



REPORT TO COUNCIL City of Sacramento

915 I Street, Sacramento, CA 95814-2604
www.CityofSacramento.org

STAFF
September 9, 2008

Honorable Mayor and
Members of the City Council

Title: Contract: Design-Assist for Sutter's Landing Regional Park Interim Improvements (L19167100) (requires two-thirds vote)

Location/Council District: 20 28th Street / Council District 3

Recommendation: Adopt a **Resolution:** 1) approving the Mitigated Negative Declaration and adopting the Mitigation Monitoring Plan for the Sutter's Landing Regional Park Interim Improvements project; 2) suspending competitive bidding in the best interests of the City; 3) awarding Hemington Landscape Services, Inc. a design-assist construction contract for the project for the guaranteed maximum price of \$1,192,933; and, 4) authorizing the City Manager or the City Manager's designee to execute the design-assist construction contract for the project (L19167100) for the guaranteed maximum price of \$1,192,933.

Contact: J.P. Tindell, Park Planning & Development Manager, 808-1955

Presenters: J.P. Tindell, Park Planning & Development Manager, 808-1955;
Gary Hyden, Supervising Landscape Architect, 808-1949

Department: Parks and Recreation

Division: Park Planning & Development Services

Organization No: 19001121

Description/Analysis

Issue: Sutter's Landing Regional Park is located within the Sutter's Landing Regional Park bounded by the American River to the north, Business 80 and the Union Pacific Railroad tracks to the south, a private mining recycling operation (Harbor Sand and Gravel), and a vacant, privately-owned property to the west. The City Council approved the master plan for this park in Resolution 2003-858. There has not been funding available for substantial improvements at this site until 2006.

Staff is seeking approval to award a design-assist contract to develop interim improvements (Attachment 5) consistent with the master plan (Attachment 6). The complex nature of constructing park facilities on a landfill combined with the deadline requirements associated with CRCIP funding for this work necessitate use of the design-assist approach to complete this project on schedule and within budget. The design-assist contracting process allows for the selection of a contractor through a competitive, qualification based process when it has been determined by a two-thirds vote of the City Council (in accordance with City Code Chapter 3.60.170D and City API No. 48) that it is in the best interests of the City to suspend competitive bidding. In order to award this contract, a two-thirds vote by City Council is required.

A summary of the project history is included as Attachment 1 (page 6), the Mitigated Negative Declaration Comment Letters and Emails are included as Attachment 2 (page 8), the responses to the Mitigated Negative Declaration (MND) Comments are included as Attachment 3 (page 27), a location map is included as Attachment 4 (page 31), and the Sutter's Landing Interim Improvements are included as Attachment 5 (page 32).

Policy Considerations: The recommendations included in this report are consistent with City Code Section 3.60.170(D), which authorize the suspension of formal competitive bidding upon a two-thirds vote of the City Council, when this is determined to be in the best interests of the City.

Providing parks and recreation facilities is consistent with the City's strategic plan to enhance livability in Sacramento's neighborhoods by expanding park, recreation, and trail facilities throughout the City. This is also part of the Park Development Process for park planning as stated in the *2005-2010 Parks and Recreation Master Plan*.

Committee/Commission Action: An expanded vision for Sutter's Landing Regional Park (Attachment 6, page 33) was reviewed and supported by the Parks and Recreation Commission (PRC) on November 3, 2005.

Environmental Considerations:

California Environmental Quality Act (CEQA): The Development Services Department, Environmental Planning Division, has determined that the Sutter's Landing Regional Park Interim Improvements project as proposed may have potentially significant impacts to the environment. In compliance with section 15070(b)1 of the California Environmental Quality Act (CEQA) Guidelines, mitigation measures have been identified that are incorporated into the project to reduce impacts to the less-than-significant level, and an Initial Study/Mitigated Negative Declaration (IS/MND) has been prepared.

These mitigation measures address soils, transportation/circulation, biological resources, hazards, and cultural resources. Exhibit A is the IS/MND. This IS/MND was circulated for public review on July 3, 2008, for a 30 day public review period which ended on August 4, 2008. Exhibit B is the Mitigation Monitoring Plan (MMP).

Exhibit B summarizes comments received from the public and responses to those comments. Nine comment letters were received on the draft IS/MND during the public review period from: Sacramento Regional County Sanitation District (SRCSD), Save the American River Association, Inc. (SARA), Dale Kooyman, Judith Lamare, Ken Lauszus, Vito Sgromo, Melina Gaylor, Greg Popejoy, and County of Sacramento's Environmental Management Department Hazardous Materials Division. A majority of the comments can be summarized into recurring themes. The public comments are primarily concerned with the potential larger project development in the Sutter's Landing area, which contains the Regional Park site and the adjacent parcels to the west, extending to the proposed River District Specific Plan Area. These concerns include: 1) Access, such as: public transportation, ADA access options, emergency response, regional access from the area freeways; 2) Regional transportation impacts on residential streets; 3) Homeless camping near or within the area; 4) Biological impacts on protected species; 5) Notification; 6) CEQA segmenting; and, 7) Landfill gas monitoring. A late comment was received (August 26, 2008) from the California Regional Water Quality Control Board addressing the need for a post-closure maintenance and monitoring plan, updated post-closure land use plan, language in the MND to reflect the need for these plans per regulation, identification of surface water discharge and monitoring system from the park, and construction plans to include detail diagrams for drainage. These comments have been taken into consideration into the project description and analysis of the project. The MND has been revised to clarify the project and its potential impacts to the environment. These revisions do not require recirculation of the IS/MND under CEQA section 15073.5.

