained by Reclamation District 1000 (RD 1000). The south levee, on the opposite side of the American River, is maintained by the American River Flood Control District (ARFCD). Both of these levees are located outside of the project boundaries.

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City of Sacramento
Department of Parks and Recreation

Urrutia Property Aerial Photo and Parcels

FIGURE 1: URRUTIA SITE LOCATION



CURRENT LAND USES

Currently, the site is a privately owned former sand and gravel mining site. The sand and gravel mine has been economically exhausted and the site is now used for sorting, distributing, and recycling earth and construction debris. Structures on the site include a shop building, a mobile home, concrete pads, and associated outbuildings.

The Urrutia's house is located on an adjacent separate parcel which is not part of this project.

The mine site is highly disturbed. The site includes graded soils around a large water-bearing pit. As a result of extraction of sand and gravel, a large (approximately 60 to 70 acre depending on water level) pit has been created which holds water as a result of the high ground water table in the area and the proximity of the site to the American River. With the exception of a strand of riparian vegetation immediately along the American River, the remainder of the site is characterized as bare soils dominated by ruderal weed species, and loose stockpiles of soil and debris which is mowed and disked to prevent the establishment of woody vegetation. As a now depleted mining site, the site must be reclaimed in accordance with the State of California Surface Mining and Reclamation Act (SMARA). Figure 2 provides photos of the current conditions of the site.

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Figure 2A: Site Entrance at the Western Portion of the Site looking east.



Figure 2B: View from Northern Rim of the Pond looking south.



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Figure 2C:
View from
Southern
Portion of the
site looking
north. Tree
line of the
Bannon Slough
is located at
the northern
property line.



Figure 2D:
View from
Southern
Portion of
the site
looking south
to the
American
River.



BACKGROUND AND SITE HISTORY

The project site is on a floodplain terrace that is elevated high above the low-flow channel of the American River. The river shoreline is steeply sloped, and the vegetation at the site is marked by a thin strip of remnant riparian vegetation along the river, and invasive upland vegetation over most of the site. This is a prevalent condition along the lower American River, due to remnant effects of upstream hydraulic mining during the late 1800s. Hydraulic mining in the upper reaches of the watershed deposited massive amounts of sediment in the river and associated floodplains, where it significantly raised the bottom of the channel and floodplain elevations. When hydraulic mining ended, the river gradually began to erode, steadily lowering the channel bottom, resulting in significantly disconnected floodplains. The river does not spread onto these floodplains during moderate floods which in a healthy river system would allow the regeneration of riparian vegetation.

Construction of Folsom Dam in the 1950's cut off the natural flow of sediment to the lower river, accelerating the down cutting process. The rate of down cutting reduced substantially when the river hit a geologically stable substrate and the channel is adjusting by expanding laterally and eroding the sediment deposited along the banks of the lower river.

The erosion process is marked by a steady loss of material along the toe of the affected riverbank at its intersection with the channel bottom. As the bank becomes steeper, it loses its stability and becomes susceptible to mass failure under the pressure of high velocity flows in the river and by failure of saturated banks as high flows recede. At the same time, the elevated terraces of Gold Rush-era sediments such as at the project site are too high above river level for new riparian vegetation to get established and are subject to invasion by nonnative weeds and the deterioration of old, established riparian habitat. Even during high flows, the steep river slopes provide few shallow flooded areas which are ideal habitat for juvenile migratory fish like salmon and steelhead.

The Urrutia family has operated the Gardenland sand and gravel mine on the site since 1966. Mining has removed the Gold Rush-era sediments from the center of the site, creating a steep-sided pit. Water percolates through sandy/gravelly soils between the pit and the American River, forming a lake within the pit which has a water surface elevation approximately equal to that of the river. The pit covers approximately 60 to 70 acres, or about half the project site (depending on water level which is influenced in part by the water level in the American River).

Mining at the site has occurred pursuant to City of Sacramento Special Permit, issued in 1966, and by State of California Reclamation Board Permit No. 5445, also first issued in 1966 and periodically renewed. The mine itself is now substantially depleted. Reclamation Board (now known as the Central Valley Flood Protection Board) conditions preclude excavation further south, which could weaken the berm between the pit and the American River, or further north which could affect the stability of the levee. The site is now used for sorting, distributing, and recycling earth and construction debris that is brought into the site. The final product is sold as topsoil or fill.

In 1976, SMARA became effective. This act regulates the permitting and establishment of new surface mines in the state. It also requires that mines be “reclaimed to a usable condition which is readily adaptable for alternate land uses” and eliminates “residual hazards to the public health and safety.” Although SMARA exempted existing mines, the exemption has expired, and all mines in the state are now subject to SMARA’s requirements, including the adoption of reclamation plans, regardless of the date of first mining. A reclamation plan has never been finalized or adopted for the Gardenland Mine.

Since 1985, Sacramento County and the City of Sacramento have agreed that the existing use of the site conflicts with the American River Parkway Plan and that the site should be made a part of the publicly-accessible American River Parkway. By restoring the site, this project would implement two CALFED-funded efforts, the 2002 River Corridor Management Plan (RCMP) and the Integrated Area Plan prepared as part of the American River Parkway Plan update, both of which identify the need to acquire and restore the site as part of the overall management of the 4,600-acre American River Parkway. Therefore, the City of Sacramento is interested in purchasing the site in order to add the site to the public lands of the American River Parkway. Lands to both the east and west of the site are currently in public ownership and part of the American River Parkway. SAFCA, as a responsible agency, is interested in restoring the site for its habitat values and to ensure that the site will be a contributing part of the flood plain management and flood control system of the greater Sacramento area. SAFCA has received restoration and enhancement funding through a Proposition 50 grant administered by the State Water Resources Control Board (SWRCB) and the Central Valley Water Quality Control Board (CVWQCB).

PROJECT OBJECTIVES

The City and SAFCA seek to achieve multiple public objectives with the completion of the Urrutia site acquisition and restoration project, as follows:

- Acquire the site and place in public ownership in order to improve connectivity and public use of the American River Parkway in the City of Sacramento.
- Bring the property into compliance with SMARA.
- Enhance the appearance and habitat quality of the project site in a manner that is compatible with adjoining publicly owned open space areas.
- Manage the site consistent with the American River Parkway Plan and flood management objectives.

PROJECT DESCRIPTION AND ELEMENTS

The proposed project has three main components:

1. Acquisition of the property by the City.
2. Reclamation of the site by the City and SAFCA pursuant to SMARA. Reclamation includes removal of any hazardous materials and soils, un-useable structures and equipment, and site contouring and re-vegetation to restore the site and protect public safety.

3. Enhancement of the site by the SAFCA to restore and enhance the riverine and riparian habitat values of the site as part of the American River Parkway and the American River natural habitat. This work is funded in part by State Proposition 50 grant funds as part of the “Lower American River Environmental Enhancement Project.”

1. Site Acquisition

The site is located within the corporate boundaries of the City of Sacramento. As such, the City of Sacramento would serve as the lead public entity for acquisition of the property for park and open space purposes. Acquisition would be conducted in accordance with accepted real estate practices including preparation of appraisals by a qualified appraiser, and offers to negotiate and purchase. Based on negotiations, it is the intent of the City of Sacramento to purchase the property for open space as part of the American River Parkway. The property may then be transferred to the County of Sacramento who administers the American River Parkway.

2. Site Restoration

a. Site Clearance. Existing non-historic structures will be evaluated for removal or re-use at the start of project implementation. These include the shop building, a mobile home, concrete pads, and storage container. Any equipment related to the mining operation remaining on the site after purchase will be removed. Utility power lines and towers are located within the site. The towers must be maintained at existing grade and all construction activities must avoid the towers. Some existing trees may be affected as part of the riverbank restoration and enhancement component of the project (described in Section 2 c below).

b. Site Remediation. Hazardous materials will be excavated and removed pursuant to state and federal standards. For example there is an above ground diesel storage tank. Contaminated soils in the vicinity of the storage tank will be properly excavated and transported under manifest to an approved disposal facility. In 2003, Kleinfelder completed limited soil sampling on the site for SAFCA. This included 41 samples including 4 water samples. The results indicated THP (motor oil a suspected source) and CAM 17 metals¹ were detected in all samples analyzed. Low concentrations of toluene, ethyl benzene and xylene were also detected. The Sacramento County Environmental Management Department (SCEMD) will be responsible for reviewing any soil test results, and determining the nature and extent of remediation that will be required as part of the reclamation portion of the project under SMARA. The SCEMD will also coordinate with the Department of Toxic Substances Control regarding proper transport and disposal of contaminated materials. This work is funded part by State Proposition 50 grant funds awarded to the Regional Water Authority (RWA) for integrated regional water management.

c. Slope Stabilization. Existing slopes in Urrutia Pond and along the American River in the reach adjacent to Urrutia Pond are extremely steep and in some cases unstable. Based on a memo

¹ California Assessment Manual (CAM) 17 metals using the Totals Test procedures of the US EPA.

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prepared by Mr. Ray Costa², the northern bank of the pond appears to have a gradual slope of 4 horizontal to 1 vertical (4:1) and is stable and safe as is. The slopes of the remaining three sides of the pond are steeper than 2 horizontal to 1 vertical (2:1) and consist of un-compacted material of low strength. The minimum slope required by SMARA is 2:1 or flatter.

Re-contouring of the area is necessary to reduce the steep slopes and increase slope stability. Consistent with Mr. Costa's recommendation, the desired approach relies on the excavation of material (e.g., laying the upper slope back to make a more gentle slope gradient) whenever possible rather than placing fill material on upper slopes. The excavated material will be placed in the pond below the summer water surface elevation to increase the soil mass of the toe of the slope, to provide shallower areas that can support vegetation. This approach minimizes the amount of contouring and compacting of soil under water, which is very difficult, and will result in the desired stable, safe slopes.

For additional stability and to serve as a work platform for placing fill material below the low water surface elevation, it is proposed to provide a horizontal bench slightly above the average pond water surface elevation. In other words, a shallow step will be created along the pond's edges to replace the steep sides of the pond. The conceptual plan for recontouring is shown in Figure 3. Figure 4 shows proposed cross sections for the recontouring. Note that these plans are conceptual only and the specifics of design may change within the constraints of a 3:1 maximum slope.

Riverbank Slope Stability and Re-contouring. The site includes approximately 2,000 linear feet of riverbank along the American River which will be restored. The slope along the riverbank is also overly steep. Oversized chunks of concrete have been placed along the bank to serve as non-engineered rip-rap. Based on existing contour data, the slope varies between 1 horizontal to 1 vertical (1:1) and 1.5 horizontal to 1 vertical (1.5:1). Additionally, the project site is located on an outside bend of the river, increasing the erosion potential during moderate flows. Habitat will be enhanced by low floodplain terrace which will be planted with riparian vegetation and designed to be stable under a range of projected flow conditions.

Berm Slopes. The existing pond (former quarry pit) has been excavated from a terrace, the remnants of which form berms to the north and south of the pond. These elevated berms serve to protect the levee system along the American River from erosion and slope failure (See Figure 3). Both the northern and southern berms have been graded down and are comprised of compacted soils. In order to ensure that the berms can support vegetation to stabilize the slope, some earthwork to loosen soils will be necessary. The Reclamation Board's permit for the mining operation requires that the crown elevation be at 23.0 to 29.0 feet on the southern berm (adjacent to the American River). To maintain this elevation and to recontour for more stable 3:1 slopes, the width of the crown may be reduced to less than 250 feet. Conceptual designs indicate that with recontouring to maintain 3:1 slopes at the desired elevation, the levee crown may be 150 feet wide. A new Central Valley Flood Protection Board encroachment permit will be required for the project, and may lead to modifications to the conditions now found in the existing mining permit.

² Ray Costa memo regarding geotechnical stability, dated November 01, 2006, referenced and incorporated in the 2007 Jones and Stokes Technical Memorandum to SAFCA.

Pond Slopes. Reclamation of the mine site will entail grading the pond slopes to create a more stable and gentle slope and provide some shoreline variation for aesthetic appeal and improved habitat quality. SMARA requires that the site be suitable and safe for its intended reclaimed use, which in this case is public recreation. The City and SAFCA have determined this will require re-grading the pit slopes so that each three feet of horizontal distance has no more than one foot of vertical change (i.e. slopes are no steeper than 3:1). Where existing slopes and available soil allow it, slopes may be graded so that they are no steeper than 5:1. Peninsulas and coves may be added to the shoreline to create a more natural appearance and greater habitat diversity.

The lower limit of the proposed excavation within the pond is expected to be approximately at an elevation of 0.0 feet. This limit provides a safe 3:1 slope to approximately 5 feet below the fall water surface elevation. The amount of grading proposed along the west bank is limited by the adjacent house and structures that will potentially remain for interpretive use; therefore, this area will be graded at the minimum slope of 3:1. To limit the impact on the overall crown width of the berm adjacent to the river, the south bank will be graded at the minimum slope of 3:1. Terraces or benches may be created along the south bank to increase the slope stability and provide planting opportunities that will maximize habitat values.

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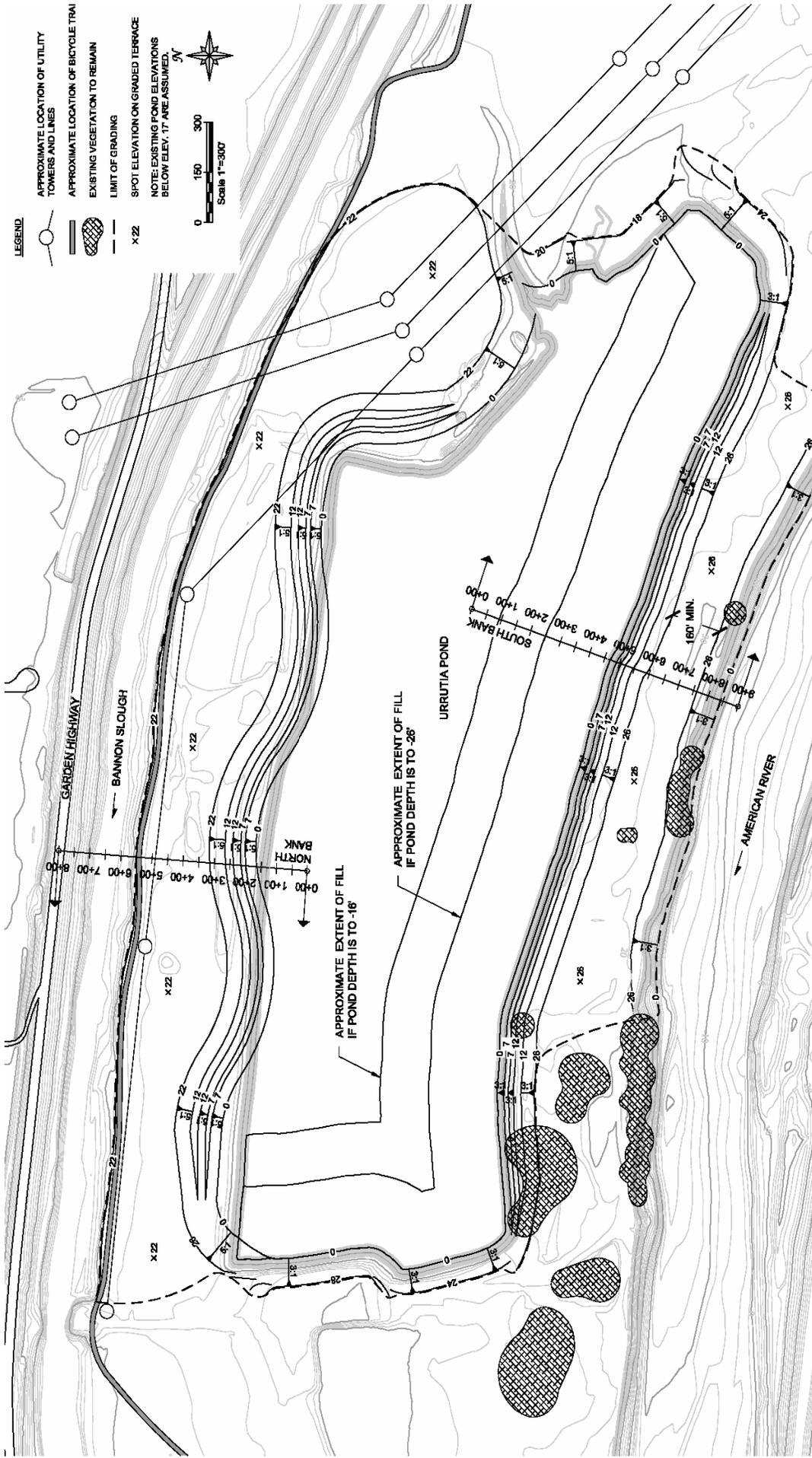


FIGURE 3: URRUTIA RESTORATION CONCEPTUAL PLAN
 Source: Jones and Stokes Associates

Note: Conceptual only; details may change.

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Based on the assumed existing topography, the grading of all areas will yield approximately 415,000 cubic yards of soil that can be placed into the pond below elevation 0.0 feet. It has been estimated in a report by F. Hodgkins³ that the depth of the pond is between 20 and 40 feet. This unknown depth will determine how the soil is placed below elevation 0.0 feet. Pond depths will be surveyed during project design.

It is estimated that the total amount of earth to be recontoured and moved would be 450,000 cubic yards of earth on the site of which 415,000+/- will be moved into the pit. The amount of excavation on site could be reduced if additional fill is available from a restoration project currently being planned for River Mile 0.5, located approximately one-half mile downstream. That project, which is being evaluated by the US Army Corps of Engineers in a separate document, may yield 60,000 cubic yards of waste soil which could be used as fill at this project site if the project schedules coincide.⁴ This initial study addresses on-site excavation of needed soil for site restoration, in addition to the import of up to 60,000 cubic yards which is considered to be a worst-case analysis.

3. Site Habitat Enhancement

Much of the site has been disturbed by mining activity. The existing vegetation is a mixture of nonnative annual grassland and patches of mature Fremont cottonwood with limited understory. The site is dominated by ruderal grassland and compacted earth around the perimeter of the sand and gravel pit that limits the growth of vegetation.

SMARA requires wildlife habitat to be at least as good as the pre-mining habitat unless there is an approved alternative habitat type. Additionally, SMARA has numerous performance standards for revegetation. The conceptual design is intended to address the general requirements of SMARA, which include: using native plant species, using vegetation to prevent erosion, and having densities and species similar to local undisturbed natural habitats.

The conceptual design is also intended to address a primary goal of the River Corridor Management Plan for the Lower American River (RCMP) which is to protect, enhance, and expand willow, cottonwood, and valley oak-dominated riparian woodlands that provide important shaded riverine aquatic, seasonal floodplain, wildlife, and riparian habitats.

Enhancement of the site will include eradication of nonnative invasive species at the site by chemical or mechanical means. Approximately 10 acres of upland are expected to be seeded with native grassland. Another 10 acres of the site will be graded and planted as marsh and wetland. Twenty-five acres will be enhanced with riparian vegetation, and another 20 acres will be

³ F. Hodgkins memo to Tim Washburn of SAFCA regarding an estimated cost for reclamation of Gardenland Sand and Gravel, dated August 10, 2005

⁴ Draft Environmental Assessment and Initial Study, Lower American River Mile 0.5 Mitigation Site, Sacramento River Bank Protection Project, December 2007, prepared for the U.S. Army Corps of Engineers and California Reclamation Board.

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restored with shaded riverine aquatic (SRA) habitat. Note that acreages may vary based on pond and river elevation and final grading plans. Figure 5 shows the conceptual elevations for re-vegetation. Figure 6 lists the associated planting palette by elevation.

Restoration activities include:

- New riparian plantings (cottonwood, willow, Oregon ash and other riparian species) are proposed on the lowered berms, riverbank, and upper pond slopes.
- Removal of invasive species most notably yellow star-thistle, Russian thistle, and Himalayan blackberry.
- Replanting of the site with native species. All upper planting zones can be hydroseeded with a native grass and forb species mixture to enhance the grassland habitat and prevent erosion. Additional hydroseeding of the lower planting zones will need to use plant species suitable to longer durations of inundation.
- Pond design and management for mosquito control in the pond.
- Approximately ten acres of seasonal floodplain habitat are proposed to be created through excavation of a terrace along the riverbank to provide fish habitat. This enhancement component is part of SAFCA's grant-funded Lower American River Environmental Enhancement Project designed to address the over-steepened river shoreline and lack of habitat for juvenile salmonids.
- Walking trails may be constructed on site to provide views of the reclaimed pit. Overlooks, benches, and wayfinding and interpretive signage may also be provided. All improvements, including trails, interpretive structures and signage, will accommodate periodic flooding.

LEGEND

APPROXIMATE LOCATION OF UTILITY TOWERS AND LINES

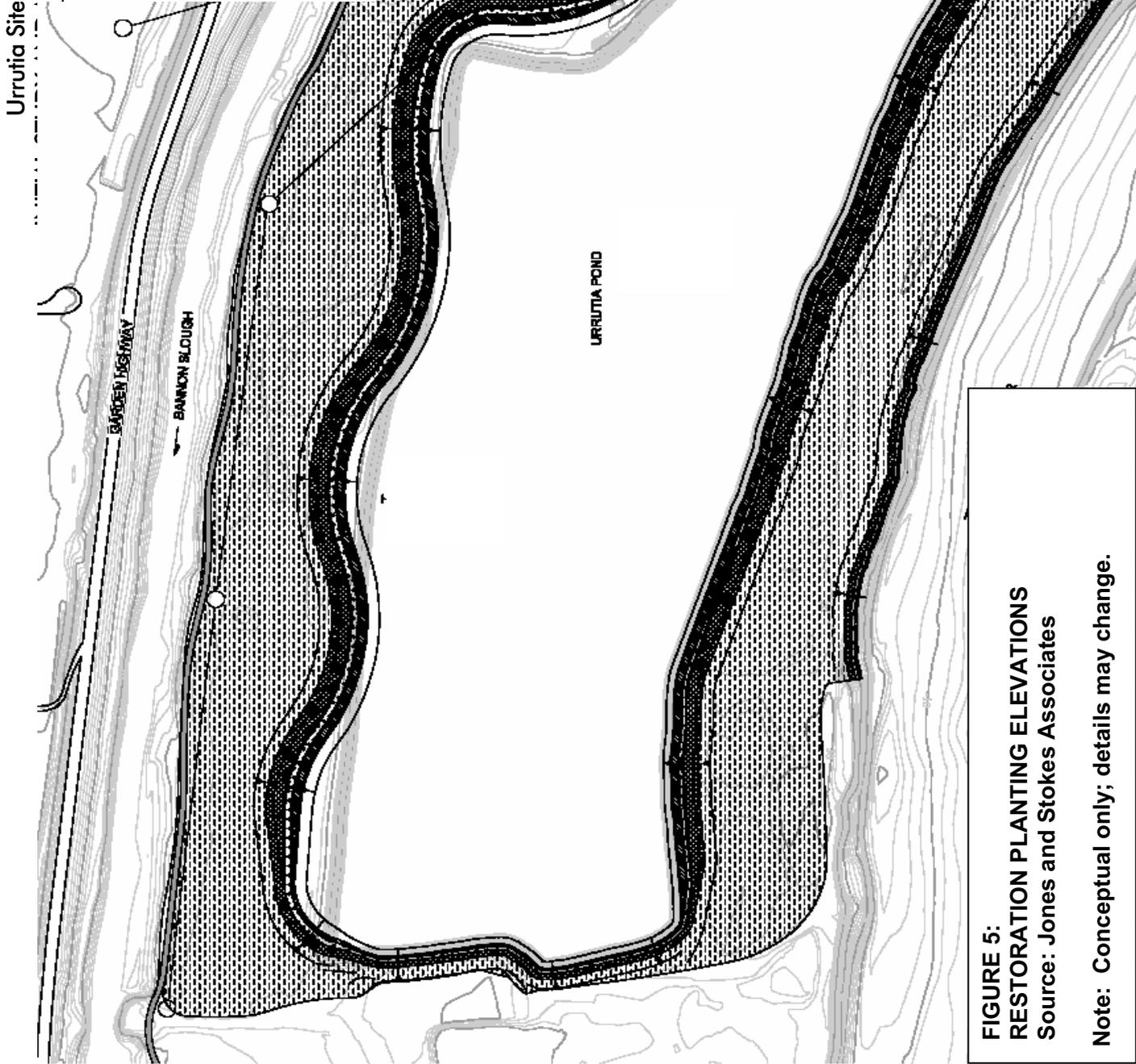
APPROXIMATE LOCATION OF BICYCLE TRAIL

ZONE 1 (ELEV. 6' TO 8') FREQUENT, PROLONGED INUNDATION

ZONE 2 (ELEV. 8' TO 11') FREQUENT, PROLONGED INUNDATION

ZONE 3 (ELEV. 11' TO 16') LOWER BACK SLOPES AND MID-SLOPE BENCHES

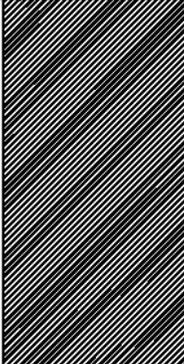
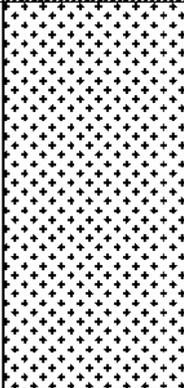
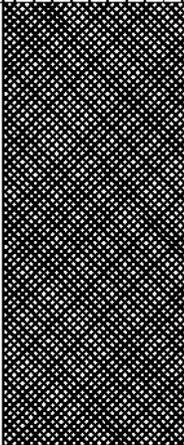
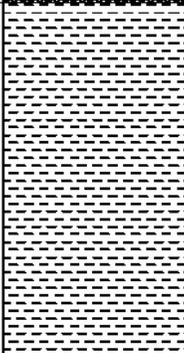
ZONE 4 (ELEV. ≥ 16') HIGHEST ZONE, LOW DURATION/FREQUENT INUNDATION



**FIGURE 5:
RESTORATION PLANTING ELEVATIONS**
Source: Jones and Stokes Associates
Note: Conceptual only; details may change.

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FIGURE 6. POTENTIAL PLANTING LIST BY ELEVATION ZONE

Planting Zone	Planting Symbol on Plans	Botanical Name	Common Name
Zone 1 (Elev. 6' - 8') Frequent, prolonged inundation		<i>Cephalanthus occidentalis</i>	Button bush
		<i>Salix hindiana</i>	Sandbar willow
		<i>Cephalanthus occidentalis</i>	Button bush
		<i>Salix hindiana</i>	Sandbar willow
		<i>Salix laevigata</i>	Red willow
		<i>Salix gooddingii</i>	Goodding's black willow
		<i>Salix lasiolepis</i>	Arroyo willow
		<i>Salix lutea</i>	Yellow willow
		<i>Populus fremontii</i>	Fremont Cottonwood
		<i>Acer negundo</i>	Box elder
		<i>Baccharis salicifolia</i>	Mulefat
Zone 2 (Elev. 8' - 11') Frequent, prolonged inundation		<i>Rosa californica</i>	California wild rose
		<i>Cephalanthus occidentalis</i>	Button bush
		<i>Baccharis salicifolia</i>	Mulefat
		<i>Salix hindiana</i>	Sandbar willow
		<i>Salix laevigata</i>	Red willow
		<i>Salix gooddingii</i>	Goodding's black willow
		<i>Salix lasiolepis</i>	Arroyo willow
		<i>Salix lutea</i>	Yellow willow
		<i>Populus fremontii</i>	Fremont Cottonwood
		<i>Acer negundo</i>	Box elder
		<i>Alnus rhombifolia</i>	White alder
Zone 3 (Elev. 11' - 16') Lower back slopes & mid-slope benches		<i>Leymus triticoides</i>	Creeping wildrye
		<i>Artemisia douglasiana</i>	Mugwort
		<i>Vitis californica</i>	Wild grape
		<i>Rubus ursinus</i>	California blackberry
		<i>Rosa californica</i>	California wild rose
		<i>Baccharis salicifolia</i>	Mulefat
		<i>Baccharis pilularis</i>	Coyote brush
		<i>Fraxinus latifolia</i>	Oregon ash
		<i>Acer negundo</i>	Box elder
		<i>Platanus racemosa</i>	Sycamore
		<i>Populus fremontii</i>	Fremont cottonwood
Zone 4 (Elev. ≥ 16') Highest zone, low duration/frequent inundation		<i>Quercus lobata</i>	Valley oak
		<i>Leymus triticoides</i>	Creeping wildrye
		<i>Artemisia douglasiana</i>	Mugwort
		<i>Vitis californica</i>	Wild grape
		<i>Baccharis pilularis</i>	Coyote brush
		<i>Fraxinus latifolia</i>	Oregon ash
		<i>Acer negundo</i>	Box elder
		<i>Platanus racemosa</i>	Sycamore
		<i>Populus fremontii</i>	Fremont cottonwood
		<i>Quercus lobata</i>	Valley oak
		<i>Sambucus mexicana</i>	Elderberry

NOTE: ZONE 1 IN THE POND MAY INCLUDE TRANSPLANTED CLUSTERS OF SCIRPUS SPP.

REQUIRED PERMITS AND ENTITLEMENTS

The project is expected to require the following permits and approvals:

- Sacramento City Council approval of acquisition of the site.
- Memoranda of Understanding (MOUs) or other agreements between the City, SAFCA, and Sacramento County establishing roles and responsibilities for these project partners.
- MOUs or other agreements with Sacramento Regional Transit District (RT) allowing them to provide funding in exchange for mitigation credits for RT projects⁵.
- Surface Mine Reclamation Plan approval by the City
- Floodway Encroachment Permit from the California Central Valley Flood Protection Board
- Clean Water Act section 404 wetland fill permit from the US Army Corps of Engineers and consultation with US Fish and Wildlife Service and preparation of an associated 404 (b) water quality plan.
- Clean Water Act Section 401 water quality certification from the California State Water Resources Control Board
- Encroachment Permit from Reclamation District 1000
- Streambed Alteration Agreement (Section 1600) from the California Department of Fish and Game.

⁵ The Sacramento Regional Transit District has contacted the City regarding an interest in contributing to the project for open space mitigation and other mitigation related to expansion of the RT system. No conceptual or final agreement has been made at this time.

III. INITIAL STUDY – ENVIRONMENTAL CHECKLIST

I.	AESTHETICS Would the project:	Potentially Significant Impact	Potentially Significant Impact Unless Mitigated	Less-than-significant Impact
a)	Have a substantial adverse effect on a scenic vista?			X
b)	Substantially degrade the existing visual character or quality of the site and its surroundings?			X
c)	Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway.			X
d)	Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?			X

ENVIRONMENTAL SETTING

The proposed project area is located adjacent to the American River and within the American River Parkway planning area. The American River is considered a significant scenic resource. To the north of the river there is located Discovery Park, a private camp (Boy Scouts), a mobile home park, vacant lands and the subject site, a former sand and gravel mining pit (Urrutia Property also known as the Gardenland Sand and Gravel Mine).

The Western Area Power Administration (WAPA) has an overhead transmission line (the Tracy-Elverta line) which traverses the Urrutia property. The Sacramento Municipal Utility District (SMUD) also has overhead facilities in the project area which include the Elverta-North City line, a 12 kilovolt (kv) line that runs along the southern boundary of the Lower American River Parkway Trail (the Jedediah Smith Memorial Trail), the SMUD North City-Hedge line that runs along the Union Pacific Railroad, and a 12 kv line that runs west of the Urrutia Pond.

The American River is a designated Wild and Scenic River under the National Wild and Scenic Rivers Act. The Act describes procedures and limitations for control of lands in Federally administered components of the system and for dealing with disposition of lands and minerals under Federal ownership. Selected rivers in the United States are preserved for possessing outstandingly remarkable scenic, recreational, geologic, fish and wildlife, historic, cultural, or other similar values.

DISCUSSION OF DETERMINATION

I a) Views, Vistas and Visual Resources

The proposed restoration of the Urrutia Property (also known as the Gardenland Sand and Gravel Mine) is not expected to have a significant impact on visual resources. The proposed restoration would remove structures and debris on site, recontour and re-vegetate the site, and restore the site to the extent possible to a more natural, riparian state. Under public ownership, increased visual access to the American River would result. In this regard, the public viewing opportunities and the general aesthetics of the property will be improved. As such, a *less-than-significant* impact on visual resources is anticipated.

I b) Visual Character

The proposed restoration of the Urrutia Property is not expected to have a significant impact on visual resources. The proposed restoration would remove structures and debris on site, recontour and re-vegetate the site, and restore the site to the extent possible to a more natural, riparian state. In this regard, the aesthetics of the property will be improved. As such, a *less-than-significant* impact on visual resources is anticipated.

I c) Scenic Resources

The site is not located on or adjacent to a state designated Scenic Highway. There are no unusual rock outcroppings on or near the general area proposed for development. There are riparian trees along both banks of the American River which may be considered a scenic resource. Potential impacts to these trees are reviewed and discussed in the Biological Resources section.

The American River is a designated Wild and Scenic River and the site is part of the American River Parkway. However, no new structures which would impede views of the American River are proposed to be constructed as part of this project and no actions which conflict with the American River Parkway Plan or the Federal Wild and Scenic Rivers Act will occur since the project is to restore and enhance the open space and riparian values of the site. Therefore, impacts to scenic resources such as scenic highways and rock outcroppings are considered to be *less-than-significant*.

I d) Light and Glare

The restoration of the Urrutia site will not introduce new sources of light or glare but rather will reclaim an existing mining site. Impacts related to light and glare are estimated to be *less- than-significant*.

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II. AGRICULTURAL RESOURCES Would the project:	Potentially Significant Impact	Potentially Significant Impact Unless Mitigated	Less-than-significant Impact
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?			X
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?			X
c) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use?			X
d) Other: Affect or interfere with other local policies designed to protect and support agriculture and farmlands?			X

ENVIRONMENTAL SETTING

The subject site is located in the City of Sacramento developed urban area. There are no active agricultural operations in the project area. To the south of the American River is the Richards Boulevard (River District) area, a commercial and industrial area. To the north of the American River there are an assortment of uses including a former sand and gravel mine (the subject site) , a mobile home park, a private camp (Camp Pollock Boy Scout Camp to the east of the site) and high voltage transmission lines and towers.

DISCUSSION OF DETERMINATION

II a) Prime Agricultural Lands

Prime agricultural lands are identified by a number of definitions including those related to soil type and capability such as the definition of Prime Soils by the US Department of Agriculture, Natural Resources Conservation Service (NRCS). For purposes of CEQA, the California Department of Conservation Farmland Monitoring and Mapping Program (FMMP) is typically used to identify the agricultural value of the land. The categories used in FMMP are briefly described in Table 1.

There are no lands designated as Prime Farmlands and Farmlands of Statewide Importance on the subject site. Lands on the subject site are designated Farmlands of Local Importance as defined by the FMMP below:

Sacramento County, Farmlands of Local Importance: The following lands are to be included in the Farmland of Local Importance category: Lands which do not qualify as Prime, Statewide, or Unique designation but are currently irrigated crops or pasture or nonirrigated crops; lands that would be Prime or Statewide designation and have been improved for irrigation but are now idle; and lands which currently support confined livestock, poultry operations, and aquaculture. (PDF Publication “Farmland of Local Importance Definitions” published by the California Department of Conservation Farmland Monitoring and Mapping Program (FMMP)).

The Urrutia site is not currently in agricultural production nor is the site zoned or designated for agricultural use. Restoration and retention of the site for open space will not change the status of the California Farmlands Mapping designation. As such, the proposed project is estimated to have a *less-than-significant* effect on Prime Farmlands and Farmlands of Statewide Importance.

II b) Agricultural Zoning and the Williamson Act

There are no Williamson Act contracts located in the project area on either side of the river. Additionally, there are no lands designated by zoning or the General Plan for agriculture. Therefore, impacts related to conversion of lands designated under the Williamson Act or zoned for agriculture are determined to be *less-than-significant*.

TABLE 1
CALIFORNIA FARMLAND MONITORING AND MAPPING PROGRAM DESIGNATIONS

P	<p>Prime Farmland: Land which has the best combination of physical and chemical characteristics for the production of crops. It has the soil quality, growing season, and moisture supply needed to produce sustained high yields of crops when treated and managed, including water management, according to current farming methods. Prime farmlands must have been in production of irrigated crops at some time during the update cycles prior to the mapping date.</p>	L	<p>Farmland of Local Importance: These are farmlands of importance to the local agricultural economy as determined by each County's board of supervisors and local advisory committees.</p>
S	<p>Farmland of Statewide Importance: Farmland of Statewide Importance is similar to Prime Farmland but with minor shortcomings, such as greater slopes or less ability to hold and store moisture. Lands of Statewide Importance must have been in production of irrigated crops at some time during the update cycles prior to the mapping date.</p>	G	<p>Grazing Lands: This is land on which the existing vegetation, whether grown naturally or through management, is suitable for grazing or browsing of livestock. The minimum mapping unit is 40 acres.</p>
U	<p>Unique Farmland: This is land of lesser quality soils used for the production of specific high economic value crops (as listed in the California Department of Food and Agriculture <i>California Agriculture</i> publication) at some time during the update cycles prior to the mapping date. Examples of Unique Farmlands include oranges, olives, avocados, rice, grapes, and cut flowers.</p>	D	<p>Urban and Built-up Lands: This includes lands used for residential, industrial, commercial, construction, institutional, public administrative purposes, railroad yards, cemeteries, airports, golf courses, sanitary landfills, sewage treatment plants, water control structures and other development purposes. The building density for residential must be at least 1 structure per 1.5 acres. Vacant non-agricultural land surrounded by all sides by urban development and which is less than 40 acres in size is considered urban and built-up land.</p>
		X	<p>Other Land: This includes lands such as rural development which is less than 1 structure per 1.5 acres; brush, timberlands, wetlands and other lands not suitable for livestock grazing; vacant non agricultural lands greater than 40 acres in size and surrounded on all sides by urban development, strip mines, borrow pits, large bodies of water over 40 acres, and other rural land uses.</p>

II c) Conversion of Farmland

The proposed project will not convert active farmlands or any lands designated for agriculture on the General Plan or by zoning. The site is identified by the FMMP system as “Farmlands of Local Importance.” These lands are not currently cultivated and the proposed project would include largely passive and interpretive facilities on this side of the river. Therefore, the proposed project will not convert any existing cultivated farmlands to other uses. Given these considerations, the proposed project is expected to have a *less-than-significant impact* related to conversion of farmlands.

II d) Other Local Farm Preservation Policies

The City of Sacramento’s adopted General Plan Open Space and Conservation Element (1988) identifies the following policies related to agricultural preservation.

Goal A

Retain land inside the City for agricultural use until the need arises for development, and support actions of Sacramento County to similarly conserve its land until needed for urban growth. Almost all agricultural land in the City is located in North Natomas. Accordingly, phasing the conversion to urban uses through implementation of the North Natomas Community Plan policies is the only policy applicable within the City’s current boundaries.

Policy 1

Phase the conversion of agricultural lands to urban uses while implementing the policies of the North Natomas Community Plan. The general development agreements and the PUD process will consider and provide for the orderly phasing of development, and implement the policies that have been set.

Policy 2

Work with Sacramento County to explore the feasibility of an agricultural preservation plan. Preservation tools such as transferable development credits could be examined as well as other programs, which are being used effectively in other parts of the State and country.

The above General Plan policies apply to the North Natomas area or areas adjacent to the City/County boundary. As such, the proposed project which is not located in either of these areas does not conflict with these policies. Given these considerations, the proposed project is expected to have a *less-than-significant impact* related to agricultural preservation policies.

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III. AIR QUALITY	Would the project:	Potentially Significant Impact	Potentially Significant Impact Unless Mitigated	Less-than-significant Impact
a)	Conflict with or obstruct implementation of applicable air quality plan?		X	
b)	Violate any air quality standard or contribute substantially to an existing or projected air quality violation?		X	
c)	Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?		X	
d)	Expose sensitive receptors to substantial pollutant concentrations?			X
e)	Create objectionable odors affecting a substantial number of people?			X

ENVIRONMENTAL SETTING

The project site lies within the urbanized area of Sacramento in the Sacramento Valley Air Basin (SVAB), and is subject to federal, state, and local air quality regulations. The project site is in Sacramento County, under the jurisdiction of the Sacramento Metropolitan Air Quality Management District (SMAQMD). The SMAQMD is responsible for implementing emissions standards and other requirements of federal and state laws. Currently, Sacramento County is a designated Federal Ozone Nonattainment Area (SFNA). As a part of the SFNA, Sacramento County is out of compliance with the state and federal ozone standards.

The USEPA non-attainment designation of “serious” indicates that the County does not currently meet the federal ozone standard. The ozone standard was established by the USEPA to help achieve one of the primary federal Clean Air Act goals – to “protect and enhance the quality of the Nation’s air resources so as to promote the public health and welfare and the productive capacity of its population.”

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Both federal and State Ambient Air Quality Standards (AAQS) have been established for criteria air pollutants, with the California AAQS (CAAQS) being more stringent than federal AAQS. While federal and State standards are set to protect public health, adverse health effects still result from air pollution. Table 2 summarizes attainment status for Sacramento County with regards to the CAAQS.

Pollutant	Primary Standard	Status
Ozone (O₃) –		
1 hour	0.09 ppm	Serious Nonattainment
8 hour	0.07 ppm	Serious Nonattainment
Carbon Monoxide (CO) –		
1 hour	20 ppm	Attainment
8 hour	9 ppm	Attainment
Nitrogen Dioxide (NO₂) –		
1 hour	0.25 ppm	Attainment
Sulfur Dioxide (SO₂) –		
24 Hour	0.04 ppm	Attainment
1 Hour	0.25 ppm	Attainment
Inhalable Particulate (PM₁₀)		
Annual Arithmetic Mean	20 µg/m ³	Nonttainment
24 Hour	50 µg/m ³	Nonttainment
Inhalable Particulate (PM_{2.5})		
Annual Arithmetic Mean	12 µg/m ³	Nonattainment
<small>Source: SMAQMD website – www.airquality.org/daqdata/attainmentstat.shtml Accessed June 1, 2006. ppm = parts per million µg/m³ = micrograms per cubic meter</small>		

The characteristics of regulated air pollutants of concern are described below.

Ozone

The concentration of ground level ozone, commonly referred to as smog, is greatest on warm, windless, sunny days. Ozone is not emitted directly into the air, but forms through a complex series of chemical reactions between two directly emitted ozone precursors – reactive organic gases (ROG) and nitrogen oxides (NO_x). These reactions occur over time in the presence of sunlight. The principal sources of the ozone precursors (ROG and NO_x) are the combustion of fuels and the evaporation of solvents, paints, and fuels. As a cumulative result of Sacramento regional development patterns, however, motor vehicles produce the majority of ozone precursor emissions. In fact, over 70% of the NO_x produced in the region is from motor vehicles. Recognizing the health impacts of day-long ozone exposure, the EPA promulgated an 8-hour standard for ozone in 1997 as a successor to the 1-hour standard.

Ozone is a public health concern because it is a respiratory irritant that increases susceptibility to respiratory infections and diseases, and because it can harm lung tissue at high concentrations. Ozone has also been linked to cardiovascular disease. In addition, ozone can cause substantial damage to leaf tissues of crops and natural vegetation and can damage many natural and human-made materials by acting as a chemical oxidizing agent.

Particulates

Airborne dust contains fine particulate matter (PM10 and PM 2.5) includes a wide range of solid or liquid particles, such as smoke, dust, aerosols and metallic oxides. PM10 (particles with aerodynamic diameters less than 10 microns) can remain in the atmosphere for up to seven days before it is removed from rainout, washout, and gravitational settling. The level of fine particulate matter in the air is a public health concern because PM10 can bypass the body's natural filtration system more easily than larger particles, and can lodge deep in the lungs. The health effects vary depending on a variety of factors, including the type and size of particles. Research has demonstrated a correlation between high PM10 concentrations and increased mortality rates. Elevated PM10 concentrations can also aggravate chronic respiratory illnesses such as bronchitis and asthma.

There are many sources of PM10 emissions, including combustion, industrial and agricultural processes, grading and construction, and motor vehicle use. The PM10 emissions associated with motor vehicle use include tail pipe and tire wear emissions, as well as re-entrained road dust. Construction and operational emissions from land use developments can involve significant on road and off road diesel vehicle use. Environmental impact analysis and mitigation must give thorough consideration to diesel-related particulate emissions and the latest toxic control measures. Particulate matter emissions also result from wood burning in fireplaces and stoves, and open residential and agricultural burning. The contribution of agricultural activities to re-entrained PM10 levels varies, because PM10 emissions are a function of soil type and moisture content.

At the same time EPA proposed new standards for ozone, EPA also proposed new standards for smaller particles, PM2.5 (particles with aerodynamic diameters less than 2.5 microns), and the districts began data collection to determine the area's attainment status under the revised standard. The new PM2.5 standard includes an annual standard and a 24-hour standard. In June 2004, USEPA proposed to classify Sacramento County in attainment of the federal PM2.5 standards.

Carbon Monoxide (CO)

CO is an odorless, colorless gas that is formed by the incomplete combustion of fuels. Motor vehicle emissions are the dominant source of CO in the Sacramento region. At high concentrations, CO reduces the oxygen-carrying capacity of the blood and can cause dizziness, headaches, unconsciousness, and even death. CO can also aggravate cardiovascular disease. CO emissions and ambient concentrations have decreased significantly in recent years. These improvements are due largely to the introduction of cleaner burning motor vehicles and motor vehicle fuels. The Sacramento region has attained the State and federal CO standard. The records from the region's monitoring stations show that the CO standard has not been exceeded since 1999.

Greenhouse Gases

Greenhouse gas is a general term describing one of a number of gases that can absorb and retain heat in the atmosphere, contributing to climate change. Greenhouse gases include water vapor, carbon dioxide, methane, and other gases that can be generated by the incomplete combustion of fuels in internal combustion engines. Greenhouse gas emissions are not yet regulated in land development in California.