Approval of the attached resolution would adopt the MND as adequate under CEQA and would approve the MMP.

Sustainability Considerations: The Sutter's Landing Regional Park Interim Improvements project has been reviewed for consistency with the goals, policies and targets of the Sustainability Master Plan. If approved, the project will advance the goals, policies, and targets of the plans by reducing greenhouse gas emissions and air pollution through the addition of trees and other plantings. This project is using recycled content material as follows: recycled plastic benches and recycled tires in the rubberized asphalt pavement. The park development is also consistent with sustainable design

through the use of water efficient irrigation design controlled by the centralized irrigation system, low water use shrubs and groundcover, and use of native tree plantings purchased from local vendors. Furthermore, the project will develop usable park amenities on the site of a former landfill.

Rationale for Recommendation: The Sutter's Landing Interim Improvements are consistent with the approved park master plan. The construction of park improvements on a former landfill is unusually complex because of special regulatory and design constraints, requiring special expertise and signoffs. The design-assist delivery approach provides the opportunity to deliver the proposed project scope within the deadline requirements of CRCIP funding. The design-assist approach is one where, after a formal selection process, the selected contractor will review the construction documents and suggest minor changes that reduce the costs (value engineering) or help reduce the length of construction time.

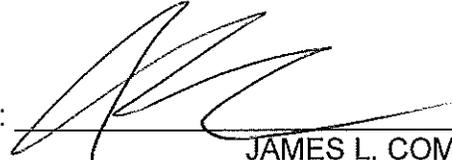
A Request for Qualifications (RFQ) for design-assist services was issued on May 5, 2008. The engineer's estimate for this portion of the interim improvements was \$1,275,500. Hemington Landscape Services was the only contractor to submit a response. They have worked on several park construction contracts for the city of Sacramento and were selected to provide design-assist services for this project. Awarding the design-assist contract will allow Hemington Landscape Services to assist the City in conducting value engineering reviews, obtaining bid packages and completing the project construction within the required timeline for a guaranteed maximum price (GMP) of \$1,192,933.

Financial Considerations: On May 23, 2006, City Council authorized the issuance of approximately \$150 million in 2006 Capital Improvement Revenue Bonds (CIRBs), authorized funding for the Tier I Community Reinvestment Capital Improvement Program (CRCIP) projects, and adopted policy directives. The Sutter's Landing Regional Park was approved as a Tier I project with an allocation of \$1,666,667 from the 2006 CIRBs. There are sufficient funds in the Sutter's Landing Regional Park project (L19167100) to award the design-assist contract.

Development of parks creates an ongoing cost for park maintenance and utilities based on the size of the park. Maintenance functions for this project will be absorbed into the FY2008/09 Operating Budget for Sutter's Landing Regional Park. Budget augmentations, however, have not been made to cover water and utility costs associated with development of this section of the park. Department staff will be working with Finance to address this funding gap.

Emerging Small Business Development (ESBD): The selection of subcontractors for this project will follow City established guidelines for inclusion of ESBD firms. At an SBE/EBE percentage total of 20% (SBE percentage is based on the base bid only), Hemington Landscape Services meets the City's required 20% ESBD rate.

Respectfully Submitted by:


JAMES L. COMBS
Director, Parks and Recreation

Recommendation Approved:


RAY KERRIDGE
City Manager

Table of Contents:

Report	pg. 1
Attachments	
1 Background Information	pg. 6
2 Mitigated Negative Declaration Letters and Emails	pg. 8
3 Response to Mitigated Negative Declaration comments	pg. 27
4 Sutter's Landing Regional Park Location Map	pg. 31
5 Sutter's Landing Interim Improvements	pg. 32
6 Sutter's Landing Regional Park Master Plan	pg. 33
7 Resolution	pg. 34
Exhibit A – Mitigated Negative Declaration	
Exhibit B – Mitigation Monitoring Plan	

Attachment 1

Background Information

Project Chronology

- On December 9, 2003, the City Council approved revisions to the 1995 Sutter's Landing Regional Park Master Plan.
- In February 2005, the City completed a "Feasibility Report for Sutter's Landing Park" that concluded that park improvement is feasible on this site.
- On November 3, 2005, the Parks and Recreation Commission recommended supporting the expanded vision for Sutter's Landing Regional Park with the addition of retaining, or replacing with equal size, an on-site covered skate park as a regional destination.
- On March 7, 2006, the City Council approved the Sutter's Landing Regional Park "Expanded Vision" to include regional destination attractions.
- In August 2007, City selected Callander Associates, the design consultant for this project, because of their background in designing for building on landfills.
- On May 5, 2008, a Request for Qualifications (RFQ) for a Design-Assist Fee with Option for a Guaranteed Maximum Price (GMP) contract was issued by the City.
- On May 23, 2008, qualifications were received. One qualified contractor submitted qualifications and a fee proposal.

Design-Assist Contracting Process

The complex nature of constructing park facilities on a landfill combined with the stringent deadline requirements associated with the Community Reinvestment Capital Improvement Program (CRCIP) funding for this work necessitate the use of the design-assist approach to complete this project on schedule and within budget.

The design-assist contracting process allows for the selection of a contractor through a competitive, qualification-based process when it has been determined by a two-thirds vote of the City Council (in accordance with City Code Chapter 3.60.170D and City API No. 48) that it is in the best interests of the City to suspend competitive bidding.

The design-assist contracting process will allow the contractor to assist the City with cost estimating, design review, constructability review and value engineering, with technical expertise during the design process as well as soliciting

subcontractor bids, preparing a guaranteed maximum price (GMP) and constructing the project.

The proposed interim improvements (Attachment 5) in this contract include construction of a 4-acre dog park on top of the existing asphalt pavement cap; the dog park will have separate areas for large and small dogs. A six-foot high chain link fence with sally port entrances will enclose the area with decomposed granite pavement over a permeable drain rock base, landscape mounds with bark mulch, trees and shrubs with drip irrigation, drinking fountains, benches, two shade canopies, accessible parking, and a connection to the future Two Rivers Bike Trail and hand-carry boat launch and access point to the American River. Additional interim improvements will be provided subject to additional funding from other sources.

Attachment 2

Mitigated Negative Declaration Letters and Emails



10545 Armstrong Avenue
Mathis, CA 95688
Tele: [916] 876-6000
Fax: [916] 876-6160
Website: www.srcsd.com

Board of Directors
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- County of Yolo
- City of Citrus Heights
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- City of West Sacramento

Mary K. Snyder
District Engineer

Stan R. Dean
Plant Manager

Wendell H. Kido
District Manager

Marcia Maurer
Chief Financial Officer

July 20, 2008

Dana Allen
City of Sacramento –
Department of Parks and Recreation
915 I Street, 5th Floor
Sacramento, CA 95814

Subject: Notice of Availability – Mitigated Negative Declaration for the Sutter's Landing Regional Park Phase 1 Improvements

Dear Ms. Allen:

Sacramento Regional County Sanitation District (SRCSD) has reviewed the subject documents and has the following comments:

The above-mentioned project will have no significant impact on SRCSD facilities.

If you have any questions or concerns regarding this letter please feel free to contact me at (916) 876-6104.

Sincerely,

Robb Armstrong,
Sacramento Regional County Sanitation District

Wastewater Treatment

RECEIVED
City of Sacramento

JUL 24 2008

Dept. of Parks & Recreation
Planning & Development

TECHNOLOGY IN SOLID WASTE MANAGEMENT



SAVE THE AMERICAN RIVER ASSOCIATION, INC.

P.O. BOX 277638 - SACRAMENTO, CA 95827-7638 - (916) 387-1763

RECEIVED July 23, 2008
City of Sacramento

JUL 28 2008

Dept. of Parks & Recreation
Planning & Development

Dana Allen, Senior Planner
City of Sacramento
Department of Parks and Recreation
915 I Street, 5th Floor
Sacramento, CA 95814

Re: Mitigated Negative Declaration for the Sutter's Landing Regional Park
Phase I Improvements

Dear Ms. Allen,

The Save the American Association (SARA) has received the document for the subject
Improvements: The following are our comments:

- * SARA enthusiastically supports the Improvements as stated in the Negative Declaration.
- * Suggestions:
 - (a) The Improvements should use recycled materials whenever possible.
 - (b) Install solar panels to produce electric power.
 - (c) Solicit donations from private entities for naming rights to various portions of the Improvements. Example: The four-acre dog park can be named after a pet food company.
 - (d) Initiate a "Council of Advisors" comprised of knowledgeable City of Sacramento residents to assist the Department of Parks and Recreation during the building process.

Frank F. Cirilli, SARA President Emeritus, will be the contact person for this Improvement project. His address and phone number is:

Frank F. Cirilli - 5515 State Avenue - Sacramento, CA 95819 - Res. phone: 916-455-2880

Sincerely,

Warren Truitt
President, SARA

Frank F. Cirilli
President Emeritus, SARA

cc: Jim Combs, Director - Sacramento Department of Parks and Recreation
SARA Board of Directors

July 30, 2008

Dear Ms Allen:

I received a copy of your mitigated Negative Declaration for the Phase 1 improvements for Sutter Landing Park.