STANDARDS OF SIGNIFICANCE

The project is considered to have a significant air quality impact if any of the following quantitative conditions occur:

- **Ozone**: The project will increase nitrogen oxide levels above 85 pounds per day for short term construction effects. The project increases either ozone precursors, nitrogen oxides (NO_x) or reactive organic gases (ROG) above 65 pounds per day for long-term effects (operation of the project).
- **Particulate Matter (PM10)**: The project emits pollutants at a level equal to, or greater than five percent of the CAAGS (50 micrograms/cubic meter for 24 hours) if there is an existing or projected violation. However, if a project is below the ROG and NO_x thresholds, it is assumed that the project is below the PM 10 threshold as well.
- **Carbon Monoxide (CO)**: The project results in CO concentrations that exceed the 1-hour State ambient air quality standard of 20.0 parts per million (ppm) or the 8 hour State ambient standard of 9.0 ppm.
- **Toxic Air Contaminants**. The project would create a significant impact if it causes a risk of 10 to 1 million for cancer.

DISCUSSION OF DETERMINATION

III. a) and b) Air Quality Standards

Long Term Operational Emissions

No vehicle access or parking is proposed as part of this project. Off site parking at Discovery Park (downstream approximately 0.5 miles) is currently provided however, no new spaces will be created. Because the project does not include the development of facilities that would generate traffic, generation of emissions from project operation will not result. Therefore, the project is not expected to generate substantial new long term vehicle trips which would result in increased vehicle emissions. As an open space and habitat site, no new facilities (such as engines or pumps) which would generate emissions are proposed. Therefore, impacts to long term operational air quality emissions are expected to be *less-than-significant*.

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Short Term, Construction Period Emissions

Restoration of the Urrutia site will require site grading, contouring and fill to restore the gravel pit and restore slopes to a safer more stable gradient. Site preparation will generate dust and particulate emissions and emissions related to construction equipment. Short term (construction period) air quality impacts related to the site may be *significant* depending on the type of equipment used and the extent of earth movement per day. The Sacramento Metropolitan Air Quality Management District's (SMAQMD) 2004 Guide to Air Quality Assessment recommends that if in the initial planning phase of a project, the exact type and number of equipment are unknown or unavailable for the construction activity, then the preferred option is to calculate construction emission impacts using the latest version of the URBEMIS model. Reasonable assumptions regarding the project were therefore used in modeling construction period emissions using URBEMIS 2007, version 9.2.2. This model provides default equipment emissions based on associated databases which included Emfac2007 V2.3 Nov 1 2006 for on road emissions and OFFROAD 2007 for off-road vehicle emission.

Based on the scheduling for permits and approvals, it is anticipated that work on the site would not be authorized until Spring 2009. Because of the proximity to the levees (e.g. Reclamation Board construction period limitations on work on or near levees) and other conditions, a relatively short and concentrated site restoration schedule is anticipated extending from mid-May to mid-September, 2009. Phasing and equipment assumptions for the URBEMIS modeling are included in Exhibit B.

Table 3 shows the estimated emissions from the URBEMIS modeling output:

TABLE 3 CONSTRUCTION AND OPERATIONAL EMISSIONS (PEAK POUNDS PER DAY)											
CONSTRUCTION EMISSIONS	ROG	NOx	CO	SO2	PM10 Dust	PM10 Exhaust	PM10 TOTAL	PM2.5 Dust	PM2.5 Exhaust	PM2.5 TOTAL	CO2
2009 TOTALS (lbs/day unmitigated)	12.66	120.15	60.58	0.05	540.18	5.70	545.41	112.83	5.25	117.25	
<i>Exceeds SMAQMD Threshold?</i>		YES									
AREA SOURCE EMISSIONS	ROG	NOx	CO	SO2	PM10 Dust	PM10 Exhaust	PM10 TOTAL	PM2.5 Dust	PM2.5 Exhaust	PM2.5 TOTAL	CO2
TOTALS (lbs/day, unmitigated)	0.13	0.02	1.60	0.00	0.00	0.00	0.00	0.00	0.00	0.00	2.75
OPERATIONAL	ROG	NOx	CO	SO2	PM10 Dust	PM10 Exhaust	PM10 TOTAL	PM2.5 Dust	PM2.5 Exhaust	PM2.5 TOTAL	CO2
TOTALS (lbs/day, unmitigated)	3.88	1.96	22.35	0.02	--		2.53			0.49	1575.64
<i>Exceeds SMAQMD Threshold?</i>	NO	NO									
Source: URBEMIS 2007 version 9.2.2 Note: Modeling assumed the prohibition of wood-burning fireplaces.											

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The proposed project has the potential to exceed the Standard of Significance for construction related NO_x emissions which is 85 lbs/day. The project is estimated to generate up to 120.15 lbs/day of NO_x during construction. Additionally, construction of the proposed project will generate particulates and fugitive dust which may exceed the standard. In order to reduce these potentially *significant* impacts, the following mitigation measures are required:

MITIGATION MEASURE III. a 1 Air Quality NO_x Emissions

Prior to the issuance of grading permits for the project, the City and SAFCA shall prepare a construction mitigation plan and implement air quality emission reduction measures. The construction mitigation plan shall be reviewed and approved by SMAQMD staff prior to beginning construction. At a minimum, the construction mitigation plan shall include the following measures:

1. The following measures shall be included to reduce NO_x and visible emissions from heavy-duty diesel equipment.
 - a. The project shall provide a plan 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-percent NO_x reduction and 45-percent particulate reduction compared to the most recent CARB 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.
 - b. The project applicant shall submit 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 the project. 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.
 - c. At least 48 hours before subject heavy-duty off-road equipment is used, the project representative shall provide the SMAQMD with the anticipated construction timeline including start date, and the name and phone number of the project manager and onsite foreman.
 - d. The project shall ensure that emissions from off-road, diesel-powered equipment used on the project site do not exceed 40-percent opacity for more than 3 minutes in any 1 hour, as determined by an on-site inspector trained in visual emissions assessment. Any equipment found to exceed 40-percent opacity (or Ringlemann

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2.0) 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, and a monthly summary of visual survey results shall be submitted 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.

- e. The project applicant shall pay into the SMAQMD's construction mitigation fund to offset construction generated emissions of NOX that exceed SMAQMD's daily emission threshold of 85 lbs/day. The project applicant shall coordinate with the SMAQMD for payment of fees into the Heavy-Duty Low-Emission Vehicle Program designed to reduce construction related emissions within the region. Fees shall be paid based upon the current SMAQMD Fee of \$14,300/ton of NOx emissions generated. This fee shall be paid prior to issuance of building permits. Detailed construction information for the proposed project is not yet available. If the projected construction equipment or phases change, the City and SAFCA shall coordinate with the SMAQMD to determine if the mitigation fee needs to be recalculated.
- f. All heavy-duty equipment shall be properly tuned and maintained in accordance with manufacturers' specifications. Construction equipment will utilize the Best Available Technology (BAT) so as to minimize vehicle emissions to the extent possible. This may include the use of diesel particulate filters and cooled exhaust gas recirculation or equivalent measures on all off-road and on-road diesel equipment in the construction phase of the project. The City and SAFCA will review amendments to CARB and SMAQMD regulations and City of Sacramento ordinances during construction, and comply immediately with newly adopted regulations, including those for equipment idling, which would reduce the cumulative release of pollutants.
- g. Timing/Implementation: The fee will be paid in total prior to issuance of any grading permit and/or ground disturbance.

MITIGATION MEASURE III. a 2 Air Quality Particulates and Fugitive Dust

Implementation of the following mitigation measures would reduce fugitive dust emissions by approximately 75 percent.¹ Mitigation measures shall be incorporated into construction contracts and included on all construction plans.

¹ SMAQMD, *Guide to Air Quality Assessment*, July 2004, pg. 3-20.

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The City and SAFCA shall reduce fugitive dust emissions by implementing the measures listed below:

1. All disturbed areas, including storage piles that are not being actively used for construction purposes, as well as any portions of the construction site that remain inactive longer than a period of 3 months, 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. Alternatively, non-toxic soil stabilizers shall be applied to all inactive construction areas in accordance with manufacture's specifications.
2. During clearing, grading, earth-moving, or excavation operations, fugitive dust emissions shall be controlled by watering exposed surfaces two times per day, watering haul roads three times per day or paving of construction roads, or other dust-preventive measures. All onsite unpaved roads and offsite unpaved access roads shall be effectively stabilized of dust emissions using water or a chemical stabilizer or suppressant.
3. All vehicles hauling dirt, sand, soil or other loose material shall be covered or should maintain at least two feet of freeboard in accordance with the requirements of California Vehicle Code Section 23114.
4. 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.
5. Onsite vehicle speeds on unpaved roads shall be limited to 15 mph.
6. Excavation and grading activities shall be suspended when winds exceed 20 mph.

The mitigation measures listed above would reduce project impacts to a *less-than-significant level*.

III. c) Cumulative Air Quality Impacts

As noted above, the proposed project could contribute short term construction period emissions to the cumulative conditions. Mitigation measures above would reduce the significance of the project's cumulative emissions. With mitigation, the cumulative impact would be *less-than-significant*.

The project's temporary construction activities would generate greenhouse gases, which would contribute to adverse, cumulative climate change. No significance thresholds have been

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established for this long-term, global cumulative effect. The proposed project would have long-term benefits by sequestering greenhouse gasses as the restored vegetation matures.

Federal Clean Air Act (CAA) Conformity Rule Findings: Federal clean air laws require areas with unhealthy levels of ozone, carbon monoxide, nitrogen dioxide, sulfur dioxide, and inhalable particulate matter to develop plans, known as State Implementation Plans (SIPs), describing how these areas will attain national ambient air quality standards (NAAQS). A CAA general conformity analysis applies only to projects in a non-attainment area. The Mitigated Negative Declaration prepared for the site utilized the URBEMIS air quality model to estimate emissions related to restoration of the site which includes soil import, soil movement and grading, and construction vehicle emissions. It is not expected that any operational emissions will result since the planned “end use” of the site is open space and habitat. The Sacramento area is a non-attainment area for ozone. Ozone emissions are based on ozone precursors which include reactive organic gases (ROG) and Nitrogen Oxides (NOx). Based on the URBEMIS results, the proposed project would generate construction period NOx emissions which exceed the local Sacramento Air Quality Management District’s (SMAQMD) thresholds for significance. Mitigation measures are included in the Mitigated Negative Declaration to reduce the impact of these emissions to a less-than significant level under CEQA requirements. With respect to the Federal Clean Air Act (CAA) conformity rule, the proposed project emissions (unmitigated) would be considered significant if the annual emissions exceeded U.S. EPA’s conformity thresholds. The CAA *de minimus* threshold is 25 tons per year of NOx, 25 tons per year of ROG, 100 tons of CO and 100 tons per year of particulates (PM10).

Estimated emissions for the proposed project are:

- 0.26 tons per year of ROG which is less than the *de minimus* threshold of 25 tons
- 2.45 tons per year of NOx which is less than the *de minimus* threshold of 25 tons
- 1.18 tons per year of CO which is less than the *de minimus* threshold of 100 tons
- 11.17 tons per year of PM10 which is less than the *de minimus* threshold of 100 tons

Based on the air quality modeling for the site no Federal conformity thresholds are expected to be exceeded by the proposed project.

III. d) Exposure to Substantial Pollutant Concentrations

The proposed project is located in an increasingly urban environment; therefore, future visitors would be exposed to pollution common to urban areas. The main sources of pollution near the project site are Garden Highway and Interstate 5. While project visitors would be exposed to pollution from nearby on-road sources, the project would not permanently introduce new sensitive receptors, such as residences, into the area. Since a park is not considered a sensitive use and sensitive receptors would not be permanently introduced into the area, the impact would be considered less than significant.

III. e) Odors

The proposed concept plans do not include or reference any activities which would result in objectionable odors. As such, impacts related to odors are expected to be *less-than-significant*.

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IV. BIOLOGICAL RESOURCES Would the project:	Potentially Significant Impact	Potentially Significant Impact Unless Mitigated	Less-than-significant Impact
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?		X	
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?		X	
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?		X	
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?		X	
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?		X	
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?			X

ENVIRONMENTAL SETTING

The subject site is located in the Sacramento Valley bio-region of California, a low-lying area, subject to flooding from a variety of rivers that traverse the valley. Historically, the Sacramento Valley included a mosaic of marsh wetlands, seasonally inundated grasslands, and oak savanna grasslands, or uplands. During the late 1800's and early 1900's, a substantial system of levees was built for flood control purposes and to reclaim land for agricultural production and for urbanization.

The proposed site is located in the City of Sacramento between the northern banks of the American River and the Garden Highway (American River levee) within the American River Parkway. The confluence of the American River and the Sacramento River is approximately 2 miles to the west. Bannon Slough is located north of the site between the project boundaries and the Garden Highway.

The project site is within the American River Basin, which is one of six former natural overflow basins of the Sacramento River Drainage System. Prior to reclamation, high river flows deposited the heaviest soils close to the river banks creating natural levees or rimlands. The river beds and banks gradually built up such that they were higher in elevation than the extensive flat lands beyond the natural levees. As a result, when the levees were overtopped during high flows, the basins flooded and created large lakes. These lakes gradually released waters back into the river through sloughs, evaporation, and seepage. When the seasonal lake finally dried by mid-summer, extensive tule wetlands remained. Bannon Slough, which is located adjacent to the project site along Garden Highway, is a remnant of a natural slough that drained the American River Basin prior to the reclamation.

The project area experiences hot, dry summers and cool, wet winters typical of a Mediterranean climate. Most of the rainfall occurs in the period from November through April. The City of Sacramento, averages 18.25 inches of precipitation annually, of which 89 percent occurs between November and April. The average monthly temperatures in Sacramento range from 46.1°F in January to 75.9°F in July, with an annual average of 61.4°F. The average maximum monthly temperature occurs in July (92.6°F), and the average minimum temperature occurs in January (53.2°F). The average length of the growing season is 282 days.

Biological assessments recently completed for the site include a 2005 biological investigation sanctioned by the State Department of Parks and Recreation (DPR), which consisted of field surveys, consultation with local experts, and a review of existing literature, biological databases and inventories.² In addition, biological information gathered by Jones and Stokes Associates (2007) as part of the development of the proposed restoration and enhancement plan for the site.³

² California Indian Heritage Museum Final Draft, Natural Resources - Northgate Site, prepared by the State Department of Parks and Recreation Northern Service Center Natural Resources Staff, May 2005.

³ Design Memorandum Urrutia Pond, prepared by Jones and Stokes Associates for the Sacramento Area Flood Control Agency, April 2007

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This information was updated based on the 2008 California Department of Fish and Game's (CDFG) Natural Diversity Database (CNDDDB) for the Sacramento East USGS 7.5-minute quadrangles, the California Native Plant Society's (CNPS) 2008 Electronic Inventory of Rare and Endangered Plants of California (2008), and U.S. Fish and Wildlife Service (USFWS) list of federally listed species that may occur in the vicinity of the site.⁴ Field biologists of Padre Associates, Inc. conducted preliminary site investigations in June 2008. The results of the above investigations are summarized below.

Vegetative Communities

Vegetation on the project site is primarily ruderal on the upland areas, and is subject to disking and mowing. Along the American River banks, some riparian vegetation persists with willows, cottonwoods and other riparian species. To the east and west, the riverbanks are owned by the County and have more established riparian vegetation than the subject site, which has been used for mining.

Wildlife Habitats

Habitats found in the project area include riverine, valley foothill riparian, valley oak woodland, and annual grassland. The annual grassland onsite that was historically cultivated for agriculture, now provides cover for ground-nesting birds and small mammals, as well as foraging habitat for raptors such as the white-tailed kite (*Elanus leucurus*) and red-tailed hawk (*Buteo jamaicensis*). A large portion of the site (that which is not part of the mining borrow pond) is comprised of grasslands and ruderal vegetation, which has been disked and disturbed by mining activities and on-going soil recycling activities on site.

The American River and Bannon Slough (the lower portion of the Natomas East Main Drainage canal also known as Steelhead Creek) provide riverine habitat along the northeastern and southwestern boundaries of the project site. The American River is home to many species of anadromous fish, and the open water provides habitat for wintering waterbirds such as common goldeneyes (*Bucephala clangula*) and merganser (*Mergus merganser*), as well as resident species like the pied-billed grebe (*Podilymbus podiceps*) and mallard (*Anas platyrhynchos*). The slower-moving water environment of Bannon Slough could support aquatic species like the giant garter snake (*Thamnophis gigas*).

⁴ Sacramento Fish & Wildlife Office, Federal Endangered and Threatened Species that Occur in or may be Affected by Projects in the Sacramento East (512C), U.S.G.S. 7.5-Minute Quadrangle. Database Last Updated: January 31, 2008, Document Number: 080602125758

Special-Status Species

Definitions of Special-Status Species

Special-status species are plants and animals that, because of their recognized rarity or vulnerability to various causes of habitat loss or population decline, are recognized in some fashion by federal, state, or other agencies as deserving special consideration. These species are referred to collectively as "special status species" in this report. The various categories encompassed by the term are presented below:

- Plants or animals listed or proposed for listing as threatened or endangered under the federal Endangered Species Act (ESA) (50 Code of Federal Regulations (CFR) 17.12 for listed plants, 17.11 for listed animals and various notices in the Federal Register (FR) for proposed species).
- Plants or animals that are candidates for possible future listing as threatened or endangered under the federal ESA (61 FR 40, February 28, 1996).
- Plants or animals listed or proposed for listing by the State of California as threatened or endangered under the California ESA (14 California Code of Regulations (CCR) 670.5).
- Plants listed as rare or endangered under the California Native Plant Protection Act (California Fish and Game Code, Section 1900 et seq.).
- Plants that meet the definitions of rare and endangered under CEQA (State CEQA Guidelines, Section 15380).
- Plants considered under the California Native Plant Society (CNPS) to be "rare, threatened or endangered in California" (Lists 1A, 1B, and 2 in CNPS 2001).
- Animal Species of Special Concern to DFG; and
- Animals fully protected in California (California Fish and Game Code, Sections 3511 for birds, 4700 for mammals, and 5050 for reptiles and amphibians).

Special-Status Species Evaluated

Because of the proximity of the Urrutia site to the American River, the site may serve as habitat for a number of special-status species. Table 4 lists the sensitive species that could potentially be present at the Urrutia site based on database searches and literature review.

Native Fish Species

The American River is home to a diverse assemblage of native fish, many of which are federal and/or state threatened, endangered, or species of concern. Table 4 lists the sensitive fish species that could be present in the river in the vicinity of the site.

*Giant Garter Snake (*Thamnophis gigas*)*

This state and federally threatened species could possibly be present in the project area. The giant garter snake (GGS) is aquatic (rarely found far from water), frequenting marshes, sloughs, mud-

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bottom canals of rice farming areas, and occasionally slow streams (Stebbins, 2003). Flood control and water diversion projects, and major wetlands and habitat loss due to agriculture have severely impacted this species. Bannon Slough, running through the northern edge of the project area (outside the subject property line), may provide habitat for this species.

Valley Elderberry Longhorn Beetle (VELB) (Desmocerus californicus dimorphus)

The federally threatened valley elderberry longhorn beetle (VELB) is found in the remaining riparian forests and adjacent upland habitats of California's Central Valley, where it is completely dependent on its host plant elderberry (USFWS, 1999). The CNDDDB contains a record for this species in the Sacramento East quad, in the vicinity of the project area. Surveys of the site conducted in spring 2005 located numerous stands of elderberry in the project area (see Maps, Appendix B, Sensitive Wildlife Resources), with beetle exit holes present in some plants. This species is assumed to be present in the project area. The valley elderberry longhorn beetle is in long-term decline due to human activities that have resulted in widespread alteration and fragmentation of riparian habitats, and to a lesser extent, upland habitats, which support the beetle. (USFWS, 2005).

Swainson's Hawk (Buteo swainsoni)

The state threatened Swainson's hawk is known to nest along the American River in the vicinity of the project site. The CNDDDB lists a record of a nest in a cottonwood tree in the Sacramento East quad, along the Bannon Slough. This location is about .45 miles west of the project site. Additionally, surveys revealed an active territory located in the project site with a potential nest site in a tall cottonwood tree at Camp Pollock, which is located to the east of the site. A pair of Swainson's hawks was observed building a nest at this location in early April 2005.

This migratory species arrives in California's Central Valley from wintering grounds in Central and South America in March or early April, and breeds in stands with few trees in juniper-sage flats, riparian areas, and in oak savannah in the Central Valley (Zeiner et al., 1990). Swainson's hawks are locally common to rare breeders in California, with the majority of known territories located in the Central Valley and Great Basin bioregions. In the Central Valley, Swainson's hawk nest sites are strongly associated with riparian forest vegetation due to the availability and distribution of suitable nesting trees in proximity to high-quality foraging habitat (Woodbridge, 1998). Swainson's hawks are currently absent from much of their historic breeding range in the central and southern portions of California, and may have declined by as much as 90%. Population declines are largely due to loss of nesting habitat in mature riparian forest, loss or adverse modification of high-quality foraging habitat, and high mortality due to pesticide use on migration route and wintering areas.

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**TABLE 4
SPECIAL STATUS SPECIES POTENTIALLY OCCURRING IN THE URRUTIA PROJECT AREA***

TYPE	SPECIES	COMMON NAME	STATUS**	PROJECT AREA
FISH	<i>Acipenser medirostris</i>	Green sturgeon	FT, CSC, AFSE	Potential
	<i>Oncorhynchus mykiss</i>	Steelhead - Central Valley	FT	Potential
	<i>Oncorhynchus tshawytscha</i>	Chinook Salmon – Central Valley spring-run	FT, CT	Potential
	<i>Oncorhynchus tshawytscha</i>	Chinook Salmon – Winter run	FE, CE	Potential
	<i>Oncorhynchus tshawytscha</i>	Chinook Salmon – Central Valley fall/late fall-run	CSC, FSS	Potential
	<i>Hypomesus transpacificus</i>	Delta smelt	FT, CT	Potential
AMPHIBIANS	<i>Ambystoma californiense</i>	California tiger salamander, central population (T)	FT	Potential
	<i>Rana aurora draytonii</i>	California red-legged frog (T)	FT	Potential
REPTILES	<i>Clemmys marmorata marmorata</i>	Northwestern pond turtle	CSC, FSS	Potential
	<i>Thamnophis gigas</i>	Giant garter snake	FT, CT	Potential
BIRDS	<i>Accipiter cooperi</i>	Cooper's hawk	CSC	Potential
	<i>Buteo swainsoni</i>	Swainson's hawk	CT, FSS	Potential
	<i>Elanus leucurus</i>	White-tailed kite	CFP	Potential
	<i>Athene cunicularia hypugaea</i>	Western burrowing owl	CSC, BLM	Potential
	<i>Progne subis</i>	Purple martin	CSC	Potential
	<i>Riparia riparia</i> <i>Agelaius tricolor</i>	Bank swallow Tricolored blackbird	CT CSC, BLM	Potential Potential
MAMMALS	<i>Corynorhinus townsendii townsendii</i>	Townsend's western big-eared bat	CSC, FSS, BLM CSC, FSS	Potential Potential
	<i>Antrozous pallidus</i>	Pallid bat	BLM	Potential
	<i>Myotis yumanensis</i>	Yuma myotis	CSC	Unlikely
	<i>Taxidea taxus</i>	American Badger		
INVERTEBRATES	<i>Desmocerus californicus dimorphus</i>	Valley elderberry longhorn beetle	FT	Potential
	<i>Branchinecta lynchi</i>	vernal pool fairy shrimp	FT	Unlikely***
	<i>Lepidurus packardii</i>	vernal pool tadpole shrimp	FE	Unlikely
	<i>Linderiella occidentalis</i>	California fairy shrimp		Unlikely
PLANTS	<i>Sagittaria sanfordii</i>	Sanford's arrowhead	CNPS List 1B.2	Potential

* Sacramento East USGS 7.5 minute quadrangle.

**Status Codes:

FE = Federal Endangered; FT = Federal Threatened; FC = Federal Candidate; FSS = U.S. Forest Service Sensitive; CE = California Endangered; CT = California Threatened; CR = California Rare; CFP = California Fully Protected; CSC = California Species of Concern;

BLM = BLM Sensitive;

AFSE = American Fisheries Society Endangered; AFST = American Fisheries Society Threatened.

*** No vernal pool habitat located on site.

Source: Sacramento Fish & Wildlife Office, *Federal Endangered and Threatened Species that Occur in or may be Affected by Projects in the SACRAMENTO EAST (512C), U.S.G.S. 7 1/2 Minute Quad*. Database Last Updated: January 31, 2008, Document Number: 080602125758

California Department of Fish and Game, California Natural Diversity Database (CNDDDB) accessed electronically May 31, 2008 for the Sacramento East Quadrant.

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White-tailed kite (Elanus leucurus)

The white-tailed kite, a California Fully Protected Species, is a common to uncommon yearlong resident in herbaceous and open stages of most habitats in coastal and valley lowlands, and nests near the top of dense oak, willow, or other tree stands (Zeiner et al., 1990). Fully Protected species may not be taken or possessed at any time and no licenses or permits may be issued for their take except for collecting these species for necessary scientific research and relocation of the bird species for the protection of livestock. White-tailed kites were regularly observed onsite during spring 2005 avian surveys, hunting over the open grassland onsite. This species may nest in or adjacent to the project area.

Burrowing Owl (Athene cunicularia hypugea)

Burrowing owls are not listed under either the federal Endangered Species Act or the California Endangered Species Act. However, burrowing owls are considered a Species of Special Concern by CDFG. The western burrowing owl is a small raptor. It is distinguished from other small owls by its long legs. The species utilizes the burrows of ground-dwelling species, such as California ground squirrel, or artificial structures (e.g., culverts) for nesting. This species is associated with open lands including grasslands, rolling hills, desert floors, and open bare ground characterized by low-lying vegetation. As noted, the species utilizes rodent burrows, especially California ground squirrel burrows, or artificial structures (e.g., culverts) for nest sites (subterranean nester), and favors elevated places such as berms, levees, road and rail beds where it can overlook open lands. It is possible that some of the levee berms could support burrows.

Nesting raptors

A number of other raptor species have been observed in the project area including northern harrier, red-shouldered hawk, red-tailed hawk, and American kestrel, and other species could be present as well. Raptors and their nests are protected by the Fish and Game Code (Section 3503.5). Large trees located to the east and west of the site provide an abundance of nesting sites for raptors and other birds compared to Urrutia site, which has been modified by mining activities. Additionally, the large open fields in the project area may be utilized by a number of these raptors for foraging.

Special-Status Plant Species

The CNDDDB and CNPS report occurrences of one special status plant species (all CNPS List 1B or List 2) for the Sacramento East quad⁵ where the site is located. This list identified Sanford's arrowhead (*Sagittaria sanfordii*) as potentially occurring in this quad⁶. This plant prefers slough-

⁵ Sacramento East, USGS 7.5 minute quadrangle.

⁶ California Native Plant Society (CNPS). 2008. Inventory of Rare and Endangered Plants (online edition, v7-08b). California Native Plant Society. Sacramento, CA. Accessed on Mon, Jun. 2, 2008 from <http://www.cnps.org/inventory>

like conditions (slow-moving or standing water), which may be present near Bannon Slough at the northern perimeter of the site.

REGULATORY SETTING

State and Federal Statutes

Pertinent legal protections and requirements of state and federal statutes that apply to the project include:

- Federal Endangered Species Act (16 U.S.C. 1531-1543).
- Fish and Wildlife Coordination Act (16 U.S.C. 661-666).
- Section 404 of the Clean Water Act.
- Executive Order 11990, Protection of Wetlands (May 24, 1977).
- California Endangered Species Act (Fish and Game Code 2050 et seq.).
- Native Plant Protection Act (California Fish and Game Code 1900-1913).
- Sections 1601-1603 of the California Fish and Game Code that pertain to streambed alterations.
- Migratory Bird Treaty Act of 1918 (16 U.S.C. 703-711).

Section 404 of the Clean Water Act

The United States Army Corps of Engineers (ACOE) and the United States Environmental Protection Agency regulate the discharge of dredge and fill material into jurisdictional “waters of the United States” under Section 404 of the Clean Water Act. Waters of the United States are defined as:

(1) All waters which are currently used, or were used in the past, or may be susceptible to use in interstate or foreign commerce, including all waters which are subject to the ebb and flow of the tide, (2) all interstate waters including interstate wetlands, (3) all other waters such as intrastate lakes, rivers, streams (including intermittent streams), mudflats, sandflats, wetlands, sloughs, prairie potholes, wet meadows, playa lakes, or natural ponds, the use, degradation or destruction of which would affect interstate or foreign commerce, including such waters: (i) which are or could be used by interstate or foreign travelers for recreational or other purposes, or (ii) from which fish or shellfish are or could be taken and sold in interstate or foreign commerce, or (iii) which are used or could be used for industrial purposes by industries in interstate commerce; (4) all impoundments of waters otherwise defined as waters of the United States, (5) tributaries of waters identified in paragraphs 1-4 of this section, (6) the territorial seas, and (7) wetlands adjacent to waters that are themselves not wetlands (40 CFR 230.3).

The classes of water bodies that are subject to Clean Water Act jurisdiction only if such a significant nexus is demonstrated are: 1) non-navigable tributaries that do not typically flow year-

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round or have continuous flow at least seasonally; 2) wetlands adjacent to such tributaries; and 3) wetlands adjacent to but that do not directly abut a relatively permanent, non-navigable tributary.

The Corps is also responsible for authorizing work affecting navigable waters of the United States under Section 10 of the Rivers and Harbors Act of 1899 (33 USC403). Structures or work under, on, or over a navigable water of the United States is considered to have an impact on the navigable capacity of the water body (33 CFR 322.3[a]).

Federal Endangered Species Act

The Federal Endangered Species Act defines “take” (Section 9) and prohibits “taking” of a listed endangered or threatened species (16 U.S.C. 1532, 50 CFR 17.3). If a federally listed species could be harmed by a project, a Section 7 or 10 consultation must be initiated, and an Incidental Take Permit must be obtained (16 U.S.C. 1539, 50 CFR 13).

Federal Migratory Bird Treaty Act

Migratory birds are protected under the federal Migratory Bird Treaty Act (MBTA) of 1918 (16 U.S.C. 703-711). The MBTA makes it unlawful to take, possess, buy, sell, purchase, or barter any migratory bird listed in 50 CFR Part 10 including feathers or other parts, nests, eggs, or products, except as allowed by implementing regulations (50 CFR 21). All migratory bird species are protected by the MBTA. The direct injury or death of an individual of an included species, due to construction activities or any construction-related disturbance that causes nest abandonment or forced fledging would be considered a take. Any removal of active nests during the breeding season or any disturbance that results in the abandonment of nestlings is also considered a take under federal law.

California Endangered Species Act

The California Fish and Game Code defines “take” (Section 86) and prohibits “taking” of a species listed as threatened or endangered under the California Endangered Species Act (California Fish and Game Code Section 2080) or otherwise fully protected (as defined in California Fish and Game Code Sections 3511, 4700, and 5050).

Section 1601-1603 Streambed Alteration Agreement

The DFG also regulates activities that may impact streambeds. Division 2, Chapter 6, Section 1601 of the Fish and Game Code states that:

“An entity may not substantially divert or obstruct the natural flow of, or substantially change or use any material from the bed, channel or bank of any river stream or lake, or deposit or dispose of debris, waste or other material containing crumbled, flaked or ground pavement where it may pass into any river stream or lake unless the entity notifies CDFG...”

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Completion of a Section 1601-03 Streambed Alteration Agreement with the DFG is required before any work begins that will affect streambed areas.

Local Protection Regulations (City of Sacramento)

In the City of Sacramento “Heritage Tree” is defined by the Sacramento City Code (12.64.020) as:

- Any tree of any species with a trunk circumference of 100 inches or more, which is of good quality in terms of health, vigor of growth, and conformity to generally accepted horticultural standards of shape and location for its species.
- Any native *Quercus* (oak) species, *Aesculus californica* (California buckeye), or *Platanus racemosa* (western sycamore), having a circumference of 36 inches or greater when a single trunk, or a circumference of 36 inches or greater when a multi-trunk.
- Any tree 36 inches in circumference or greater in a riparian zone. The riparian zone is measured from the center line of the water course to 30 feet beyond the high water line.
- Any tree, grove of trees, or woodland trees designated by resolution of the City Council to be of special historical or environmental value, or of significant community benefit (Prior Code § 45.04.211).

STANDARDS OF SIGNIFICANCE

The impact of the project on biological resources was evaluated in terms of mandatory findings of significance at Section 15065 of CEQA and Appendix G of the State CEQA Guidelines. In accordance with these CEQA Guidelines, a project will normally result in a significant impact if any of the following conditions would result from project implementation:

- Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by the CDFG, USFWS, or NOAA Fisheries;
- Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulation, or by the CDFG, USFWS, or NOAA Fisheries;
- Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means;
- Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery site;

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- Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan;
- Conflict with any local polices or ordinances protecting biological resources, such as a tree preservation policy or ordinance;
- Substantially degrade the quality of the environment, substantially reduce the habitat of a fish and wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of an endangered, rare or threatened species

DISCUSSION OF IMPACTS

IV a) Special-Status Species

Special-status species are plants and animals that, because of their recognized rarity or vulnerability to various causes of habitat loss or population decline, are recognized in some fashion by federal, state, or other agencies as deserving special consideration. These species are referred to collectively as "special-status species" in this report. Table 3 lists the sensitive species that could potentially be present along the American River in the project area based on database searches and literature review. Construction and site preparation on the Urrutia site could result in significant temporary construction period impacts to special-status species. In the long run, restoration of the site will result in beneficial habitat enhancement for these and other native species. Additionally, preservation of the site as open space will assist in providing a less fragmented riparian habitat along the American River. Nonetheless, mitigation measures should be employed during the site preparation and restoration phase to reduce construction period impacts to a less-than-significant level. Impacts and mitigation measures are listed by species type.

Giant Garter Snake (Thamnophis gigas)

Based on the proximity to the slow moving waters of the Bannon Slough, the project site may serve as habitat for the Federally threatened GGS. The GGS may use upland portions near slough water for basking and resting areas and may use some of the bermed areas for hibernacula during winter. Therefore, disturbance from construction during the winter hibernation season may unearth and harm GGS. During summer months, GGS are more visible and mobile, and construction monitoring protocols could be employed to reduce impacts. Dewatering of the site is not expected to occur. The Urrutia pond cannot be dewatered because of its size and depth. Because of the depth of the water, and steep side slopes the pond may not be suitable habitat for GGS. The banks of the pond where work will be conducted will be investigated by a qualified biologist prior to start of work. Adjacent to the project site is the Bannon Slough, which is outside the work area and will not be directly affected by the project, but is proximate to the

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project. The following mitigation measures are proposed to reduce potential impacts to a *less-than-significant* level.

MITIGATION MEASURE IV a (1): Giant Garter Snake Impacts

Construction Timing- General

1. Construction activity within habitat shall be targeted to occur between May 1 and October 1. This is the active period for GGS and direct mortality is lessened, because snakes are expected to actively move and avoid danger. Any construction that may occur between October 2 and April 30 shall be approved by the Sacramento Office of the USFWS. Any additional mitigation required by the USFWS shall be followed.

Construction Areas- General

2. Confine clearing to the minimal area necessary to facilitate construction activities. Flag and designate avoided GGS habitats. These areas shall be fenced with temporary construction fencing and avoided by all construction personnel. Construction personnel shall receive USFWS-approved worker environmental awareness training. Under this program, workers shall be informed about the presence of GGS and habitat associated with the species and that unlawful take of the animal or destruction of its habitat is a violation of the Act. Prior to construction activities, a qualified biologist approved by the USFWS shall instruct all construction personnel about: (1) the life history of the GGS; (2) the importance of irrigation canals, marshes/wetlands, and seasonally flooded areas, such as rice fields, to the GGS; and (3) the terms and conditions of the biological opinion. Proof of this instruction shall be submitted to the City and the USFWS.

Prior to Construction

3. Within 24-hours of construction activities, the project area (northern perimeter near the Bannon Slough) shall be surveyed by a qualified biologist approved by USFWS for GGS. Survey of the project area shall be repeated if a lapse in construction activity of two weeks or greater has occurred. A field report form documenting monitoring efforts shall be submitted to the City and USFWS. If snakes are observed on site, netting and salvage of prey items may be necessary.

During Construction

4. If a live GGS is found during construction activities, all construction activities shall cease until the monitoring biologist has deemed that recommencing work will not harm the snake. GGS encountered during construction activities should be allowed to move away from construction activities on their own. Escape routes for GGS shall be determined in advance of construction. The monitor shall remain in the area for the remainder of the work day to make sure the snake is not harmed or if it leaves the site, does not return. If a GGS does not leave on its own volition within one working day, further consultation with USFWS may be required. Capture and relocation of trapped or injured individuals can only be attempted by personnel or individuals with current USFWS recovery permits pursuant to section 10(a)1(A) of the Act. The biologist shall be required to report any incidental take to the USFWS immediately and by written letter addressed to the Chief, Endangered Species Division, within one working day.

Other Measures

5. After completion of construction activities, remove any temporary fill and construction debris and, wherever feasible, restore disturbed areas to pre-project conditions. Restoration work may include such activities as replanting species removed from banks or replanting emergent vegetation in the active channel. To the extent possible, restoration activities shall conform to the guidelines set forth in Appendix C of the Programmatic Formal Consultation for U.S. Army Corps of Engineers 404 Permitted Projects with Relatively Small Effects on the Giant Garter Snake within Butte, Colusa, Glenn, Fresno, Merced, Sacramento, San Joaquin, Solano, Stanislaus, Sutter and Yolo Counties, California (USFWS 1997).
6. Upon locating any dead, injured or sick GGS, the applicant or their designated agents shall notify within one working day the USFWS' Division of Law Enforcement (2800 Cottage Way, Sacramento CA 95825) or the Sacramento Fish and Wildlife Office (2800 Cottage Way, Room W-2605, Sacramento, CA 95825, telephone 916 414-6600).
7. Fill or construction debris may be used by GGS as an over-wintering site. Therefore, upon completion of construction activities any temporary fill and/or construction debris from the site shall be removed. If this material is situated near undisturbed GGS and it is to be removed between October 1 and April 30, it shall be inspected by a qualified biologist to ensure that GGS are not using it as hibernacula.

Swainson's Hawk (*Buteo swainsoni*) and Other Raptors

The Swainson's hawk and other raptors may use the site for foraging and nesting. In the long run, restoration of the site will create greater quality foraging and nesting areas for raptors. Although there are no known nesting sites on the property (the site is relatively denuded of large or significant trees as a result of past mining activities), there are potential nesting trees immediately bordering the site. Thus, construction activities on the site may disturb adjacent nesting sites. Therefore, pre-construction investigations to determine if occupied nest sites are located within a quarter mile perimeter of construction activities should be undertaken by a qualified biologist. Disturbance of nesting raptors or removal of nest trees during the nesting season is a potentially *significant impact*. The following mitigation measures are proposed to reduce these impacts to a *less-than-significant* level.

MITIGATION MEASURE IV a 2: Swainson's Hawk and Raptor Impacts

1. To mitigate impacts to Swainson's hawk and other raptors during the nesting season (March 1 through August 31), the project applicant(s) shall retain a qualified biologist (acceptable to the City in consultation with DFG) to conduct preconstruction surveys and to identify active nests on and within 0.5 mile of the project site. The surveys shall be conducted prior to the approval of grading and/or improvement plans (as applicable) and no more than 14 days before the beginning of construction. To the extent feasible, guidelines provided in Recommended Timing and Methodology for Swainson's Hawk Nesting Surveys in the Central Valley (Swainson's Hawk Technical Advisory Committee 2000) shall be followed.
2. If no nests are found, no further mitigation is required.
3. If active nests are found, impacts to nesting Swainson's hawks and other raptors shall be avoided by establishment of appropriate buffers around the nests. No project activity (including tree removal) shall commence within the buffer area until a qualified biologist confirms that any young have fledged and the nest is no longer active. DFG guidelines recommend implementation of 0.25-mile buffers for most raptors and 0.5-mile buffers for Swainson's hawk, but the size of the buffer may be adjusted if a qualified biologist and the City, in consultation with DFG, determine that such an adjustment would not be likely to adversely affect the nest. Monitoring of the nest by a qualified biologist (acceptable to the City in consultation with DFG) during and after construction activities will be required if the activity has potential to adversely affect the nest.
4. If suitable nesting trees will be required to be removed as a part of the project, the trees may be removed prior to the start of the nesting season.

Other Nesting Bird Species

A variety of birds may use the site for nesting in mature trees or heavily vegetated river bank slopes of the site. Preliminary field visits (June 2008, Padres Associates) of the site identified heron and possibly egret rookeries. In accordance with the Migratory Bird Treaty Act (MBTA), construction activities or any construction-related disturbance that causes nest abandonment or forced fledging would be considered a take. Any removal of active nests during the breeding season or any disturbance that results in the abandonment of nestlings is also considered a take under federal law. Therefore, disturbance of nest sites is considered a potentially significant impact. The following mitigation measures are proposed to reduce potential impacts to a *less-than-significant* level:

MITIGATION MEASURE IV a 3: Other Nesting Bird Species

1. A preconstruction survey of potential nest trees and ground nesting sites or rookeries shall be conducted not more than two weeks prior to construction.
2. If no active nests are found, no mitigation will be necessary.
3. If an active nest is located within 250 feet of the impact area, a biologist shall record the location(s) on a site map. A buffer shall be established around the nest site in consultation with CDFG. A biologist shall delimit the buffer zone with yellow caution tape or temporary flagging where feasible. The buffer zone shall be maintained throughout the construction period. These protections shall remain in place until birds have voluntarily fledged.
4. During construction, a biologist shall monitor nests weekly to evaluate potential nesting disturbance caused by construction activities. The biological monitor shall have the authority to stop construction if the nesting birds appear to be adversely affected.
5. If occupied nesting trees will be required to be removed as a part of the project, the trees may be removed prior to the start of the nesting season.

Valley Elderberry Longhorn Beetle (VELB)

Elderberry plants are located along the section of the American River where the project is located. Preliminary field review conducted by Padre Associates, Inc. (June 2008) confirmed that although the Urrutia Site is fairly disturbed some isolated elderberry bushes are located on site. It is, therefore, reasonable to assume that the plant may be on site and may host VELB. Disturbance of elderberry plants therefore, may pose a *significant* impact. The following mitigation measures are proposed to reduce impacts to VELB to *less-than-significant* level.

MITIGATION MEASURE IV a 3: Valley Elderberry Longhorn Beetle (VELB)

Prior to Construction

Prior to start of site disturbance activities, a pre-construction survey shall be completed to identify the presence and location of any elderberry (*Sambucus* sp.) bushes on the project site. Any elderberry plants identified shall be examined for exit holes, stem size, and condition. Surveys will be conducted by a qualified biologist or other qualified professional (acceptable to the City) and shall follow the USFWS Conservation Guidelines for the Valley Elderberry Longhorn Beetle (VELB).

During Construction

If elderberry plants with stems measuring 1.0 inch or greater in diameter at ground level are identified, the conservation measures outlined in the USFWS Conservation Guidelines for VELB (1999) which include among other guidance:

1. Fence and flag all areas to be avoided during construction activities providing a 100 foot buffer or wider around elderberry plants containing stems measuring 1.0 inch or greater in diameter at ground level. In areas where encroachment on the 100-foot buffer has been approved by the USFWS, provide a minimum setback of at least 20 feet from the dripline of each elderberry plant.
2. Brief contractors on the need to avoid damaging the elderberry plants and the possible penalties for not complying with these requirements.
3. Erect signs every 50 feet along the edge of the avoidance area with the following information: "This area is habitat of the valley elderberry longhorn beetle, a threatened species, and must not be disturbed. This species is protected by the Endangered Species Act of 1973, as amended. Violators are subject to prosecution, fines, and imprisonment." The signs should be clearly readable from a distance of 20 feet, and must be maintained for the duration of construction.
4. Instruct work crews about the status of the beetle and the need to protect its elderberry host plant.

Plants That Cannot Be Avoided

If the pre-construction survey reveals elderberry plants that cannot be avoided, the following measures shall be employed:

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1. Transplant all healthy plants with stems greater than 1 inch to a USFWS-approved conservation area in accordance with the guidance provided in the USFWS Conservation Guidelines for VELB (1999).
2. Mitigate for plants that cannot be replaced in accordance with the USFWS Conservation Guidelines for VELB (1999). Replacement seedling plants will be provided at a ratio of 2 to 1 to 8 to 1 depending on the extent of VELB utilization of the plants moved or lost. A 1,800-square-foot area will be provided for each transplanted elderberry shrub or every five elderberry seedling plants.
3. Annual monitoring of VELB habitat will be provided in the planted mitigation sites for a ten year period and shall be conducted in accordance with the monitoring requirements of the USFWS Conservation Guidelines for VELB (1999).
4. Replacement elderberry shrubs will meet a 60% survival rate by the end of the ten year period and the 60% survival rate shall be required for the term of the applicable permit.

After Construction

1. Restore any damage done to the buffer area (area within 100 feet of elderberry plants) during construction. Provide erosion control and re-vegetate with appropriate native plants.
2. Buffer areas must continue to be protected after construction from adverse effects of the project. Measures such as fencing, signs, weeding, and trash removal are usually appropriate
3. No insecticides, herbicides, fertilizers, or other chemicals that might harm the beetle or its host plant should be used in the buffer areas, or within 100 feet of any elderberry plant with one or more stems measuring 1.0 inch or greater in diameter at ground level.
4. Mowing of grasses/ground cover may occur from July through April to reduce fire hazard. No mowing should occur within five (5) feet of elderberry plant stems. Mowing must be done in a manner that avoids damaging plants.

Burrowing Owl (Athene cunicularia hypugea)

It is possible that the burrowing owl may be present on the site attracted to the levee slopes and open grass lands where rodent burrows may provide nesting and resting places. Disturbance of nesting burrowing owls and their habitat is a significant effect that can be reduced to a *less-than-significant* level through the use of the following mitigation measures:

MITIGATION MEASURE IV a 4: Burrowing Owl

Prior to Construction

Prior to start of site disturbance activities, a pre-construction survey shall be completed to identify the presence and location of any burrowing owl burrows or other indicators that the site is used by the species.