The Neg Dec and initial study do not assess and mitigate the impacts of the park improvements on reproductive success of nesting Swainson's Hawks (state listed as threatened) and white tailed kites (fully protected). Nesting pairs of these two species nest quite close to the project site, in the American River Parkway, adjacent to the river. They have been documented as foraging in the grassy hill, now fenced off from the public.

One important impact is construction noise on nesting behavior. A more detailed assessment of construction impacts on the present nesting sites of the Swainson's Hawk and the white tailed kite is needed before the Mitigated Negative Declaration is complete. There may be a need to avoid construction during part or all of the nesting season.

The Initial study relies on a wildlife survey conducted in December. This is not an adequate basis for assessing impacts. The greatest impacts of the site improvements on wildlife are likely to be in March - August when the project area helps support reproduction of a number of species, including migratory species protected by federal law. Also, migrating species like the Swainson's Hawk are not present in the area during December (or between September and March).

Mr. Robert Sewell has monitored and documented wildlife use of the Sutter Landing park area in all seasons. He told me that Swainson's Hawks were foraging there to feed chicks in the nest nearby. He has observed:
>> That entire hill where the methane is being drawn from is a major source of
>> food for all the native raptors of this area, including Whitetail Kites and
>> N. Harriers. The ground nesting birds use the grassy hill area for their
>> nesting and the top feeding Coyote also hunts there.

Mr. Sewell took the attached pictures at this site in the spring.

We are also concerned that the City's construction plans and schedule may preclude our field trips to view the hawks in the spring. Please advise us of the proposed construction schedule and whether access to the American River Parkway trail going north will be open during construction.

Thank you for this opportunity to comment.

Jude Lamare,
Judith Lamare Ph.D., President
Friends of Swainson's Hawk
915 L Street, C-425
Sacramento, Ca. 95814
916-447-4956

From: Dale Kooyman <dkdale@comcast.net>
To: Dana Allen <dallen@cityofsacramento.org>
Date: 8/1/2008 8:49 AM
Subject: Resend #1-Sutters Landing Regional Park Phase 1 Improvements EIR comments
Attachments: Part.001

I am going to send this two ways. This is the first where I repeat part of #1 and the item following in red (original location) is now in bold. The second is a resend of the original without the red. Again, what was in red and what is now below is a copy of my original email to Trindle after he/she made a presentation about the grand plan of Sutter's park.

I appreciate your detailing to me the problems because I have found in the past when sending things to council offices that italics don't go through--indentations either but bolds sometime do. All caps normally do, but that is such a nuisance. Did the bold lettering come through???? Incidentally, the asterisk relates to #7 in case that also got screwed up.

All these distortions are infuriating because good organization of a document is key to the message and the readers' understanding it. BUT when I send these kinds of enhancements in a document to friends and neighbors, I rarely experience these problems!!

Dana, these distortions are particularly common with the city's computer/email systems for whatever mysterious reasons. Sometimes corrections can be made by sending it as an attachment but not always. Sometimes, as in this case, I send it in large font and the system reduces it to tiny font.

" Note my prior email in red below to JP Trindle who made a presentation at the NAG about the city's plans to develop a much larger area with eventual development of the entire park. While my email then focused on public transportation, it was sent with regards to the effects of the grand scheme, which failed to consider public transportation at all. (This first phase does little better.) I never received a response. The haphazard approach then is evident in this recent scaled down version

*Perhaps I did not explain myself clearly when I asked you a question about access to the park for other than motorized vehicles and parking lots for those vehicles. My point is/was that:

1. Whenever a project of any kind (city or private) includes space dedicated to vehicle parking or a proposed street as an initial part of a proposal for public access (as was identified in your presentation at the same time as an integral part of the overall plans other modes of access to that project. In other words, if it is earlier enough in a project to draw in a parking area which is for motorized vehicles then it is early enough to plan for non-motorized circulation. Failure to do so:

- a. demonstrates a bias toward vehicles to the exclusion of alternate modes of transportation whether those be bicycle, pedestrian, public transit or newer forms of transporting people such as shuttles,

electric buses, etc.

b. discriminates against and clearly shows that there are no plans in the initial stages to accommodate individuals of any age and physical condition who do or cannot drive a vehicle and are dependent upon other modes of transportation to use the facility.

c. omits the very important planning factor of estimating the number of users who will not arrive via motorized vehicle, not need parking spaces and how these users will be accommodated.

d. our experience has shown that sometimes early decisions are made in the planning stages that later preclude alternative transportation access (this is the "oh,-gee,-we're-sorry-we-can't-do- that-now-OR-it-is-too-expensive-now- if -only-that-had-been-proposed- earlier . . defense.)

2. It is poor planning and lacks forward thinking to omit and relegate those important features to a later status because initial estimates and funding need to include those access amenities not as a vague add on feature at some possible future date with costs.

cost
too--
added

I do not know at what stage the Sutter Park planning is in, but the plan should now be amended to include access in addition to vehicular.