If Occupied Burrows Found on Site. If occupied nests are found on the site, the guidelines provided in the 1995 CDFG Staff Report on Burrowing Owl Mitigation shall be followed which include but are not limited to:

1. Occupied burrows shall not be disturbed during the nesting season (February 1 through August 31) unless a qualified biologist approved by the CDFG verifies through non-invasive measures that either: 1) the birds have not begun egg-laying and incubation; or 2) that juveniles from the occupied burrows are foraging independently and are capable of independent survival.
2. If nest sites are found, the CDFG shall be contacted regarding suitable mitigation measures in accordance with the CDFG's 1995 Staff Report on Burrowing Owl Mitigation. This may include a 300-foot buffer from the nest site during the breeding season (February 1 - August 31), or a relocation effort for the burrowing owls if the birds have not begun egg-laying and incubation or the juveniles from the occupied burrows are foraging independently and are capable of independent survival. If on-site avoidance is required, the location of the buffer zone will be determined by a qualified biologist in consultation with the City and CDFG. The biologist shall mark the limit of the buffer zone with yellow caution tape, stakes, or temporary fencing. The buffer will be maintained throughout the construction period.
3. If relocation of the owls is approved for the site by CDFG, the City 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.

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4. 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 with the CDFG's October 17, 1995, Staff Report on Burrowing Owls Mitigation (see Appendix D). On-site abandoned burrows shall be excavated to ensure that the owls do not become trapped and cannot re-occupy.
5. If burrows and adjacent foraging habitat are disturbed by the project, replacement habitat shall be provided based on consultation between the City and CDFG using the 1995 CDFG Staff Report on Burrowing Owl Mitigation as guidance.

Rare Plants Impacts

Because the site has been disturbed by mining activities and is routinely disked and mowed, it is unlikely that rare plants are located on the site. None-the-less, the site may provide limited habitat Sanford's arrowhead (*Sagittaria sanfordii*). The closest reported occurrences of Sanford's arrowhead are a few miles upstream along the American River near California State University Sacramento and Cal Expo. Potential habitat exists along Bannon Slough. The American River in the immediate vicinity of the project site probably does not possess suitable habitat because of a lack of slow moving or standing water. To reduce potential impacts to rare plants the following mitigation measures shall be employed.

MITIGATION MEASURE IV a 5: Rare Plant Impacts

1. Prior to site disturbance a qualified biologist or botanist shall conduct a pre-construction survey of the site during the appropriate blooming months (or when species can be unmistakably identified) for CNPS List 1B and List 2 plant species that could potentially occur within the project area. If rare plants are observed on site, the occurrences of the species found within the project area would be mapped on project maps, flagged on the ground, and avoided to the extent feasible.

IV b) Riparian Habitat or other Sensitive Natural Communities

Riparian habitat is located on both the north and south side of the American River within the project area. Great Valley Cottonwood Riparian Forest (equivalent to Fremont Cottonwood Series) occurs at several locations along the American River. On the project site, much of this habitat is substantially degraded as a result of mining activities. The proposed project will restore the habitat of the site including native plantings of cottonwood and related riparian species. As such, the proposed project is expected to have a positive impact in the long term. Short term impacts related to removal of individual trees are discussed in Section IV e below. With implementation of the tree mitigation measures included in Section IV 8 a, impacts to riparian habitat is considered *less-than-significant*.

IV c) Jurisdictional Waters and Wetlands

The inundated portions of the American River would be considered jurisdictional waters and modifications below the ordinary high water mark would be subject to Section 404 of the Clean Water Act. The project shall comply with the City of Sacramento Code, Ordinance 15.88.250, Erosion and Sediment Control. The City shall employ Best Management Practices (BMPs) before, during and after construction (See also Soils and Geology and Water Quality Sections) which will reduce some of the construction period water quality impacts. Depending on the final grading and contouring plan the proposed project may affect jurisdictional waters of the American River which is considered a *significant impact*.

Additionally, depending on the prevailing Section 404 regulations and interpretations at time of application, mining quarries bearing water (such as the pond on site) may be considered wetlands. Based on a hydrologic analysis prepared by the U.S. Army Corps of Engineers (EIP Associates, 1996) for the SAFCA mitigation site located immediately east of Northgate Boulevard, the ordinary high water mark (OHWM) was established at the 26-foot elevation contour, which corresponds to a two-year flood recurrence interval. This means that, on average, area below the 26-foot contour are inundated approximately every other year. Consequently, areas below the 26-foot contour on the Urrutia site would likely qualify as jurisdictional waters.

The following mitigation measures are included to reduce this potential impact to a *less-than-significant level*.

MITIGATION MEASURE IV a 6: Wetlands and Waters of the U.S.

1. Prior to start of construction, the project applicant shall consult with the Corps and, if deemed appropriate, obtain a Section 404 CWA permit. If it is necessary to discharge fill materials including soil into wetlands or jurisdictional waters, a wetland delineation shall be submitted to the Corps and the appropriate Section 404 permit shall be acquired prior to any fill activities or discharges within jurisdictional wetlands.
2. If required by the Corps the project applicant shall prepare a mitigation and monitoring plan. The mitigation plan shall demonstrate how the project has been designed to minimize and mitigate impacts to jurisdictional waters.
3. A Section 401 Water Quality Certification, or waiver thereof, shall be obtained from the Central Valley Regional Water Quality Control Board before a Section 404 permit becomes valid.

IV. d) Native Resident or Migratory Fish or Nursery Sites

The American River is designated as critical habitat for Central Valley steelhead (*Oncorhynchus mykiss*) and spring run Chinook salmon (*Oncorhynchus tshawytscha*), both federally threatened species. It is also used by fall-run Chinook salmon, listed as a federal and State species of special concern, and Sacramento splittail (*Pogonichthys macrolepidotus*), a State species of special

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concern (FISH Working Group, 2001; CDFG, 2005). Two other federally listed species, the Delta smelt (*Hypomesus transpacificu*) and Green sturgeon (*Acipenser medirostris*) may also use the American River for migration and habitat.

Under existing conditions, flooding events that allow Bannon Slough or the American River to temporarily connect with the pond may also allow juvenile steelhead or Chinook to enter the pond. A portion of them may escape as waters recede, but any left behind after the connections dry up would presumably be preyed upon by non-native fish like largemouth bass within the pond. Any change in connectivity to the pond could change the likelihood of this adverse effect.

The proposed Urrutia Site Restoration includes some terracing along the American River, which may result in short term construction period impacts (erosion, sedimentation, and turbidity) that could result in *significant temporary impacts* to fish species. The Stormwater Pollution Prevention Plan (SWPPP) will be prepared for the Proposed Project which will include specific measures to reduce and control erosion and run-off into the American River. In the long term, the proposed project will restore riverine habitat and support juvenile fish species. The following mitigation measures are proposed to reduce significant impacts to a *less-than-significant level*.

MITIGATION MEASURE IV a 7: Impacts to Fish Species

During construction, the following measures shall be employed to reduce siltation and sedimentation in the American River and to reduce impacts to fish species.

1. All in-stream work will be conducted within the seasonal work window suggested by NOAA Fisheries, CDFG, and USFWS to minimize effects to the affected protected fish species which include: Central Valley steelhead (*Oncorhynchus mykiss*); spring run Chinook salmon (*Oncorhynchus tshawytscha*); Sacramento splittail (*Pogonichthys macrolepidotus*); Delta smelt (*Hypomesus transpacificu*) and Green sturgeon (*Acipenser medirostris*).
2. Standard construction Best Management Practices (BMPs) will be incorporated into construction designs, plans and specifications, and will be required of contractors during construction. BMPs will be designed based on the City of Sacramento's NPDES permit standards. BMPs will include measures to reduce erosion and sedimentation (silt curtains, temporary bank stabilization, etc(which contributes to turbidity and other water quality impacts that affect fish species.
3. The project design shall avoid changing connectivity between the pond and either Bannon Slough or the American River. If changes to connectivity are desired or unavoidable, consultation shall be initiated with the CDFG, NOAA Fisheries, and USFWS to ensure that measures are included in the design so the changes in connectivity have a net beneficial effect on protected fish species.

IV. e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance

The City of Sacramento Tree Preservation Ordinance (Sacramento City Code 12.64.040) protects “any tree 36 inches in circumference or greater in a riparian zone. The riparian zone is measured from the center line of the water course to 30 feet beyond the high water line.” The proposed project would require site preparation and grading to reclaim and restore the Urrutia mining site, which may affect tree resources. Therefore, the project may pose a potential *significant impact* to tree resources which can be reduced to a *less-than-significant level* with mitigation.

MITIGATION MEASURE IV a 8: Heritage and Street Tree Resources

1. Prior to start of construction, the City of Sacramento and SAFCA shall coordinate with the City Arborist as part of the development of final construction drawings for methods to *avoid* heritage trees through redesign if feasible.
2. If avoidance of heritage trees is not feasible, the City and SAFCA shall submit and comply with a tree replacement mitigation plan developed in consultation with the City Arborist and any other conditions related to compliance with the Heritage Tree Ordinance and related Tree Removal Permit.
3. During construction the City and SAFCA shall follow the procedures necessary to protect existing trees. All work near the trees shall be coordinated with the City Arborist, Department of Transportation Urban Forest Section, phone number (916) 808-6345. The Contractor shall comply with direction as given by the City Arborist and the following requirements for those trees protected by the City of Sacramento Tree Preservation Ordinance and not shown for removal on construction plans:
 - a. A circle with a radius measurement from the trunk of the tree to the tip of its longest limb shall constitute the dripline protection area of each tree. Limbs must not be cut back in order to change the dripline. The area beneath the dripline is a critical portion of the root zone and defines the minimum protected area of each tree. Removing limbs that make up the dripline does not change the protected area.
 - b. Protective fencing shall be installed at the driplines of the protected trees prior to the start of any construction work (including grading or placement of vehicles on site), in order to avoid damage to the trees and their root systems. This fencing may be installed around the outermost dripline of clusters of trees proposed for protection, rather than individual trees. Fencing shall be shown all project plans.
 - c. No vehicles, construction equipment, mobile home/office, supplies, materials or facilities shall be driven, parked, stockpiled or located within the driplines of

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- protected trees. A laminated sign indicating such shall be attached to fencing surrounding trees on-site.
- d. No grading (grade cuts or fills) shall be allowed within the driplines of protected trees.
 - e. Drainage patterns on the site shall not be modified so that water collects or stands within, or is diverted across, the dripline of any protected tree.
 - f. No trenching shall be allowed within the driplines of protected trees. If it is absolutely necessary to install underground utilities within the dripline of a protected tree, the utility line shall be bored and jacked under the supervision of a certified arborist.
 - g. The construction of impervious surfaces within the driplines of protected trees shall be stringently minimized. When it is absolutely necessary, a piped aeration system shall be installed under the supervision of a certified arborist. Wherever possible, pervious concrete shall be used as an alternative to traditional concrete, when it is required under tree driplines.
 - h. No sprinkler or irrigation system shall be installed in such a manner that sprays water or requires trenching within the driplines of protected trees. An above ground drip irrigation system is recommended.
 - i. Landscaping beneath protected trees may include non-plant materials such as bark mulch or wood chips. The only plant species that shall be planted within the driplines of protected trees are those that are tolerant of the natural environs of the trees. Limited drip irrigation approximately twice per summer is recommended for the understory plants.
 - j. Any protected trees on the site, which require pruning, shall be pruned by a certified arborist prior to the start of construction work. All pruning shall be in accordance with the American National Standards Institute (ANSI) A300 pruning standards and the International Society of Arboriculture (ISA) "Tree Pruning Guidelines." Approval shall be obtained from the City Arborist prior to any tree pruning.
 - k. No signs, ropes, cables (except those which may be installed by a certified arborist to provide limb support) or any other items shall be attached to the protected trees.
 - l. If during construction grading, tree roots two inches (2") in diameter or greater are encountered, work shall stop immediately and the City Arborist shall be contacted for a root inspection, and the root shall not be cut unless the arborist approves. Roots approved by the arborist to be severed during the course of

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project construction shall be neatly trimmed. If a large number of roots require cutting, the tree will then have to be evaluated by the arborist for possible removal.

- m. The Contractor shall be responsible for damages to trees. Trees damaged by the Contractor during construction activities shall be assessed by the City Arborist using the International Society of Arborists (ISA) appraisal guide. The Contractor's responsibility for damaged trees will be determined by the City Arborist.

With implementation of Mitigation Measure IV a 9, impacts to tree resources can be reduced to a *less-than-significant* level.

IV f) Habitat Conservation Plans

There are no approved Habitat Conservation Plans (HCP) or other conservation plans that cover the site. The nearest approved HCP covers the North Natomas area to the north of the site. The project will have *no impact* on HCPs or other conservation plans.

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V. CULTURAL RESOURCES	Would the project:	Potentially Significant Impact	Potentially Significant Impact Unless Mitigated	Less-than-significant Impact
a)	Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?			X
b)	Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?		X	
c)	Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?			X
d)	Disturb any human remains, including those interred outside of formal cemeteries?		X	

ENVIRONMENTAL SETTING

The subject site is located to the immediate north of the Central City of Sacramento, and near the confluence of the American and Sacramento Rivers. The river banks are generally considered culturally sensitive because the rivers' environment has historically been a place of settlement for both Pre-European (Native California Indian) and European populations. The American River and Sacramento River corridors provided water, shelter (mature riparian vegetation), food, and a method of water transportation.

An Historical Research and Archaeological Surface Survey Northgate Site for the Proposed California Indian Heritage Center Sacramento County, California, was prepared by the State Department of Parks and Recreation, (May 2005). Warren Wulzen, Associate State Archaeologist, Dan Osanna, State Historian III, and Monica Aleman, State Historian II conducted the research for this survey. This information contained in that document has been summarized and used to assist in the completion of this section of the Initial Study Checklist.

Pre-European History

According to research conducted by the State Department of Parks and Recreation (2005), the Urrutia Property is located in the ethnographic territory of the Nisenan Maidu who inhabited the river drainages of the Yuba, Bear, American, and lower reaches of the Feather rivers. Neighboring tribes were the Patwin to the west of the Sacramento River and the Miwok a few miles south of the American River. The settlement pattern along the lower American River included a cluster of small villages around a dominant central village. These village clusters were inhabited by extended families with up to 500 persons in residence. Two archaeological sites in the project area (CA-SAC-026 and CA-SAC-032), are known as named village locations, Pujune and Yamanepu, respectively.

European Contact

The first recorded Spanish expedition into the project vicinity was led by Gabriel Moraga between 1806 and 1808, in order to scout new mission sites, return runaway Indians, and punish Indians hostile to Spanish rule. Beaver and other fur resources were exploited in the Sacramento Valley by the Hudson Bay Company.

In 1827 and 1828, Jedediah Smith led a trapping expedition into the project vicinity. These and other trappers set up temporary camps in Nisenan territory and relationships were friendly. In 1833, a great malaria epidemic swept through the Sacramento Valley, killing an estimated 75 percent of the Valley Nisenan population.

In 1839 John Sutter arrived in this area, becoming the first white settler in the Sacramento Valley. He met with some resistance from the Nisenan, but was able to enlist aid from the Miwok near the Cosumnes River for the development of his fort and surrounding farms. With the 1848 discovery of gold at Coloma on the south fork of the American River and the rapid spread of mining to all foothill areas, the culture and life style of all the Nisenan were severely disturbed. Widespread disruption of the people and destruction of their villages, hunting and gathering areas and other sites occurred with the resulting influx of miners and mining related activities. At the same time, farming was begun in the Valley, which impacted the native culture in the lowlands.

Modern History

The historic development of the Central Valley began in earnest in 1839 when John A. Sutter settled along the American River and established a trading post in the wilderness (unsettled by Europeans). Sutter's Landing (now Sutter's Landing Park at 28th and C Streets) was the initial landing point of the Sutter exploration party. Sutter's Fort was established to the southwest of the landing on higher ground. A wide range of interests were pursued at Sutter's Fort, from horse and cattle ranching to liquor distilling and blanket weaving. Sutter's Fort Historic Park is located between L and K Streets at 26th and 27th Streets.

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In 1841, Sutter was granted eleven (11) leagues of land by the Mexican government and called his holdings New Helvetia (now known as Sacramento). Even with the many mercantile and agricultural operations supported by Sutter's Fort, the Sacramento area remained relatively sparsely occupied until 1848 when James Marshall discovered gold at Sutter's lumber mill in Coloma. The Gold Rush substantially changed the influence and range of Sacramento. In 1849 at the beginning of the Gold Rush era, Sacramento's population was approximately 150 persons. However, by 1850 the population was over 9,000 persons, expanding to 12,418 persons by 1852.

The City of Sacramento was incorporated in 1850. The area between Sutter's Fort and the riverfront was surveyed by Captain William Warner and William Tecumseh Sherman (two Army engineers) to create a grid pattern which largely exists in the Central City today. Parks and plazas were also laid out as part of the initial plan.

During the 1860's the economy of Sacramento shifted from gold to agriculture. Waterways supported water transport and long range transport of agricultural goods was enabled by the construction of the transcontinental railroad. The Southern Pacific Railroad was well established in the region by the 1860's.

History of Flood Control Challenges along the American River

While the rivers provided a means of transportation, they also posed a threat to the whole community. The first flood that seriously impacted the city hit on January 8, 1850. After a heavy storm that started in early evening, water rushed over the banks of a slough on I Street between First and Third streets. The entire city was flooded for days (Thompson and West 1880: 67-68). This major flood led to several efforts to construct flood control measures along the east bank of the Sacramento River and southern bank of the American River. Despite efforts to create levee protection for the community, flood damage was sustained repeatedly throughout the 1850's and 1860's. Hydraulic mining upstream increased the volume and velocity of run-off further complicating flood impacts. Among the flood control measures promoted were strengthening natural levees, rechanneling the American River and raising streets in the main business district. Of these efforts, the rechanneling of the American River impacted the project area the most.

The rechanneling of the American River occurred in 1868 and extended from the eastern most extreme of what is now known as Sutter's Landing to a location approximately one mile north of its original mouth at the Sacramento River. Thus, the Urrutia Site is estimated to be located directly in the vicinity of this early flood control project. The channel bypassed an "S" curve, eliminating a natural slowing of the river. Levees were raised on the south side of the American River to protect the City of Sacramento, and to allow overflows to flood the north banks of the river away from urban settlements.

Although the lands north of the re-aligned American River continued to flood, these areas although not urbanized in the 1850s and 1860s, were not unoccupied. Most of the area north of

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the American River in the project vicinity was used for ranching and some farming. In By 1855, two brothers of Swiss origin, John and Jacob Meister, had purchased 945 acres on the north side of the American River four miles from Sacramento, part of which includes the area known today as Northgate. The Meisters suffered a large loss as a result of the floods of 1862, though they recovered financially because the swamp land was covered by five feet of sediment providing fertile soil for farming.

In 1902, a more comprehensive flood control approach was proposed which included the use of weirs to allow flood water into river bypasses, enlarging the mouth of the Sacramento River and raising the levees to a uniform height. Also significant was the formation of the State Reclamation Board in 1911 to coordinate the activities of reclamation districts. These districts had the authority to raise taxes to finance the construction of private levees as long as those levees conformed to the standards of the Sacramento Flood Control Plan (Bradley and Corbett 1996: 9-10). Reclamation District 1000 (RD 1000) was one of the first of the modern reclamation districts that were established as a result of the new legislation. The principal developer of RD 1000 was the Natomas Company, a group motivated to reclaim swamplands in the Natomas area.

The Natomas area reclamation plan began with the development of the Natomas drainage system in 1912. This system included the development of the East Main Drain and several other drains and pumping stations to drain the basin. In addition to the levees and drainage system, the Natomas Company initiated a road system including the Garden Highway to provide access to maintenance of the canals and levees.

In 1913, a separate Reclamation District (RD 1400) was formed which included the Urrutia site. RD 1400 was the result of a compromise between the California Legislature and the City of Sacramento. The City was concerned that the levees constructed to help reclaim the lands of RD 1000 would cause the city to flood in the event of high waters. The compromise reached designated 462 acres that were directly north of the American River to be excluded from RD 1000 so that levees would be built further back from the river creating a wider flood flow channel. In 1922, RD 1400 was subsequently consolidated with RD 1000.

With flood control in place, development north of the river began to occur. In the vicinity of the project site, the Gardenland neighborhood located to the east of Northgate Boulevard was one of the first major subdivisions in the area. By the 1950s, Northgate Boulevard had become a major transportation route between McClellan Air Force Base and an Air Force dock at the Garden Highway on the Sacramento River. The City of Sacramento annexed Gardenland and additional portions of the Natomas area in 1962.

Because of the importance and history of levees and flood control in the project area, the entire RD 1000 service area is listed with the National Register of Historic Places and the Historic American Engineering Record. The RD 1000 Rural Historic Landscape District has been listed with the National Register because it provides a significant historical context to reclamation and flood control efforts in the Sacramento River Basin for the Sacramento Flood Control Project.

History of the Urrutia Site

The Urrutia family purchased a portion of the site in the 1920's from the Natomas Company and an additional 92 acres were purchased from the Natomas Company in 1932. Mr. Henry Urrutia has owned the 123-acre property since the 1950s. To the immediate west of the Urrutia mining site, the Urrutia house, still occupied by Henry Urrutia, is located on a separate parcel. The house is located on a high mound between the RD 1000 levee and the American River and as a result when the area flooded, the Urrutia's house was surrounded by water and the only access was by boat.

In 1953 Henry Urrutia received a permit to construct a bridge across a Natomas Company borrow pit so that he could access his home by vehicle. This bridge also allowed him to open the Gardenland Sand and Gravel Mine by providing access for trucks and equipment (Sacramento County Deeds Book 2473: 332; County of Sacramento 2004: 8).

The Gardenland Sand and Gravel Company operated for approximately 50 years. As sand and gravel were extracted the existing pond grew to its current size of approximately 62-acres. In an effort to reuse the area, Henry Urrutia planned to excavate a channel to connect the gravel pond to the American River and open a marina. However, Sacramento City denied his permit application for the marina. Urrutia then constructed a wide berm between the pond and the river resulting in the pond's current configuration.

Structures currently on the site include a mobile home, an office and a portable storage unit. See Figures 7A through C photos of structures.

PHOTOS OF EXISTING STRUCTURES ON THE URRUTIA SITE (JUNE 2008)



FIGURE 7A: OFFICE STRUCTURE



FIGURE 7B: STORAGE CONTAINER



FIGURE 7C: MOBILE HOME

REGULATORY ENVIRONMENT

The California Environmental Quality Act (CEQA) Guidelines Appendix G identifies examples of a significant effect on historic or cultural resources and states that a project will normally have a significant effect if it will:

- Cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5.
- Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5.
- Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature.
- Disturb any human remains, including those interred outside of formal cemeteries.

Section 15064.5 defines a significant adverse effect to include any activity which would: (1) Create a substantially adverse change in the significance of an historical resource including physical demolition, destruction, relocation, or alteration of the resource or its immediate surroundings such that the significance of an historical resource would be materially impaired; and/or (2) alter or materially impair the significance of a historical resource.