Thank you. Dale Kooyman

From: Dale Kooyman <dkdale@comcast.net>
To: Dana Allen <dallen@cityofsacramento.org>
Date: 8/1/2008 8:50 AM
Subject: Resend #2-Sutters Landing Regional Park Phase 1 Improvements EIR comments
Attachments: Part.001

There are numerous important errors and omissions in the EIR.

While there are some major factors addressed, they fail to identify or resolve other issues and related impacts.

1. By considering only the first phase of a grander and much larger scheme of developing a regional park, the city is segmenting the larger project and therefore understating the cumulative impacts. Note my prior email in red below to JP Trindle who made a presentation at the NAG about the city's plans to develop a much larger area with eventual development of the entire park. While my email then focused on public transportation, it was sent with regards to the effects of the grand scheme, which failed to consider public transportation at all. (This first phase does little better.) I never received a response. The haphazard approach then is evident in this recent scaled down version

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a. demonstrates a bias toward vehicles to the exclusion of alternate modes of transportation whether those be bicycle, pedestrian, public transit or newer forms of transporting people such as shuttles, electric buses, etc.

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c. omits the very important planning factor of estimating the number of users who will not arrive via motorized vehicle, not need parking spaces and how these users will be accommodated.

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2. It is poor planning and lacks forward thinking to omit and relegate those important features to a later status because initial cost estimates and funding need to include those access amenities not as a vague add on feature at some possible future date with too--

added costs.

plan I do not know at what stage the Sutter Park planning is in, but the should now be amended to include access in addition to vehicular.
Thank you. Dale Kooyman

2. How, where and what kinds of access options are provided for the disabled and less mobile seniors or other folks to use even Phase I of the park? The grade to the berm is too steep for many folks, including seniors and disabled to walk and/or use wheel chairs.

3. The EIR addresses emergency vehicle access but staff are apparently unaware that residents have observed trains remaining parked, blocking that access ranging from one to three hours several days of the week. That traps people in or out of the park! This causes emergency services to be impotent---short of an air lift.

4. There is NO access from Business 80 as your EIR erroneously states. Any traffic leaving or entering the freeway must use local streets--either residential 28th and others throughout the neighborhoods or 29th & 30th, primarily but not exclusively commercial. To keep 28th the only access and egress point is in itself not acceptable. Other points must be constructed.

5. The EIR minimizes traffic volumes for the first phase but does not address the cumulative impact at build out. This is a major flaw. This must be addressed now as the plans for eventual build out exist on the city's drawing boards as evidenced by my above email reply. This partial approach has been a city ploy for years to get something past the public. Staff have routinely considered one project at a time and never the five or six or more that are in the pipeline. The failure to do so has caused many of the problems we now face citywide.

6. The chart check-marks potential traffic impacts which require mitigation (words to that effect) but where is and what kinds of mitigation on the residential 28th street will be adopted as part of implementation? Other affected residential streets?

I was expecting to read something that truly mitigates like the diverting arriving and departing regional traffic off this residential street so such traffic can use 29th and 30th Streets which are primarily commercial. That would require diverting to and from traffic immediately south of the RR tracks by modifying or creating a bypass to avoid residential on C east of 28th--expensive but necessary and NOT addressed as an option.

The city would do such mitigation if the park were being proposed in more upscale neighborhoods such as East Sacramento or Land Park, etc but it has always discriminated against central city neighborhoods in such consideration because there are large number of low income and renters who usually voice their opposition by moving.

A less effective option is to include in your EIR diverting regional traffic by means of several traffic diverters, speed lumps, street bulb outs, circles and other engineering techniques.

*7. The public transportation access that staff minimally addresses is misleading to inaccurate. The #67 and #68 RT buses run on one way streets (from Arden Mall onto 29th Street south and on 30th Street

north but east of the freeway). These routes exit and enter at E Street off and on ramps. It appears that staff did not determine where the first and last stops are before boarding and exiting the freeway. These blocks are so far away from the 28th entrance beyond the RR tracks that they are not practical alternatives.

8. Currently there are dozens, if not hundreds, of homeless camping near or within the proposed area. The EIR does not address how the city will handle this politically sensitive issue. Will they be banned from the park? No way!! Will they camp on the grounds? Of course. Will they use the restroom facilities? Of course. What is the clean up process for all? What are the associated costs? Will there be related alcohol consumption, vandalism and other criminal activity? Of course, there is such activity now in those campsites. There is nothing in the EIR that would discourage such future behavior. What are the law enforcement plans? What emergency response is proposed for homeless and park users who may be victims even when the tracks are not blocked? How long will such response take for such a remote area?

9. There is some vague reference in the EIR to the Sutter Parkway as an extension of Richards Blvd, but that is an expensive project, and its construction at this point is very remote since it is 10th on a list of others. Is this reference meant as future mitigation? This could be a major solution to mitigating regional traffic on 28th and other nearby residential streets. BUT that expressway is not being suggested in the EIR. That inadequacy needs to be corrected with time lines and cost estimates factored in as a mitigation measure.

I do not have time to relate more of the EIR inadequacies. Summary - This EIR is seriously, if not fatally, flawed since it hides the city's true long term plans for this REGIONAL park. The planning even for this first phases is haphazard, impractical and incomplete at best. This non-comprehensive approach totally fails to take into account all of the relevant and significant factors. This project should be abandoned and resubmitted as part of the total plan and at that time address ALL all the of the factors, including those poorly or inadequately addressed in this EIR.

Please let me know these email comments must be submitted in hard copy or if you can accept these as valid comments on this EIR. Dale Kooyman 801 21st Street 95811 443-5543

From: "Ken Lauszus" <lauszus@jps.net>
To: "Dale Kooyman" <dkdale@comcast.net>, "Dana Allen" <dallen@cityofsacramento.org>
Date: 7/31/2008 9:28 PM
Subject: Re: -Sutters Landing Regional Park Phase 1 Improvements EIR comments
CC: "Vito Sgromo" <vsgromo11@comcast.net>, "William D. Burgua" <bill@sheiladog.com>, "Gloria Scott" <glorioriski@juno.com>, "Melinda Gaylor" <tomelinda@sbcglobal.net>, "Sue Brown" <sbrown@cityofsacramento.org>, "Sue O'brien" <Suefund@aol.com>, "Karen Jacques" <threegables@macnexus.org>, "Paul Harriman" <harriman@gmail.com>, "George Raya" <georgeraya@yahoo.com>, "Marian Millen" <booster@macnexus.org>, "Clara Smith" <kunsch.clara@sbcglobal.net>, "Pete Bramson" <prbram@aol.com>, "Corey Brown" <coreymarcy@earthlink.net>, "Marc de la Vergne" <marcangela@comcast.net>, "Robert Winger" <robertw@sacramento rentals.com>, "Jon Marshack" <jon.marshack@att.net>, "MARTHA DAMJANOVIC" <mad50plus@msn.com>, "Priscilla Barnes" <prisbarnes@gmail.com>, "Tsamtsis Paul" <tsamtsis@jps.net>, "Ed Cox" <eCox@cityofsacramento.org>

The A R Parkway from Sutters Landing to Discovery Park is nothing but a vast homeless camp and no additional investment should be made until there is a real commitment by the city to clear out the homeless camps. Up until now there has been none.

Ken Lauszus

From: "Ken Lauszus" <lauszus@jps.net>
To: "Dale Kooyman" <dkdale@comcast.net>, "Dana Allen" <dallen@cityofsacramento.org>
Date: 8/2/2008 8:31 AM
Subject: Re: -Sutters Landing Regional Park Phase 1 Improvements EIR comments
CC: "Vito Sgromo" <vsgromo11@comcast.net>, "William D. Burgua" <bill@sheiladog.com>, "Gloria Scott" <glorioriski@juno.com>, "Melinda Gaylor" <tomelinda@sbcglobal.net>, "Sue Brown" <sbrown@cityofsacramento.org>, "Sue O'brien" <Suefund@aol.com>, "Karen Jacques" <threegables@macnexus.org>, "Paul Harriman" <harriman@gmail.com>, "George Raya" <georgeraya@yahoo.com>, "Marian Millen" <booster@macnexus.org>, "Clara Smith" <kunsch.clara@sbcglobal.net>, "Pete Bramson" <prbram@aol.com>, "Corey Brown" <coreymarcy@earthlink.net>, "Marc de la Vergne" <marcangela@comcast.net>, "Robert Winger" <robertw@sacramento rentals.com>, "Jon Marshack" <jon.marshack@att.net>, "MARTHA DAMJANOVIC" <mad50plus@msn.com>, "Priscilla Barnes" <prisbarnes@gmail.com>, "Tsamtsis Paul" <tsamtsis@jps.net>, "Ed Cox" <eCox@cityofsacramento.org>

Dog Park Or Homeless Park

My neighbor has a large dog and frequently goes to "Sutters Landing" to run her. He says that the Salvation Army stops by there and at 20th and "C" entrance to the Parkway with a van and hand out meals to the homeless. He said there were a lot of homeless waiting for the food. Is this a regular thing the SA does? Why invest money into a park for the homeless?

Ken Lauszus

Date August 2, 2008
To: Dana Allen, Senior Planner, City of Sacramento <dallen@cityofsacramento.org>
From: Melinda Gaylor
Sub: Sutter's Landing Regional Park Phase 1 Improvements - Initial Study/Mitigated Negative Declaration – Comments

I appreciate the opportunity to comment on the Sutter's Landing Regional Park (SLRP) Phase 1 Improvements. I must add, however, that it has been unduly burdensome to review and respond to this 73-page study because I learned of it only a few days before the end of the comment period. As stated on p. 4 of the study:

- "The proposed improvements were not specifically approved with the approval of the Master Plan in 2003."
- The first item in the list of visions for the SLRP Master Plan approved by the City Council on 12/9/03 was to "Address pedestrian and vehicular circulation to maximize park accessibility and minimize impacts on surrounding neighborhoods."