The California Environmental Quality Act Guidelines Section 15064.5

Section 15064.5 of the CEQA Guidelines defines significant historic resources to include:

- (1) A resource listed in, or determined to be eligible by the State Historical Resources Commission, for listing in the California Register of Historical Resources (Pub. Res. Code SS5024.1, Title 14 CCR, Section 4850 et seq.).
- (2) A resource included in a local register of historical resources, as defined in section 5020.1(k) of the Public Resources Code or identified as significant in an historical resource survey meeting the requirements of section 5024.1(g) of the Public Resources Code, shall be presumed to be historically or culturally significant.
- (3) Any object, building, structure, site, area, place, record, or manuscript which a lead agency determines to be historically significant or significant in the architectural, engineering, scientific, economic, agricultural, educational, social, political, military, or cultural annals of California may be considered to be an historical resource, provided the lead agency's determination is supported by substantial evidence in light of the whole record including the following: (A) Is associated with events that have made a significant contribution to the broad patterns of California's history and cultural heritage; (B) Is associated with the lives of persons important in our past; (C) Embodies the distinctive characteristics of a type, period, region, or method of construction, or represents

the work of an important creative individual, or possesses high artistic values; or (D) Has yielded, or may be likely to yield, information important in prehistory or history.

(4) The fact that a resource is not listed in, or determined to be eligible for listing in the California Register of Historical Resources, not included in a local register of historical resources (pursuant to section 5020.1(k) of the Public Resources Code), or identified in an historical resources survey (meeting the criteria in section 5024.1(g) of the Public Resources Code) does not preclude a lead agency from determining that the resource may be an historical resource as defined in Public Resources Code sections 5020.1(j) or 5024.1.

DISCUSSION OF DETERMINATION

V a) and b) Historic Resource, Archeological Resources

Subsurface Features

The Historical Research and Archaeological Surface Survey Northgate Site for the Proposed California Indian Heritage Center Sacramento County, California, prepared by the State Department of Parks and Recreation, (May 2005), determined that there are several known archeological sites within or adjacent to the project area. As such, the proposed project could potentially affect above ground, and subsurface archeological resources. The proposed project is located in an area that is considered sensitive for cultural resources and is an area where a number of archeological have been previously documented. As such, grading and site disturbance may unearth historic and cultural artifacts. This is considered a *significant* impact.

MITIGATION MEASURE V a 1: Impacts to Subsurface Historic or Cultural Features

1. Prior to start of construction, the lead agency (City or SAFCA) for site restoration shall retain a qualified archeological consultant to prepare and undertake an archeological survey or sensitivity assessment for the north and western portion of the property between the pond and the north and western property lines. If it is determined that there is a potential for encountering subsurface cultural resources, an archaeological testing plan for prehistoric and historic archaeological resources shall be prepared by a qualified archaeologist. The testing plan shall identify the types of expected archeological resources that potentially could be impacted by the construction, the locations recommended for testing and the testing methods. If testing indicates significant deposits, then a protection and/or recovery program shall be developed. Based on the survey and the testing plan, the methods for archeological monitoring shall be established.

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2. The lead agency (City or SAFCA) for site restoration shall retain a qualified archeological monitor on-site during site excavation activities. Such archeological monitor shall be authorized to stop work and investigate any subsurface historic or cultural materials uncovered. In the event historic cultural materials are determined by the archeological monitor to be significant, work shall cease within 100 feet of the feature discovered until consultation with a qualified archaeologist and a Native American Heritage Commission (NAHC) representative. If necessary, further mitigation measures may be developed and implemented by the qualified archaeologist and NAHC representative.
3. Construction contracts shall provide for immediate cessation of work within the vicinity of finding human bone of unknown origin and immediate contact of County Coroner; the Coroner will notify the NAHC if the remains are determined to be Native American and NAHC will notify the person it believes to be the most likely descendant who will work with the contractor to develop a program for re-interment of the human remains and any associated artifacts. No additional work is to take place in the immediate vicinity of the find until the appropriate actions have been carried out.
4. If human burials are encountered, all work in the area shall stop immediately and the County Coroner's office shall be notified immediately. If the remains are determined to be Native American in origin, both the Native American Heritage Commission and any identified descendants must be notified and recommendations for treatment solicited (CEQA Section 15064.5); Health and Safety Code Section 7050.5; Public Resources Code Section 5097.94 and 5097.98. The NAHC will notify the person it believes to be the most likely descendant who will work with the contractor to develop a program for re-interment of the human remains and any associated artifacts. No additional work is to take place in the immediate vicinity of the find until the appropriate actions have been carried out.

With incorporation of this mitigation measure, impacts to subsurface resources are expected to be *less-than-significant*.

Above Ground Historic Structures On or Adjacent to the Site

Above ground features which may be potentially historically significant include structures on the site which include a mobile home, an office structure and a storage container. Based on site reviews by the City of Sacramento Office of Historic Preservation (June 2008), none of the structures on the site are expected to be historically or culturally significant. Therefore, impacts related to historic structures are *less-than-significant*.

Outside of the project site, but within the Area of Potential Effect (APE) there are two potentially historic features: Camp Pollock Boy Scout Camp and the Urrutia Farm house. Camp Pollock is a private Boy Scout Camp located east of the subject site. In 1922, the newly formed Lion's Club of Sacramento donated one acre of land to the Boy Scouts of America for the construction of a

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lodge. Some of the items donated included two large cast bronze plaques provided by the Southern Pacific Company and a massive set of andirons, tongs and a poker that was donated by the Western Pacific Company. Judge Charles McLaughlin dedicated the lodge and presented it to the Boy Scouts in June 1923. The proposed project will not affect any of the resources on the Camp Pollock site. Therefore, impacts to any potentially eligible structures located at Camp Pollock are estimated to be *less-than-significant*.

The Urrutia Farm House is located to the immediate west of the project site. The Urrutia house, still occupied by Henry Urrutia, sits on a high mound between the RD 1000 levee and the American River. The Urrutia House is not located on the property proposed to be acquired and restored and it is not anticipated that the proposed project would affect directly or indirectly the Urrutia House. Therefore, impacts to the Urrutia House are considered *less-than-significant*.

Historic and Cultural Landscape Features

The levee (Garden Highway) is part of the RD 1000 Rural Historic Landscape District (National Register). It is not anticipated that the proposed project would adversely affect the historic integrity of the levee and rural landscape district. The levee is outside of the project limits and will not be directly affected by the project. Rather by returning the site to open space, it is anticipated that the project will contribute to the District by maintaining the historic open space and rural landscape conditions surrounding the levee. Therefore, impacts to the RD 1000 Rural Historic Landscape District are estimated to be *less-than-significant*. The available information regarding mining operations in and along the American River does not appear to indicate a potential for eligibility. Therefore, impacts to the cultural landscape are considered *less-than-significant*.

V c) Geological or Paleontological Resources

The Historical Research and Archaeological Surface Survey Northgate Site for the Proposed California Indian Heritage Center Sacramento County, California, in their field study and literature review did not review evidence of unique geological or paleontological resources within the project area. Based on the reconnaissance and literature review for the project area, it is highly unlikely that geological or paleontological resources would be located in the area. The alluvial materials are of recent geologic age and would not contain fossilized organisms. Impacts to these types of resources are estimated to be *less-than-significant* and no further analysis of this issue area is needed.

V d) Human Remains

The Historical Research and Archaeological Surface Survey Northgate Site for the Proposed California Indian Heritage Center Sacramento County, California, noted that although there are no known burial grounds or human remains in the project area there may be buried remains. The proposed project is located in an area that is potentially sensitive for cultural resources and includes areas of prior habitation and recorded archeological sites. Given this, it is possible that

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site disturbance and excavation may reveal subsurface artifacts which may include human remains. The potential for disturbance of as yet undiscovered human remains is a *potentially significant impact*.

MITIGATION MEASURE: Potential Impacts to Human Remains. Impacts to human remains are addressed in Mitigation Measure V a-1 (above).

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VI. GEOLOGY AND SOILS Would the project:	Potentially Significant Impact	Potentially Significant Impact Unless Mitigated	Less-than-significant Impact
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:			
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zone Map issued by the state Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.			X
ii) Strong seismic ground shaking?			X
iii) Seismic-related ground failure, including liquefaction?			X
iv) Landslides?			X
b) Result in substantial soil erosion or the loss of topsoil?			X
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on-or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?			X
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?			X
e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?			X

ENVIRONMENTAL SETTING

The project area is located within the Sacramento Valley, which is a part of the larger Great Central Valley. The Great Central Valley is a deep trough that extends 400 miles from the Klamath Mountains in the north to the Tehachapi Mountains in the south. The Sacramento Valley is drained by the American and Sacramento Rivers and their tributaries which flow south and west toward San Francisco Bay. The Sacramento Valley area is generally of level terrain. The subject site is generally level with the exception of the pond (former borrow quarry).

DISCUSSION OF DETERMINATION

VI a) Seismic Risks

The Sacramento area and the site are in an area of relatively low seismicity. The Sacramento General Plan Update Draft Environmental Impact Report (SGPU DEIR) identifies all of the City of Sacramento as being subject to potential damage from earthquake groundshaking at a maximum intensity of VIII of the Modified Mercalli scale (SGPU DEIR, T-16). An earthquake of intensity VIII could cause alarm; structural damage would be moderate depending on structural design. However, no geologic features such as faults or Alquist-Priolo special studies zones are known to occur in or near the project area (SGPU DEIR, T-3). No new structures for human use or habitation are proposed as part of the project. Therefore it is anticipated that seismic risks will be *less-than-significant*.

VI b) Soil Erosion VI c) and d) Unstable Soils or Geological Conditions and Expansive Soils

Soils in the general area are Sailboat-Scribner-Cosumnes, characterized by very deep, somewhat poorly and poorly-drained soils that have a seasonal high water table and are protected by levees. (SGPU DEIR, T-2, T-5). The soils map (USDA, 1993) characterizes the site soil type as Columbia sandy loam. The Columbia is a very deep soil formed on narrow, low floodplains along rivers and streams. It is described as a sandy or silty loam to loamy sand formed from mixed parent rock sources.

In 2003, Kleinfelder consultants conducted a soil and groundwater assessment of the Urrutia property for the Sacramento Area Flood Control Agency (SAFCA). Many of the soil borings encountered concrete, brick, and other debris, indicating the material is fill. Other borings with no observed debris indicate that the soils are silt with fine sand and silty sand indicative of river floodplain deposits.

Also as noted in Section 1, Project Description, past mining activities on the site have left an excavation pit with steep and in some cases potentially hazardous slopes. The proposed project will recontour these slopes for stability and safety at a gradient of at least 3:1 in accordance with

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the State Surface Mining and Reclamation Act (SMARA). The proposed recontouring will be detailed in a Grading Plan which must be submitted to the City of Sacramento for review and approval in order to obtain a Grading Permit.

Soils on the site are not known to be highly expansive, however, erosion could occur as a result of site development activities. The City of Sacramento has adopted standard measures to control erosion and sediment. In addition to obtaining a grading permit from the City of Sacramento, the proposed project will be required to follow the standards set forth in the “Administrative and Technical Procedures Manual for Grading and Erosion and Sediment Control.” All projects in the City of Sacramento are required to comply with the City’s Standard Construction Specifications for Erosion and Sediment Control. These conditions include:

- ❖ The Contractor shall be responsible for controlling erosion and sedimentation within the limits of the project at all times during the course of construction, including evenings, weekends, holidays, and normal working days. The Contractor shall prepare and submit to the City Engineer for review and approval an Erosion and Sediment Control Plan (ESC Plan). The ESC Plan shall include an effective re-vegetation program to stabilize all disturbed areas which will not be otherwise protected; prevention of increased discharge of sediment at all stages of grading and development from initial disturbance of the ground to project completion; recommendations of any Civil Engineer, Geotechnical Engineer, or Engineering Geologist involved in the preparation of the grading plans; the inspection and repair of all erosion and sediment control facilities at the close of each active working day during the rainy season; and for specific sediment clean-out and vegetation maintenance criteria. In addition, the Contractor shall prepare a Post Construction Erosion and Sediment Control Plan (PC Plan), which will include the requirements of the ESC Plan, plus the maximum runoff rate from the site; descriptions and specifications for all surface runoff, erosion, and sediment control devices to be used for the project site; a description of the changes made from the ESC Plan to the PC Plan, a description of the final vegetative measures to be used for the project site, and an estimate of the costs of implementing the PC Plan erosion and sediment control measures. The description of the changes made from ESC Plan to the PC plan shall include a map showing the final Best Management Practices (BMPs) used to control erosion, sediment, and surface runoff of non-stormwater; locations of final BMPs with reference to the final improvements and structures installed; and how the BMPs will control surface runoff, erosion, and sediment.

- ❖ The Contractor shall not perform any clearing and grubbing, excavation, or earthwork of any type on the project, other than that specifically authorized in writing by the City Engineer, until a written acceptance of the erosion and sediment control plan has been received from the City Engineer. If, in the opinion of the Engineer, the plan does not sufficiently address the objectives outlined in this section, the Contractor shall revise the plan accordingly to the satisfaction of the City Engineer.

Additionally, any work along the river bank or in the river will be subject to additional provisions developed by the Army Corps of Engineers as part of the 404 Clean Water Act permit process.

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Based on existing protective regulations and standards impacts related to soil stability and erosion are expected to be *less-than-significant* and the proposed project is considered to have a beneficial effect of restoring the slopes and reseeding the site to control erosion.

VI e) Septic Tank Risks

The proposed project would restore and enhance an open space and habitat area, and no new structures or facilities which would require sanitary sewer or septic tank services are included in the project. Therefore, the proposed project is estimated to have a *less-than-significant impact* on septic tank risks.

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VII. HAZARDS AND HAZARDOUS MATERIALS Would the project:	Potentially Significant Impact	Potentially Significant Impact Unless Mitigated	Less-than-significant Impact
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?		X	
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment.		X	
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?			X
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?		X	
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?			X
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?			X
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?			X
h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?			X
i) Other public hazards:			X

ENVIRONMENTAL SETTING

The project site is located in the South Natomas area of the City of Sacramento, north of the Central City of Sacramento. EnviroStore, a database maintained by the State Department of Toxic Substances Control (DTSC) was accessed in November 2007 to identify any recognized toxic hazards in the 95833 Zip Code where the property is located. No Brownfield clean-up sites were reported in the project's zip code by the EnviroStore database. The site is listed on the State Integrated Waste Management Board's SWIS database (accessed November 2007) as an unpermitted disposal site for inert wastes.⁷ This relates to the recent use of the site for storage of construction soils. As of November 2007, no enforcement concerns or actions for this site are listed on the SWIS database.

In 2003, SAFCA retained Kleinfelder to conduct a Phase I Assessment and a *Geoprobe Soil and Groundwater Assessment* on the Urrutia Site. During sampling, several constituents such as volatile organic compounds, motor oil, pesticides, polychlorinated biphenyls (PCBs), and metals were detected at low levels in fill on the site (Kleinfelder, 2003). Except for metals, these constituents were detected at levels below the EPA's Preliminary Remediation Goals (PRGs) for sites with residential land uses, a conservative standard. No PRG exists for motor oil. The metals detected included low quantities of chromium, lead, or mercury in some of the samples. Based on the low concentrations present and the intended use of the site for open space, no remediation of these metals was recommended or required by the Kleinfelder study. Soil staining was observed in the vicinity of above-ground storage tanks and the shop area, and it was recommended that this soil be excavated and transported under manifest to an approved disposal facility.

The City and SAFCA have currently sanctioned an update Phase 1 Assessment from Kleinfelder which will be used for the basis of further discussions with Sacramento County Environmental Management Department (SCEMD) related to the development of a remedial action work plan for the site.

REGULATORY SETTING

Hazardous materials storage, transportation, removal and clean-up are highly regulated fields. The federal and state governments have enacted laws that require property owners to pay for the clean up of hazardous material contamination located on, or originating from their land. Because of potential clean up and health-related liabilities from the presence of hazardous material contamination, environmental assessments are routinely performed prior to land sale and development. Summarized below are some of the most significant federal, state and local regulations governing hazardous materials handling.

⁷ <http://www.ciwmb.ca.gov/SWIS>. Urrutia Site File Number 34-CR-5010 accessed November 5, 2007

Federal Hazardous Materials Regulations

Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA).

CERCLA, commonly referred to as Superfund, was enacted on December 11, 1980. The purpose of CERCLA was to provide authorities the ability to respond to uncontrolled releases of hazardous substances from inactive hazardous waste sites that endanger public health and the environment. CERCLA established prohibitions and requirements concerning closed and abandoned hazardous waste sites, provided for liability of persons responsible for releases of hazardous waste at such sites, and established a trust fund to provide for cleanup when no responsible party could be identified. In addition, CERCLA provided for the revision and republishing of the National Contingency Plan (NCP) that provides the guidelines and procedures needed to respond to releases and threatened releases of hazardous substances, pollutants, or contaminants. The NCP also provides for the National Priorities List (NPL), a list of national priorities among releases or threatened releases throughout the United States for the purpose of taking remedial action.

The Superfund Amendments and Reauthorization Act (SARA)

amended CERCLA on October 17, 1986. This amendment increased the size of the Hazardous Response Trust Fund to \$8.5 billion, expanded EPA's response authority, strengthened enforcement activities at Superfund sites; and broadened the application of the law to include federal facilities. In addition, new provisions were added to the law that dealt with emergency planning and community right to know. SARA also required EPA to revise the Hazard Ranking System (HRS) to ensure that the HRS accurately assesses the relative degree of risk to human health and the environment posed by sites and facilities subject to review for listing on the NPL.

Resource Conservation and Recovery Act of 1976 (RCRA) as amended by the Solid Waste Disposal Act of 1980 (HSWA), the Hazardous Waste and Solid Waste Amendments of 1984.

RCRA is the nation's hazardous waste control law. It defines hazardous waste, provides for a cradle-to-grave tracking system and imposes stringent requirements on treatment, storage and disposal facilities. RCRA requires environmentally sound closure of hazardous waste management units at treatment, storage, and disposal facilities. The U.S. Environmental Protection Agency is the principal agency responsible for the administration of RCRA, SARA, and CERCLA.

State Hazardous Materials Regulations and Agencies

Hazardous Substance Account Act (1984), California Health and Safety Code Section 25300 et seq. (HSAA). This act, known as the California Superfund, has three purposes: 1) to respond to releases of hazardous substances; 2) to compensate for damages caused by such releases; and 3) to pay the state's 10% share in CERCLA cleanups. Contaminated sites that fail to score above a certain threshold level in the Environmental Protection Agency's (EPA's) ranking system may be placed on the State Superfund list of hazardous wastes requiring cleanup.

The Department of Toxic Substance Control (DTSC) within the California Environmental Protection Agency (Cal/EPA) has regulatory responsibility under 22 CCR for the administration of the state and federal Superfund programs for the management and cleanup of hazardous materials. The enforcement of regulations administered by DTSC has been delegated locally to Sacramento County Environmental Management Department (SCEMD).

The State Water Resources Control Board, acting through the Central Valley Regional Water Quality Control Board (CVRWQCB), regulates surface and groundwater quality pursuant to the Porter-Cologne Water Quality Act, the federal Clean Water Act, and the Underground Tank Law. Under these laws, CVRWQCB is authorized to supervise the cleanup of hazardous wastes sites referred to it by local agencies in those situations where water quality may be affected.

Depending on the nature of contamination, the lead agency responsible for the regulation of hazardous materials at the site can be the DTSC, CVRWQCB, or both. DTSC evaluates contaminated sites to ascertain risks to human health and the environment. Sites can be ranked by DTSC or referred for evaluation by the CVRWQCB. In general, contamination affecting soil and groundwater is handled by CVRWQCB and contamination of soils is handled by DTSC.

STANDARDS OF SIGNIFICANCE

For the purposes of this document, an impact is considered significant if the proposed project would:

- Expose people (e.g., residents, pedestrians, construction workers) to existing contaminated soil during construction activities;
- Expose people (e.g., residents, pedestrians, construction workers) to asbestos-containing materials; or
- Expose people (e.g., residents, pedestrians, construction workers) to existing contaminated groundwater during dewatering activities.
- Create substantial risk of a hazardous material spill during construction or operation of the project.

DISCUSSION OF DETERMINATION

VII a) and b). Hazardous Material Risks and VII d) Hazardous Materials Sites

The proposed project will result in the restoration and enhancement of open space previously used for sand and gravel mining. Once restored, there are no activities proposed on the site which would emit or create hazardous materials. However, restoration of the site will involve soil excavation activities which may disturb soils containing suspect materials that pose hazardous materials risks to workers and the public unless further investigation and remediation is undertaken. Further some soil disturbance work is proposed to occur adjacent to the river and pond which could result in hazardous materials risks to waterways. These are potentially *significant* impacts. Construction will also require storage and transfer of fuels for the operation of heavy equipment at the site. A spill of this material, though unlikely, could be a potentially *significant* impact.

MITIGATION MEASURE VII a 1. Hazardous Materials Risks

Mitigation measures shall be incorporated into construction contracts and included on all construction plans.

1. Prior to issuance of grading permits, SCEMD shall issue a Letter of No Further Action or clearance to SAFCA and the City Site Conditions Unit. To obtain this clearance, SAFCA and/or the City shall comply with the recommended additional testing procedures developed by SCEMD and shall remediate any conditions to the satisfaction of SCEMD.
2. During earthmoving activities the project sponsor (SAFCA or City), contractors and workers on site shall observe the following precautionary measures:
 - a. If stained soil, tanks, unusual smells or other indications of potentially contaminated materials are observed within the project area, construction operations in that area shall be stopped immediately.
 - b. The suspect soil or liquids shall then be tested by a qualified professional environmental assessor (an individual with training in accordance with California Code of Regulations Section 1910.120).
 - c. Should the soil or liquid test results determine that the contamination is locally isolated the contamination shall be collected and disposed of appropriately.

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- d. If a determination concerning the extent of contamination cannot be made based on the preliminary testing, a complete Phase II site assessment, including subsurface sampling to evaluate the magnitude of contamination, shall be performed.
 - e. Clean up shall be performed in accordance with the recommendations of the site assessment.
 - f. All hazardous materials shall be disposed of at an approved disposal site and shall only be hauled by a current California registered hazardous waste hauler using correct manifesting procedures and vehicles displaying a current Certificate of Compliance. The Contractor shall identify by name and address the site where toxic substances shall be disposed of. No payment for removal and disposal services shall be made without a valid certificate from the approved disposal site that the material was delivered.
3. SAFCA and/or City shall include spill prevention measures in the project specifications to address the accidental or inadvertent release of oil, grease, or fuel into adjacent waterways. Such measures shall require 1) the storage of reserve fuel and the refueling of construction equipment within designated construction areas, 2) locking fuel and chemicals within enclosed structures or tanks, 3) inspection of vehicles for oil and fuel leaks, and 4) responsibility for the prompt cleanup of accidental releases and any contaminated soil and water.

VII c) Emissions Near a School

The site is more than ¼ mile from any existing or proposed school and will only result in the temporary and minor use of hazardous materials onsite during construction. The project will have *no hazardous impact* on schools.

VII e) and f) Airport Safety

The proposed project is not located in or within 5 miles of an airport or airport footprint. Airport safety risks are therefore considered *less-than-significant*.

VII g) Emergency Response

The proposed project will not result in the construction of facilities or promotion of activities which would interfere with emergency response operations. As such, impacts are considered *less-than-significant*.

VII h) Wildlands Fire Risk

The American River Parkway is subject to periodic wildland fire. Restoration of the site to native vegetation may increase the risk of a fire involving the site. However, the site is well contained, with escape routes to the east and west by way of the Jedediah Smith Memorial Trail, and the trail, the Garden Highway, Bannon Slough, and the American River all providing barriers to fire spread. No dwellings or other occupied structures are proposed which would put people at undue risk of fire. Therefore, wildfire risk is determined to be *less-than-significant*.

VII i) Other Public Hazards

No other public hazards affecting the site or affected by the project are known other than those discussed in this document. Risk of public hazards is therefore *less-than-significant*.

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VIII. HYDROLOGY AND WATER QUALITY Would the project:	Potentially Significant Impact	Potentially Significant Impact Unless Mitigated	Less-than-significant Impact
a) Violate any water quality standards or waste discharge requirements?			X
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?			X
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?			X
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?			X
e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?			X
f) Otherwise substantially degrade water quality?			X
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?			X
h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?			X
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?			X
j) Inundation by seiche, tsunami, or mudflow?			X

ENVIRONMENTAL SETTING

Surface Water Resources

The American River is located to the immediate north of the Central City and is one of the largest sources of surface water in the City of Sacramento. The American River watershed covers approximately 2,100 square miles northeast of Sacramento. The watershed spans portions of three different counties: Sacramento, El Dorado, and Placer. The average annual runoff is approximately 2.7 million acre-feet. In the past, annual runoff has varied from 900,000 acre-feet to 5,000,000 acre-feet. The American River watershed, including all its tributaries, is divided into three major sub basins, the North Fork American River, the South Fork American River and the Lower Fork American River. The Site is within the Lower Fork American River sub basin, which begins at Folsom Dam and extends 30 miles downstream to the mouth of the American River at the confluence of the Sacramento River. The site is located within 0.5 miles of the confluence of the American and Sacramento Rivers and also falls within the California Department of Water Resources Sacramento River Basin Hydrologic Unit.

The Lower American River basin averages 20.83 inches per year. The majority of runoff in the basin is generated during the winter months (October -April). From April to July, rainfall runoff is replaced with snowmelt from the upper portions of the American River watershed.

Drainage and Run-off in the Project Area

The project site is located on the north of the American River. The Urrutia Pond occupies a large portion of the site (approximately 62 acres). This large man-made pond is the result of previous sand and soil mining operations (borrow pit) on the site. On the north boundary of the Site is Bannon Slough which is the lower portion of Steelhead Creek (formerly called the Natomas East Main Drainage Canal). This is part of the urban stormwater system that drains the rapidly developing Natomas area to the north of the Site. No creeks traverse the site, but a low swale feature appears to connect Bannon Slough to the Urrutia Pond during times of high flow in the slough. The Kleinfelder study (2003) indicates that surface water periodically flows from Bannon Slough to the Urrutia Pond. There are no storm drains on the south side of the Garden Highway. This is in part due to the fact the area between the river and the Garden Highway levee is considered a floodway and is subject to seasonal flooding during times of high flow in the American River and Sacramento River.

Ground Water Resources

The aquifer system underlying the City is part of the larger Central Valley groundwater basin. The Sacramento, American, and Cosumnes Rivers are the main surface water tributaries that drain much of Sacramento and recharge the aquifer system. Surface inflows to the east of the City Limits, and deep percolation of precipitation and surface water applied to irrigated crop land recharge the aquifer system. Groundwater is depleted by pumped extraction of groundwater for municipal, industrial, and agricultural purposes. Groundwater levels in the Sacramento area have

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been declining since 1940. The pattern of pumping has continued over the years, and the current rate of decline is about 1.5 feet per year (SGPU DEIR, W-9).

The 2003 Kleinfelder investigation of the Urrutia site reports that the groundwater ranged from 7 to 18 feet below ground surface with levels fluctuating as the level in the American River fluctuates. To the immediate east of the subject site is the Urrutia residence (not part of this project) which has one or more existing water wells. A well is also located on the east side of the site near the existing shop building.

Water Quality

The City's municipal water is received from the American and Sacramento Rivers. The water quality of the American River is considered very good. The Sacramento River water is considered to be of good quality also, although higher sediment loads and extensive irrigated agriculture upstream of Sacramento tend to degrade the water quality. During the spring and fall, irrigation tailwaters are discharged into drainage canals that flow to the river. In the winter, runoff flows over these same areas. In both instances, flows are highly turbid and introduce large amounts of herbicides and pesticides into the drainage canals, particularly rice field herbicides in May and June. The aesthetic quality of the river is changed from relatively clear to turbid from irrigation discharges.

Water quality of the drainage tributaries is also affected by other pollutants, such as runoff from urban storm drains and illegal dumping at creeks and drainageways (SGPU DEIR, W-11). Therefore, to maintain high quality, it is imperative to reduce sedimentation and erosion into the tributaries. The SGPU DEIR includes a number of precautionary construction measures to maintain water quality. These measures include: minimizing surface disturbance as much as possible; placing mulch and reseeding/revegetating disturbed areas; enforcing strict on-site soil handling rules; collection and removal of pollutants such as petroleum products from the job site; maintaining riparian vegetation to the maximum extent feasible; using appropriate sanitation to avoid bacterial and nutrient contamination; and preparation of a spill prevention plan in the event of an accidental materials spill (SGPU DEIR, W-16, 17).

The Central Valley Regional Water Quality Control Board (RWQCB) has primary responsibility for protecting the quality of surface and groundwaters within the City. The RWQCB's efforts are generally focused on preventing either the introduction of new pollutants or an increase in the discharge of existing pollutants into bodies of water that fall under its jurisdiction. The proximity of the Sacramento and American rivers to the project site and the existence of both a shallow water table and deep aquifer beneath the area keep the RWQCB interested in activities in the area.

The City of Sacramento has obtained a National Pollutant Discharge Elimination System (NPDES) permit from the State Water Resources Control Board under the requirements of the Environmental Protection Agency and Section 402 of the Clean Water Act. The goal of the permit is to reduce pollutants found in urban storm runoff. The general permit requires the permittee to employ "Best Management Practices" (BMPs) before, during, and after construction. The primary objective of the BMPs is to reduce non-point source pollution into waterways. These

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practices include structural and source control measures for residential and commercial areas and BMPs for construction sites. BMP mechanisms minimize erosion and sedimentation, and prevent pollutants such as oil and grease from entering the storm water drains. BMPs are approved by Department of Utilities before beginning construction (the BMP document is available from the Department of Utilities, Flood Control and Sewers Division, 1391 35th Avenue, Sacramento, CA).

DISCUSSION OF DETERMINATION

VIII-a Water Quality and Waste Water

The City of Sacramento has obtained a National Pollutant Discharge Elimination System (NPDES) permit from the State Water Resources Control Board under the requirements of the Environmental Protection Agency and Section 402 of the Clean Water Act. The goal of the permit is to reduce the effect of run-off on water quality. During construction, stormwater management is required of site owners and/or operators if the project will disturb one acre or more of ground. Construction activity includes clearing, grading, excavation, stockpiling, and reconstruction of existing facilities involving removal and replacement. In this instance, the City and/or SAFCA and their contractors will be required to develop a Stormwater Pollution Prevention Plan (SWPPP). The SWPPP details controls for stormwater and pollutant runoff from a site during and after construction. A notice of intent (NOI) must be submitted and permit must be obtained prior to conducting construction activities. Compliance with these existing regulatory requirements will ensure that project impacts are *less-than-significant* without further mitigation.

VIII-b. Ground Water Impacts

Restoration of the Urrutia site will not involve construction of new facilities which would require new sources of water (new water wells) or generate waste water (septic tanks). As a restoration project, the project will not require long-term irrigation for landscaping, but will require some irrigation as the initial plants establish which may be accomplished by truck or hand watering. Once the native plants are established it is intended for the area to serve as natural habitat. Therefore, impacts are estimated to be *less-than-significant*.

VIII-c and d. Drainage and/or Waterway Alterations

Restoration of the Urrutia site will not result in the construction of any new facilities (such as structures) which would require storm drainage. Additionally, the proposed project will not alter the amount of impervious surface which would alter run-off rates and amounts and affect site drainage. The restoration of the site does however, include construction of a terrace along the banks of the American River to create a fish nursery. However, this modification is not expected to significantly alter the American River flow corridor in a manner which would result in substantial erosion or siltation on- or off-site or alter the flood capacity of the channel. Rather the terracing is to enhance the habitat to support salmonids.

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During project design, the frequency and duration of connectivity between the pond, the American River, and Bannon Slough will be evaluated to ensure that the project does not change these relationships in a way that compromises native fish. An overriding design criterion will be avoiding erosion of the river bank leading to "pit capture"--the migration of the river into the mine pit. All modifications along this section of the American River for habitat enhancement are required to be approved by the Central Valley Flood Protection Board, the National Marine Fisheries Service (NMFS), the City of Sacramento, RD1000 and the American River Flood Control District. Final grading and enhancement plans will be reviewed and conditioned by all of these agencies to ensure that the riverine habitat enhancements do not result in any adverse effects to the flood control system or the drainage in the area. Administrative requirements and regulations are therefore applicable to this project which would reduce any potential adverse impacts to a *less-than-significant* level.

VIII- e and f. Run-off and Water Quality

Construction related activities have the potential to impact water quality. Fuel, oil, grease, solvents, concrete wash and other chemicals used in construction activities have the potential of creating toxic problems if allowed to enter a waterway. Construction activities are also a source of various other materials including trash, soap, and sanitary wastes.

Construction activities would include earth preparation along the banks of the river, installation of bank stabilization system, grading and soil preparation for re-vegetation activities. These activities could cause the release of sediments or materials into waterways.

The degree of construction related impacts to water quality is partially determined by the duration of the various construction activities, timing of construction and rainfall distribution. Due to low summer rainfall, construction activities during the summer would decrease the sediment and other pollutant levels that may impact water quality.

The project is required to comply with the City of Sacramento Code, Ordinance 15.88.250, Erosion and Sediment Control. The City shall employ Best Management Practices (BMPs) before, during and after construction. Compliance with BMP provisions will assure that development and use of the site will result in a less-than-significant impact to surface waters and will not result in the alteration of surface water quality. The project is also required to comply with Regional Water Quality Control Board (RWQCB) permit requirements to ensure that groundwater is not impacted. Furthermore, as stated in the *Standard Specifications for Public Works Construction*, the Contractor is responsible for controlling erosion and sedimentation within the limits of the project at all times during the course of construction. Administrative requirements and regulations are therefore applicable to this project which would reduce any potential adverse impacts to a *less-than-significant* level.

VIII. g, h, and i. Flood Risks

The Urrutia site is located in an area which is subject to flooding and is not protected by levees, but rather is part of the primary and secondary levees and berms of the American River flood control system. The site is therefore subject to flooding and included in the 100 year flood plain. The site is designated AE on the Flood Insurance Rate Maps published by FEMA (See Appendix). Zone AE is the flood insurance rate zone that corresponds to the 1-percent annual event floodplains that are determined through a Flood Insurance Study. Owners of structures within these designated areas are required to purchase flood insurance. New structures developed in these areas must be elevated at least one foot above the base flood elevation. The significance of flood risk is determined in part by the potential for flooding on the site to cause loss of property or life. Since the intent of the proposed project is to restore and enhance the site to as open space and natural habitat and since the project does not include new structures, the impacts of flood risk are determined to be *less-than-significant*. Additionally, as noted previously, the project will be designed to avoid adverse effects on the functioning of the flood control system, in part through analysis and permitting overseen by the Central Valley Flood Protection Board.

VIII-j. Seismic Hazards and other Water Hazards

There are no known occurrence of inundation by seiche, tsunami, or mudflow in this area. These impacts are considered *less-than-significant*.

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IX. LAND USE AND PLANNING Would the project:	Potentially Significant Impact	Potentially Significant Impact Unless Mitigated	Less-than-significant Impact
a) Physically divide an established community?			X
b) Conflict with any applicable land use plan, policy, regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?			X
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?			X

ENVIRONMENTAL SETTING

The proposed project area is located in the South Natomas Community Planning Area. The river front portions of both sides of the river are within the “American River Parkway” and within the study area for the American River Parkway Plan Update.

The General Plan and the South Natomas Community Plan designate the site as “Parks and Open Space.” The City of Sacramento Zoning Map show the site zoned as “ARP-F” or “American River Parkway- Flood” The City of Sacramento Zoning Code Definitions section describes this zoning as follows:

“The ARP-F designation applies to areas designated as a floodway likely to be inundated by a flood having a one per cent per annum chance of occurrence or greater. This overlay is intended to prevent the loss of life and property by prohibiting the erection of improvements or structures. Also to protect the natural features of property within the flood plain of the American River to prevent erosion and siltation and to preserve valuable open space in accordance with the provisions of the General Plan.”

DISCUSSION OF DETERMINATION

IX a) Physically divide an established community

The proposed project will not physically divide an established community in that no new roads, facilities or barriers are included in the project which would disrupt existing community patterns. Insofar as the City and County of Sacramento recognize the American River Corridor as a unique area of the City and have adopted the American River Parkway Plan to preserve and protect the open space, recreational and habitat values of the American River, reclamation of the mining site and enhancement of habitat on the site will assist in creating unfragmented and cohesive open space uses in the area. Impacts related to community cohesion are *less-than-significant*.

IX b) Conflict with any applicable land use plans, policies, regulations adopted for the purpose of avoiding or mitigating an environmental effect?

The proposed project area is located within the American River Parkway and would be subject to the American River Parkway Plan which has been adopted to serve multiple purposes including avoiding or mitigating environmental effects. The proposed project is consistent with the adopted 1985 American River Parkway Master Plan. The 1985 Parkway Plan designates the site as “Limited Recreation” and “Protected Area.” The proposed project would result in restored open spaces and habitat restoration which would conform to the planned uses in the Parkway Plan. Additionally page 11-9, Implementation, of the 1985 Parkway Plan lists acquisition of privately owned land upstream of Discovery Park (which includes the Urrutia Site) as an implementation priority. The site is designated “Parks and Open Space” on the City of Sacramento General Plan. Restoration of the site for open space is consistent with this designation. The project is also consistent with the Draft 2006 American River Parkway Plan Update. Specifically, the 2006 Plan Update includes the following policies:

- Policy 10.5 Acquire the Gardenland Sand and Gravel Mine (Urrutia) site.

- Policy 10.6 Following acquisition, reclaim and restore the Gardenland Sand and Gravel Mine (Urrutia) site to enhance its fish and wildlife habitat value, accommodate historical and cultural interpretive activities, with related minor interpretive facilities in Limited and Developed Recreation areas, including demonstrations of California Indian lifeways, and support picnicking, hiking and wildlife viewing.

Therefore, the proposed project is consistent with land use plans and policies and impacts are *less-than-significant*.

IX c) Habitat Conservation Plans

There are no approved Habitat Conservation Plan (HCP) which cover the site. The nearest approved HCP covers the North Natomas area to the north of the site. The project will have *no impact* on approved HCPs or other conservation plans.

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X. MINERAL RESOURCES Would the project:	Potentially Significant Impact	Potentially Significant Impact Unless Mitigated	Less-than-significant Impact
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?		X	
b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?		X	

ENVIRONMENTAL SETTING

With the exception of sand and gravel deposits related to alluvial depositions, the area is not known to have significant mineral resources. The Urrutia site has been mined for sand and gravel; however, the mining has reached the maximum extent permissible on the property. Under the Surface Mining and Restoration Act (SMARA), the next required step is reclamation and restoration of the property.

DISCUSSION OF DETERMINATION

X. a and b Mineral Resources

Since sand and gravel resources on the site are exhausted and the proposed project would assist with compliance with SMARA, the proposed project would therefore not pose a significant impact to mineral resources. Impacts are determined to be *less-than-significant*.

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XI. NOISE Would the project result in:	Potentially Significant Impact	Potentially Significant Impact Unless Mitigated	Less-than-significant Impact
a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?		X	
b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?			X
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?			X
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?			X
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?			X
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?			X

ENVIRONMENTAL SETTING

Noise is defined as unwanted sound. Sound levels are usually measured and expressed in decibels (dB) with 0 dB being the threshold of hearing. Typical examples of decibel levels would be low decibel level of 50 dB for light traffic to a high decibel level of 120 dB for a jet takeoff at 200 feet. Noise levels which exceed 140 dB may cause pain to whom ever experienced them. The day-night equivalent sound level (Ldn) is a weighted measure of noise with a 10 dB penalty added to noise noises occurring between 10 p.m. and 7 a.m., when people are generally more sensitive to noise.

Residential uses are generally considered sensitive receptors of noise. The City of Sacramento General Plan indicates that weighted average noise levels below 60 decibels are normally

acceptable, whereas noise levels above 70 decibels are normally unacceptable; noise levels between these values are conditionally acceptable (City of Sacramento, 1988). Sensitive receptors in the project vicinity include a mobile home on site, which would be removed by the project; residences on the north side of the Garden Highway, which are minimally affected by noise due to the noise attenuation provided by the levee on which the highway is built; and residences and sleeping areas of the Camp Pollock Boy Scout camp immediately to the east. A single residence on public land is located immediately west of the project site.

STANDARDS OF SIGNIFICANCE

Thresholds of significance are those established by the Title 24 standards and by the City's General Plan Noise Element and the City Noise Ordinance. Noise and vibration impacts resulting from the implementation of the proposed project would be considered significant if they cause any of the following results:

- Exterior noise levels at the proposed project which are above the upper value of the normally acceptable category for various land uses (SGPU DEIR AA-27) caused by noise level increases due to the project;
- Residential interior noise levels of 45 L_{dn} or greater caused by noise level increases due to the project;
- Construction noise levels not in compliance with the City of Sacramento Noise Ordinance;
- Occupied existing and project residential and commercial areas are exposed to vibration peak particle velocities greater than 0.5 inches per second due to project construction;
- Project residential and commercial areas are exposed to vibration peak particle velocities greater than 0.5 inches per second due to highway traffic and rail operations; and

DISCUSSION OF DETERMINATION

XI. a, b, c, d, e, and f Noise and Vibration Generation and Exposure

Operational Noise Impacts

No new housing units or uses are proposed which would result in exposure of persons living or working in the area to permanent, on-going or operational noise impacts. Once reclaimed and restored the project site will be used for public open spaces and habitat preservation consistent with the American River Parkway Plan. Operational noise impacts are estimated to be *less-than-significant*.

**Urrutia Site Restoration and Enhancement Project
INITIAL STUDY AND MITIGATED NEGATIVE DECLARATION**

The project is not within an airport land use plan or within two miles of any airport, so aircraft and airport noise impacts would be *less-than-significant*.

Temporary Construction Impacts

There are, however, housing units on the north side of the Garden Highway and a single home just off the western boundary of the site which may be exposed to temporary new noise sources as a result of restoration or construction activities.

Restoration of the Urrutia site is not anticipated to result in permanent noise impacts, but would have temporary construction noise impacts during construction. Between 3 and 6 pieces of construction equipment may be on site simultaneously. This could result in an audible increase in noise levels from the site of about three decibels, and an increase in noise duration and average intensity. Heavy equipment may also create earthborne noise and vibrations; however, the California Department of Transportation (Caltrans, 2002) has found that vibration levels at 10 feet from the piece of equipment do not exceed the threshold at which continuous vibrations begin to annoy people. These vibrations attenuate rapidly with distance and would not be a significant impact of the project.

Table 4 presents a list of noise generation levels for these typical equipment types (Federal Transit Administration 1995). A reasonable worst-case assumption is that the three loudest pieces of equipment would operate simultaneously and continuously over at least a 1-hour period for a combined-source noise level of 93 dBA at 50 feet. Construction noise has potential to exceed City noise ordinance standards if construction occurs outside the hours of 7:00 a.m. and 6:00 p.m., Monday through Saturday, and between 9:00 a.m. and 6:00 p.m. on Sunday. This impact is therefore considered to be *potentially significant* but can be avoided with mitigation.

**Urrutia Site Restoration and Enhancement Project
INITIAL STUDY AND MITIGATED NEGATIVE DECLARATION**

Table 4 Construction Equipment Noise Emission Levels	
Equipment	Typical Noise Level 50 ft from Source (dBA)
Backhoe	80
Compactor	82
Generator	81
Excavator/Shovel	82
Grader	85
Loader	85
Roller	74
Truck	88
Source: Federal Transit Administration 1995.	

MITIGATION MEASURE XI c: Employ Noise-Reducing Construction Practices

The following mitigation measures shall be included on all construction contracts and plans. The contractor shall ensure that the following measures are implemented during all phases of project construction:

1. 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.

Implementation of this mitigation measure would reduce this impact to a *less-than-significant* level.

**Urrutia Site Restoration and Enhancement Project
INITIAL STUDY AND MITIGATED NEGATIVE DECLARATION**

XII. POPULATION AND HOUSING		Potentially Significant Impact Unless Mitigated	Potentially Significant Impact
Would the project:			Less-than-significant Impact
a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure).			X
b) Displace substantial numbers of existing housing necessitating the construction of replacement housing elsewhere?			X
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?			X

ENVIRONMENTAL SETTING

The Urrutia site is not currently developed as or planned for housing since the area is prone to flooding and has been designated “Parks/Open Space” on the City’s General Plan. There is a mobile home on the Urrutia site and a home occupied on adjacent County lands adjoining Mr. Urrutia’s property.

DISCUSSION OF DETERMINATION

XII a) Extension of Services and Growth Inducement

Restoration of the Urrutia site is not anticipated to require the extension of services other than access to the site for site contouring, fill and revegetation. Impacts are therefore, determined to be *less-than-significant*.

XII b) and c) Displacement of Persons and Replacement Housing

The Urrutia Site Restoration would require removal of structures on the site which includes a mobile home and ancillary structures. Although the mobile home and other structures may be removed, this is not considered to be displacement of a substantial population of persons which would require construction of replacement housing elsewhere. Impacts are therefore, determined to be *less-than-significant*.

**Urrutia Site Restoration and Enhancement Project
INITIAL STUDY AND MITIGATED NEGATIVE DECLARATION**

XIII. TRANSPORTATION/TRAFFIC Would the project:	Potentially Significant Impact	Potentially Significant Impact Unless Mitigated	Less-than-significant Impact
a) Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersection)?			X
b) Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?			X
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?			X
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?			X
e) Result in inadequate emergency access?			X
f) Result in inadequate parking capacity?			X
g) Conflict with adopted policies, plans, or program supporting alternative transportation (e.g., bus turnouts, bicycle racks)?			X

ENVIRONMENTAL SETTING

The Urrutia site can be accessed using the following main roadways:

State Route 160. This is a four lane roadway which provides access from Business 80 through downtown Sacramento. Just south of the American River SR 160 splits into one-way couplets with 12th Street traveling south through the downtown, and 16th Street traveling north through the downtown.

Garden Highway. This four-lane roadway runs east-west and connects with SR 160 via Northgate Boulevard and Interstate 5.

Northgate Boulevard. This two-lane roadway extends from the SR 160/Garden Highway intersection, north to Interstate 80 at the north.

The Jedediah Smith Memorial Trail crosses the site from east to west in an easement owned by County of Sacramento Regional Parks. The trail is not open to public motor vehicle use, but is popular with cyclists and pedestrians. It traverses the greater Sacramento area from Lake Natoma to the Sacramento River.

STANDARDS OF SIGNIFICANCE

Roadway Traffic

An impact is considered significant for roadways or intersections when the project causes the facility to change the Level of Service (LOS) C or better to LOS D or worse. For facilities that are, or will be, worse than LOS C without the project, an impact is also considered significant if the project: 1) increases the average delay by 5 seconds or more at an intersection, or 2) increases the volume to capacity ratio by 0.02 or more on a roadway.