Given the above bulleted items and the potential impact of vehicular traffic increase, it might have been prudent if this study for Phase 1 Improvements had been publicized much more broadly to residents of surrounding neighborhoods.

There are a number of serious issues that must be resolved before proceeding with any phase of the SLRP project. The issues include the following:

1. The major concern is vehicular traffic increase. This study includes neither proper analysis nor mitigation of impacts by park-visitor traffic on surrounding neighborhoods.
 - a. This will be a large regional park. The map on p. 8 shows the Phase 1 size to be 48 acres, with the eventual size of the park being 78 acres.
 - b. All traffic into and out of the park must use 28th Street. The surrounding streets will also be impacted. 28th Street is a two-lane residential street, already overburdened.
 - c. The only portion of 28th Street addressed is the one-block portion between B Street and the railroad tracks. What about the portion south of B Street? Virtually every park visitor, from I-80 and elsewhere will drive north on 28th Street from E Street or from even further south.
 - d. The estimate on p. 27 summarily dismisses and seriously underestimates traffic impact on 28th Street. It states, "The proposed project would add a relatively minor amount of new trips. The Institute of Transportation Engineers Trip Generation manual for a Regional Park predicts up to 6 vehicle trips during the evening peak hour using the average rate. The average daily trips on a typical weekday would increase by 23 trips."

So, we're spending how much money for a huge park that only 23 cars will access on a typical day? What about weekend traffic, which is now typically low on 28th Street? This study's low 23-car-per-day prediction for what is envisioned as a "vibrant and active regional park" seems highly unlikely.

This study lacks meaningful traffic analysis for Phase 1, and completely avoids the future, cumulative traffic impacts on 28th Street and other Midtown residential streets as new uses in the park expand it to the full 78 acres.

The SLRP Master Plan envisions this park as a "regional-draw destination." (p. 4) The planned complimentary adjacent regional attractions such as food, lodging, entertainment, conferences, retail, etc., will ensure a regional draw. As such, a regional road system for

Page 2, Dana Allen, 08/02/08

vehicles to move in and out of the park and adjacent attractions must be addressed in any phase of the overall project.

If local residential streets are substituted for a well-planned regional, commercial road-system, the neighborhoods will be destroyed. Such destruction is unacceptable to the residents and contrary to the entire SLRP vision.

North/south arteries that are primarily commercial already exist; 29th Street, 30th Street, and Alhambra Blvd. If a bypass or underpass is required, then that is how it must be. No tweaking of primarily residential streets with token treatments such as traffic diverters, speed bumps, circles, etc. will be accepted as meaningful mitigation. If regional, commercial traffic is forced down residential streets, the entire character changes and a quiet, safe neighborhood dies. This is bad for everyone.

2. This study fails to address the issue of the campground of homeless people presently occupying the territory.
3. The limited access via public transport, especially for disabled individuals, should be addressed.

A lovely regional park has the potential to be a great enhancement to the city. The avoidance of negative outcomes during all phases of development, however, will depend on meticulous, sensitive planning that includes input and support from the surrounding neighborhoods.

Thank you.

Melinda Gaylor
2527 D Street
95816

Dana Allen - RE: -Sutters Landing Regional Park Phase 1 Improvements EIR comments

From: "vitosgromo" <vsgromo11@comcast.net>
To: "Dana Allen" <dallen@cityofsacramento.org>
Date: 8/3/2008 12:21 AM
Subject: RE: -Sutters Landing Regional Park Phase 1 Improvements EIR comments
CC: "William D. Burgua" <bill@sheiladog.com>, "Gloria Scott" <gloriorski@juno.com>, "Melinda Gaylor" <tomelinda@sbcglobal.net>, "Sue Brown" <sbrown@cityofsacramento.org>, "Sue O'brien" <Suefund@aol.com>, "Karen Jacques" <threegables@macnexus.org>, "Paul Harriman" <harriman@gmail.com>, "George Raya" <georgeraya@yahoo.com>, "Marian Millen" <booster@macnexus.org>, "Clara Smith" <kunsch.clara@sbcglobal.net>, "Pete Bramson" <prbram@aol.com>, "Corey Brown" <coreymarcy@earthlink.net>, "Marc de la Vergne" <marcangela@comcast.net>, "Robert Winger" <robertw@sacramentorentals.com>, "Jon Marshack" <jon.marshack@att.net>, "MARTHA DAMJANOVIC" <mad50plus@msn.com>, "Priscilla Barnes" <prisbarnes@gmail.com>, "Ken Lauszus" <lauszus@jps.net>, "Tsamtsis Paul" <tsamtsis@jps.net>, "Ed Cox" <eCox@cityofsacramento.org>, "Dale Kooyman" <dkdale@comcast.net>, "Sue Brown" <SBrown@cityofsacramento.org>, "Steve Cohn" <SCohn@cityofsacramento.org>, "Heather Fargo" <HFargo@cityofsacramento.org>, "Ray Kerridge" <RKerridge@cityofsacramento.org>, "Gloria Scott" <gloriorski@juno.com>, "Matt Piner" <pineworks@sbcglobal.net>, <matthew_valine@campbellsoup.com>, <vhvaline@cw.com>, <ClarkKayler@gmail.com>, <almidtown@gmail.com>, <alomidtown@gmail.com>, "Bill Burgua" <bill@sheiladog.com>, "Margaret Buss" <margaret_buss@dot.ca.gov>, "Deborah Condon" <debcondon@aol.com>, "Ryan Troth" <mena@eastsac.org>, "Don Rehm" <DREHM@pd.cityofsacramento.org>, "Michael DeSerio" <njdeserio@sbcglobal.net>, "Karen Jacques" <threegables@macnexus.org>, "Green Kathleen" <kdgreenone@yahoo.com>, <johnnyz@vcfsacramento.com>, <berdany@aol.com>, <friendsofgrantpark@yahoo.com>