Bikeways

A significant bikeway impact would occur if a project hindered or eliminated an existing designated bikeway, or if the project interfered with the implementation of a proposed bikeway. A significant bikeway impact would occur if a project were to substantially increase bicycle/pedestrian or bicycle/motor vehicle conflicts.

Regional Transit

An impact is considered significant if the project will cause transit boardings to increase beyond the crush load of a transit vehicle or if the project will cause a 10% or greater increase in travel time along any route.

Parking

For new developments, a significant impact to parking would occur if the anticipated parking demand of the project exceeds the available or planned parking supply. The City does not have a standard of significance for on-street parking.

DISCUSSION OF DETERMINATION

XIII. a, b, and c, Project Traffic Volumes, Level of Service and Operations

Restoration of the Urrutia site is not expected to generate a substantial increase in local traffic except during actual restoration activities when the site will need to be accessed by construction equipment and trucks. During construction, it is not anticipated that construction would require the blockage of any lanes or residential properties because most of the construction vehicles will be located on site. Upon project completion, the proposed project would not impede access by emergency vehicles or access to nearby uses.

Minor temporary traffic hazards may be present during project construction due to transport of equipment and materials. The City of Sacramento has standard construction contract conditions to reduce construction period traffic hazards. These conditions state:

Standard Specifications for Public Works Construction *Maintenance of Traffic and Public Safety*

The Contractor shall be responsible for and furnish, install, and maintain temporary signs, bridges, barricades, flagmen, and other facilities to adequately safeguard the general public and work, and to provide for the proper routing of vehicular and pedestrian traffic. Construction operations shall comply with the work area and traffic control handbook (WATCH). The contractor shall provide to the City Traffic Engineer for review, a plan showing traffic control measures and/or detours for vehicles affected by the construction work. The approved plan shall be delivered to the construction inspector prior to the implementation of traffic control measures.

These conditions will apply to any construction crossings of the Jedediah Smith Memorial Trail. Use of such crossings would be coordinated with County of Sacramento Regional Parks. Given existing regulations that will apply to the project and the limited scale and temporary duration of construction, this impact is *less-than-significant*.

XIII d) and e) Hazards and Emergency Access

Restoration of the Urrutia site is not anticipated to change existing emergency access or require new levels of emergency services. Impacts of this component are determined to be *less-than-significant*.

XIII f) Parking

Restoration of the Urrutia site is not anticipated to create a substantial demand for parking with the exception of construction period parking and staging access for the restoration of the site. Upon completion of construction visitors to the site will be able to park at Discovery Park immediately downstream of the site, or access the site via a number of other parking sites that

connect to the Jedediah Smith Memorial Trail. Impacts of this component are determined to be *less-than-significant*.

XIII g) Alternative Transportation

Restoration of the Urrutia site is not anticipated to generate new demand for transit services or interfere with existing transit services. The proposed project would restore an older mining site in the American River Parkway which would enhance the Jedediah Smith Memorial Trail. Impacts of this component are determined to be *less-than-significant*.

**Urrutia Site Restoration and Enhancement Project
INITIAL STUDY AND MITIGATED NEGATIVE DECLARATION**

XIV. UTILITIES AND PUBLIC SERVICES			
Would the Project?	Potentially Significant Impact	Potentially Significant Impact Unless Mitigated	Less-than-significant Impact
Would the proposal result in the need for new systems or supplies, or substantial alterations to the following utilities or public services:			X
A) Communication systems?			
B) Local or regional water supplies?			X
C) Local or regional water treatment or distribution facilities?			X
D) Sewer or septic tanks?			X
E) Storm water drainage?			X
F) Solid waste disposal?			X
G) Fire and Police Protection?			X
H) Schools?			X
I) Maintenance of public facilities, including roads?			X
J) Other governmental services?			X

ENVIRONMENTAL SETTING

The City of Sacramento provides police protection service within the project area. Fire protection and emergency medical services as well as first response hazardous materials services are provided by the City of Sacramento Fire Department. Sacramento County Regional Parks Department rangers provide law enforcement, fire and emergency medical response within the American River Parkway. Routine street maintenance, police protection and other governmental services are also provided by the City of Sacramento. The Urrutia site is served by the North Sacramento School District and the Natomas Unified School District.

STANDARDS OF SIGNIFICANCE

For purposes of this environmental document, an impact is considered significant if the proposed project would:

- Result in a detriment to microwave, radar, or radio transmissions;
- Create an increase in water demand of more than 10 million gallons per day;
- Substantially degrade water quality through the addition of new sewerage in excess of 40 equivalent single family units (ESDs);
- Generate more than 500 tons of solid waste per year; or
- Generate stormwater that would exceed the capacity of the stormwater system.
- Result in the need for new or altered services related to fire protection, police protection, school facilities, roadway maintenance, or other governmental services.

ANSWERS TO CHECKLIST QUESTIONS

XIV. a. through j. Public Services and Facilities

No new housing units or commercial facilities which would require additional public services or facilities are proposed as part of the project. Thus, the proposed project will not result in a need for additional fire, police, school, water, sewer or other governmental services. As described in the next section, the project would provide additional recreational open space., a beneficial effect. Maintenance needs for the site will be minimal once it is restored in native vegetation. A maintenance agreement with Regional Parks is planned, allowing any patrols or maintenance to be done as a matter of course as staff travels between Discovery Park and the remainder of the American River Parkway to the east. The project has *no impact*.

**Urrutia Site Restoration and Enhancement Project
INITIAL STUDY AND MITIGATED NEGATIVE DECLARATION**

XV. RECREATION			
Issues:	Potentially Significant Impact	Potentially Significant Impact Unless Mitigated	Less-than-significant Impact
Would the proposal:			
a) Increase the demand for neighborhood or regional parks or other recreational facilities?			X
b) Affect existing recreational opportunities?			X

ENVIRONMENTAL SETTING

In the vicinity of the project area, the American River Parkway is the most significant recreational resource. The Parkway provides regional open space, trails, habitat, nature appreciation and other passive recreational opportunities.

ANSWERS TO CHECKLIST QUESTIONS

XV a) Recreational Demand

The proposed project will not significantly increase population or housing in the area and as such would not increase demand for local recreation and park space. The project will have a beneficial effect of adding public regional open space to the American River Parkway. Impacts are *less-than-significant*.

XV b) Affect Existing Recreational Opportunities

The proposed project will have a beneficial effect of adding public open space to the American River Parkway and providing a more continuous publicly owned corridor along the American River. The proposed project is consistent with the planned open space and recreational goals of the City of Sacramento General Plan and the 1985 American River Parkway Plan. Impacts are *less-than-significant*.

**Urrutia Site Restoration and Enhancement Project
INITIAL STUDY AND MITIGATED NEGATIVE DECLARATION**

XVI. MANDATORY FINDINGS OF SIGNIFICANCE	Potentially Significant Impact	Potentially Significant Impact Unless Mitigated	Less-than-significant Impact
a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?		X	
b) Does the project have impacts that are individually limited, but cumulatively considerable? (“Cumulatively considerable” means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?			X
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?		X	

- A. The project has the potential to adversely impact habitat and or special status species. However, mitigation measures are included to reduce the potential impacts to a less-than-significant level. These impacts and mitigation measures are discussed in the Biology Section of this Mitigated Negative Declaration.
- B. No impacts which are individually limited but cumulatively considerable were identified related to this project.
- C. Hazardous materials (suspect soils and diesel tank) have been identified on the property. Through proper remediation and handling as identified in the mitigation measures, any risks to human health can be reduced to a less than significant level. Impacts and mitigation measures related hazardous materials risks are discussed in the Hazardous Materials section.

SECTION IV. - ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED

The environmental factors checked below potentially would be affected by this project (that is, were either determined to have a “Potentially Significant Impact” or to be “Less than Significant with Required Mitigation” as indicated in the Environmental Checklist).

	Land Use and Planning	X	Hazards
	Population and Housing	X	Noise
	Geological Problems		Public Services
	Water		Utilities and Service Systems
X	Air Quality		Aesthetics, Light and Glare
	Transportation/Circulation (Parking)	X	Cultural Resources
X	Biological Resources		Recreation
	Energy and Mineral Resources	X	Mandatory Findings of Significance
	None Identified		

SECTION V - DETERMINATION

	I find that the Proposed Project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
X	I find that although the Proposed Project could have a significant effect on the environment, there will not be a significant effect in this case because the project-specific mitigation measures described in Section III have been added to the project. A MITIGATED NEGATIVE DECLARATION will be prepared.
	I find that the Proposed Project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.

Signature

Date

Printed Name

Prepared by:

Trish Davey,
Planning Dynamics Group

References

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**Urrutia Site Restoration and Enhancement Project
INITIAL STUDY AND MITIGATED NEGATIVE DECLARATION**

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Kleinfelder. 2003b. Geoprobe Soil and Groundwater Assessment Urrutia Property 599 Garden Highway Sacramento, California. February 14.

J&S (Jones & Stokes). 2002. Vegetation and Wildlife Management Element of the River Corridor Management Plan for the Lower American River (Vegetation Resource Management Program). Product of Floodway Management Working Group of the Lower American River Task Force. January.

SAFCA (Sacramento Area Flood Control Agency). 2005. Resources Agency River Parkways Program Grant Application American River Parkway Mine Restoration Project. Two volumes. October.

LARTF (The Lower American River Task Force). 2002. Lower American River Corridor Management Plan. January.

USFWS (United States Fish and Wildlife Service). 1999. Conservation Guidelines for the Valley Elderberry Longhorn Beetle. Revised July 9.

Google Earth. 2008. Satellite Photograph of the Urrutia Site, accessed via internet April 2008.

EXHIBIT B: AIR QUALITY WORKSHEETS

URRUTIA SITE

AIR QUALITY ASSUMPTIONS FOR URBEMIS MODEL

Phase 1: Demolition 5/26/2009 - 5/29/2009 - Remove mobile home and out buildings

Building Volume Total (cubic feet): 3000

Building Volume Daily (cubic feet): 3000

On Road Truck Travel (VMT): 41.67

Off-Road Equipment:

- 3 Excavators (168 hp) operating at a 0.57 load factor for 8 hours per day
- 2 Rubber Tired Dozers (357 hp) operating at a 0.59 load factor for 8 hours per day

Phase 2: Mass Grading 5/26/2009 - 8/3/2009 - Import 60,000 cy

Total Acres Disturbed: 60

Soil Import: 60,000 cubic yards

Maximum Daily Acreage Disturbed: 15

Fugitive Dust Level of Detail: Default

20 lbs per acre-day

On Road Truck Travel (VMT): 1200

Off-Road Equipment:

- 1 Graders (174 hp) operating at a 0.61 load factor for 8 hours per day
- 1 Rubber Tired Dozers (357 hp) operating at a 0.59 load factor for 8 hours per day
- 2 Tractors/Loaders/Backhoes (108 hp) operating at a 0.55 load factor for 7 hours per day
- 1 Water Trucks (189 hp) operating at a 0.5 load factor for 8 hours per day

Phase 3: Fine Grading 7/28/2009 - 9/11/2009 - Default Fine Site Grading Description

Total Acres Disturbed: 60

Maximum Daily Acreage Disturbed: 12

Fugitive Dust Level of Detail: Default

20 lbs per acre-day

On Road Truck Travel (VMT): 0

Off-Road Equipment:

- 1 Graders (174 hp) operating at a 0.61 load factor for 8 hours per day
- 1 Rubber Tired Dozers (357 hp) operating at a 0.59 load factor for 8 hours per day
- 2 Tractors/Loaders/Backhoes (108 hp) operating at a 0.55 load factor for 7 hours per day

1 Water Trucks (189 hp) operating at a 0.5 load factor for 8 hours per day

File Name: C:\Documents and Settings\Patricia\Application Data\Urbemis\Version9a\Projects\Urrutia Feb 2008 60,000 import.urb9

Project Name: Urrutia Feb 2008- 60,000 import

Project Location: Sacramento County AQMD

On-Road Vehicle Emissions Based on: Version : Emfac2007 V2.3 Nov 1 2006

Off-Road Vehicle Emissions Based on: OFFROAD2007

Summary Report:

CONSTRUCTION EMISSION ESTIMATES

2009 TOTALS (lbs/day unmitigated)	<u>ROG</u>	<u>NOx</u>	<u>CO</u>	<u>SO2</u>	<u>PM10 Dust</u>	<u>PM10 Exhaust</u>	<u>PM10</u>	<u>PM2.5 Dust</u>	<u>PM2.5 Exhaust</u>	<u>PM2.5</u>	<u>CO2</u>
	12.66	120.15	60.58	0.05	540.18	5.70	545.41	112.83	5.25	117.64	12,417.79

AREA SOURCE EMISSION ESTIMATES

TOTALS (lbs/day, unmitigated)	<u>ROG</u>	<u>NOx</u>	<u>CO</u>	<u>SO2</u>	<u>PM10</u>	<u>CO2</u>
	0.13	0.02	1.60	0.00	0.00	2.75

OPERATIONAL (VEHICLE) EMISSION ESTIMATES

TOTALS (lbs/day, unmitigated)	<u>ROG</u>	<u>NOx</u>	<u>CO</u>	<u>SO2</u>	<u>PM10</u>	<u>CO2</u>
	3.88	1.96	22.35	0.02	2.53	1,575.64

SUM OF AREA SOURCE AND OPERATIONAL EMISSION ESTIMATES

TOTALS (lbs/day, unmitigated)	<u>ROG</u>	<u>NOx</u>	<u>CO</u>	<u>SO2</u>	<u>PM10 Dust</u>	<u>PM10 Exhaust</u>	<u>PM10</u>	<u>PM2.5 Dust</u>	<u>PM2.5 Exhaust</u>	<u>PM2.5</u>	<u>CO2</u>
	4.01	1.98	23.95	0.02	301.45	5.70	307.15	62.98	5.25	68.22	12,417.79

Construction Unmitigated Detail Report:

CONSTRUCTION EMISSION ESTIMATES Summer Pounds Per Day, Unmitigated

	<u>ROG</u>	<u>NOx</u>	<u>CO</u>	<u>SO2</u>	<u>PM10 Dust</u>	<u>PM10 Exhaust</u>	<u>PM10</u>	<u>PM2.5 Dust</u>	<u>PM2.5 Exhaust</u>	<u>PM2.5</u>	<u>CO2</u>
Time Slice 5/26/2009-5/29/2009 Active Days: 4	12.66	120.15	60.58	0.05	301.45	5.70	307.15	62.98	5.25	68.22	12,417.79
Demolition 05/26/2009-05/29/2009	5.96	50.36	29.21	0.00	1.27	2.40	3.67	0.27	2.21	2.47	4,439.65
Fugitive Dust	0.00	0.00	0.00	0.00	1.26	0.00	1.26	0.26	0.00	0.26	0.00
Demo Off Road Diesel	5.84	49.11	27.34	0.00	0.00	2.35	2.35	0.00	2.16	2.16	4,132.45

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Demo On Road Diesel	0.08	1.18	0.41	0.00	0.01	0.05	0.05	0.00	0.04	0.05	0.05	167.75
Demo Worker Trips	0.04	0.07	1.47	0.00	0.01	0.00	0.01	0.00	0.00	0.01	0.00	139.45
Mass Grading 05/26/2009-08/03/2009	6.70	69.79	31.36	0.05	300.18	3.30	303.48	62.71	3.04	65.75	65.75	7,978.14
Mass Grading Dust	0.00	0.00	0.00	0.00	300.00	0.00	300.00	62.65	0.00	62.65	0.00	0.00
Mass Grading Off Road Diesel	4.42	35.65	18.16	0.00	0.00	1.92	1.92	0.00	1.77	1.77	1.77	3,007.48
Mass Grading On Road Diesel	2.23	34.08	11.73	0.04	0.17	1.38	1.55	0.06	1.27	1.32	1.32	4,831.21
Mass Grading Worker Trips	0.04	0.07	1.47	0.00	0.01	0.00	0.01	0.00	0.00	0.00	0.00	139.45
Time Slice 6/1/2009-7/27/2009 Active	6.70	69.79	31.36	0.05	300.18	3.30	303.48	62.71	3.04	65.75	65.75	7,978.14
Days: 41												
Mass Grading 05/26/2009-08/03/2009	6.70	69.79	31.36	0.05	300.18	3.30	303.48	62.71	3.04	65.75	65.75	7,978.14
Mass Grading Dust	0.00	0.00	0.00	0.00	300.00	0.00	300.00	62.65	0.00	62.65	0.00	0.00
Mass Grading Off Road Diesel	4.42	35.65	18.16	0.00	0.00	1.92	1.92	0.00	1.77	1.77	1.77	3,007.48
Mass Grading On Road Diesel	2.23	34.08	11.73	0.04	0.17	1.38	1.55	0.06	1.27	1.32	1.32	4,831.21
Mass Grading Worker Trips	0.04	0.07	1.47	0.00	0.01	0.00	0.01	0.00	0.00	0.00	0.00	139.45
Time Slice 7/28/2009-8/3/2009 Active	11.16	105.50	50.99	0.05	540.18	5.23	545.41	112.83	4.81	117.64	117.64	11,125.06
Days: 5												
Fine Grading 07/28/2009-09/11/2009	4.46	35.71	19.63	0.00	240.01	1.92	241.93	50.12	1.77	51.89	51.89	3,146.93
Fine Grading Dust	0.00	0.00	0.00	0.00	240.00	0.00	240.00	50.12	0.00	50.12	0.00	0.00
Fine Grading Off Road Diesel	4.42	35.65	18.16	0.00	0.00	1.92	1.92	0.00	1.77	1.77	1.77	3,007.48
Fine Grading On Road Diesel	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Fine Grading Worker Trips	0.04	0.07	1.47	0.00	0.01	0.00	0.01	0.00	0.00	0.00	0.00	139.45
Mass Grading 05/26/2009-08/03/2009	6.70	69.79	31.36	0.05	300.18	3.30	303.48	62.71	3.04	65.75	65.75	7,978.14
Mass Grading Dust	0.00	0.00	0.00	0.00	300.00	0.00	300.00	62.65	0.00	62.65	0.00	0.00
Mass Grading Off Road Diesel	4.42	35.65	18.16	0.00	0.00	1.92	1.92	0.00	1.77	1.77	1.77	3,007.48
Mass Grading On Road Diesel	2.23	34.08	11.73	0.04	0.17	1.38	1.55	0.06	1.27	1.32	1.32	4,831.21
Mass Grading Worker Trips	0.04	0.07	1.47	0.00	0.01	0.00	0.01	0.00	0.00	0.00	0.00	139.45
Time Slice 8/4/2009-9/11/2009 Active	4.46	35.71	19.63	0.00	240.01	1.92	241.93	50.12	1.77	51.89	51.89	3,146.93
Days: 29												
Fine Grading 07/28/2009-09/11/2009	4.46	35.71	19.63	0.00	240.01	1.92	241.93	50.12	1.77	51.89	51.89	3,146.93
Fine Grading Dust	0.00	0.00	0.00	0.00	240.00	0.00	240.00	50.12	0.00	50.12	0.00	0.00

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Fine Grading Off Road Diesel	4.42	35.65	18.16	0.00	0.00	1.92	1.92	0.00	1.77	1.77	3,007.48
Fine Grading On Road Diesel	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Fine Grading Worker Trips	0.04	0.07	1.47	0.00	0.00	0.00	0.00	0.01	0.00	0.00	139.45

Phase Assumptions

Phase: Demolition 5/26/2009 - 5/29/2009 - Remove mobile home and out buildings

Building Volume Total (cubic feet): 3000

Building Volume Daily (cubic feet): 3000

On Road Truck Travel (VMT): 41.67

Off-Road Equipment:

3 Excavators (168 hp) operating at a 0.57 load factor for 8 hours per day

2 Rubber Tired Dozers (357 hp) operating at a 0.59 load factor for 8 hours per day

Phase: Fine Grading 7/28/2009 - 9/11/2009 - Default Fine Site Grading Description

Total Acres Disturbed: 60

Maximum Daily Acreage Disturbed: 12

Fugitive Dust Level of Detail: Default

20 lbs per acre-day

On Road Truck Travel (VMT): 0

Off-Road Equipment:

1 Graders (174 hp) operating at a 0.61 load factor for 8 hours per day

1 Rubber Tired Dozers (357 hp) operating at a 0.59 load factor for 8 hours per day

2 Tractors/Loaders/Backhoes (108 hp) operating at a 0.55 load factor for 7 hours per day

1 Water Trucks (189 hp) operating at a 0.5 load factor for 8 hours per day

Phase: Mass Grading 5/26/2009 - 8/3/2009 - Import 60,000 cy

Total Acres Disturbed: 60

Maximum Daily Acreage Disturbed: 15

Fugitive Dust Level of Detail: Default

20 lbs per acre-day

On Road Truck Travel (VMT): 1200

Off-Road Equipment:

1 Graders (174 hp) operating at a 0.61 load factor for 8 hours per day

1 Rubber Tired Dozers (357 hp) operating at a 0.59 load factor for 8 hours per day

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2 Tractors/Loaders/Backhoes (108 hp) operating at a 0.55 load factor for 7 hours per day

1 Water Trucks (189 hp) operating at a 0.5 load factor for 8 hours per day

Combined Annual Emissions Reports (Tons/Year)

File Name: C:\Documents and Settings\Patricia\Application Data\Urbemis\Version9a\Projects\Urrutia Feb 2008 60,000 import.urb9

Project Name: Urrutia Feb 2008- 60,000 import

Project Location: Sacramento County AQMD

On-Road Vehicle Emissions Based on: Version : Emfac2007 V2.3 Nov 1 2006

Off-Road Vehicle Emissions Based on: OFFROAD2007

Summary Report:

CONSTRUCTION EMISSION ESTIMATES

2009 TOTALS (tons/year unmitigated)	<u>ROG</u>	<u>NOx</u>	<u>CO</u>	<u>SO2</u>	<u>PM10 Dust</u>	<u>PM10 Exhaust</u>	<u>PM10</u>	<u>PM2.5 Dust</u>	<u>PM2.5 Exhaust</u>	<u>PM2.5</u>	<u>CO2</u>
	0.26	2.45	1.18	0.00	11.59	0.12	11.71	2.42	0.11	2.53	261.83

AREA SOURCE EMISSION ESTIMATES

TOTALS (tons/year, unmitigated)

<u>NOx</u>	<u>CO</u>	<u>SO2</u>	<u>PM10</u>	<u>PM2.5</u>	<u>CO2</u>
0.01	0.14	0.00	0.00	0.00	0.25

OPERATIONAL (VEHICLE) EMISSION ESTIMATES

TOTALS (tons/year, unmitigated)

<u>NOx</u>	<u>CO</u>	<u>SO2</u>	<u>PM10</u>	<u>PM2.5</u>	<u>CO2</u>
0.42	3.90	0.00	0.46	0.09	269.12

SUM OF AREA SOURCE AND OPERATIONAL EMISSION ESTIMATES

TOTALS (tons/year, unmitigated)

<u>NOx</u>	<u>CO</u>	<u>SO2</u>	<u>PM10</u>	<u>PM2.5</u>	<u>CO2</u>
0.42	4.04	0.00	0.46	0.09	269.37