Dana.

I am submitting my comments listed below. I have listed Dale Kooyman's comments because I agree with his statements and what to add his comments to mine.

Errors, unresolved negative impacts and omissions

1. Notification

Residential neighbors were not notified of this Mitigated Negative Declaration or Phase 1 of the proposed regional park. This violates the Sutter Park's Master plan, "Address pedestrian and vehicle circulation to maximize park accessibility and minimize impacts on surrounding neighborhoods." Also this circumvents the notification process of Neighborhood Services city office through the NAG meetings with neighborhoods.

2. ADA

Your Phase 1 projects appears to violate ADA guidelines for public areas. Access from 28th street that is the only access at this date does not meet ADA standards.

3. Access

Your statement that the Sutter Regional Park is accessible from I5 and Highway 80 is false. There is no direct

access from Highway 15 and indirect access through local residential streets from Highway 80. Access over 28th street is extremely limited to long delays from increased train traffic which you fail to list. Due to this only limited access and no emergency exit there is a potential danger to public safety. Again this was not listed in your report.

4. CEQA

The activities and projects listed in your report do not take into account the full impacts of a regional park that includes special events already held at this site. Also, since this is only phase 1 and more projects and activities are planned the City of Sacramento appears to be circumventing the CEQA process by addressing only small aspects at one time of a major regional park. This piecemeal approach does not address the overall impacts of a regional park.

5. Traffic

The report fails to take into account special events into its calculations on traffic impacts. Therefore you are jeopardizing the impacts on 28th street and nearby streets by this unknown traffic impacts.

Due to the faulty assumptions and impacts as listed above a full EIR should be required as related to CEQA.

Please let me know if you need further comments.

Thank you.

Vito Sgromo
916 869-3486

From: <greg5@bigvalley.net>
To: <dallen@cityofsacramento.org>
Date: 8/4/2008 4:05 PM
Subject: Sutter's Landing Regional Park

Just heard about a comment period for this park, Phase One, and feel there was not enough notice given for this project. I live at 2015 F Street, and we will all be affected in the midtown area, especially Boulevard Park and New Era, and Marshall School Neighborhood. There was no notification by mail, either. My biggest concern, of course, is traffic on 28th Street and surrounding streets. It seems that 29th Street, Alhambra and 30th Streets would be more ideal connectors, since they already contain mostly commercial interests. I also am not in favor of the Centrage development, and feel it should be left as open space, minus the billboards, which do not exactly welcome visitors to Sacramento in the most pleasant way. It could be a continuation of the Regional Park, rather than yet more commercial development.

Having suffered the funneling effects of the traffic calming project and its adverse effect on those of us on F Street, I am not confident that the City of Sacramento will always do what is in the best interest of the local residents. I hope this project does not turn out to be yet another one of those examples. Thank you for the opportunity (on such short notice) to comment on this project, and I will be trying to follow its progress from here on out. Greg
Popejoy 2016 F St., Sacramento, CA 95811
(916) 448-8811

Countywide Services
Agency

Environmental Management
Department

Hazardous Materials
Division

Dennis Green, Chief



County of
Sacramento

Terry Schutten, County Executive
Penelope Clarke, Agency
Administrator

Val F. Siebal, Department
Director
City of Sacramento

AUG 10 2008

Dept. of Parks & Recreation
Planning & Development

August 4, 2008

Attn: Dana Allen
City of Sacramento
Department of Parks and Recreation
915 I Street, 5th Floor
Sacramento, CA 95814

Dear Ms. Allen,

SUBJECT: Review of Mitigated Negative Declaration for the Sutter's Landing Regional Park Phase 1 Improvements, 28th Street Landfill, Sacramento California

The Sacramento County Environmental Management Department (EMD) staff has reviewed the Mitigated Negative Declaration for the Sutter's Landing Regional Park Phase 1 Improvements located at 28th Street Landfill, Sacramento, California. Sacramento County EMD is the Local Enforcement Agency (LEA) for the California Integrated Waste Management Board (CIWMB) and has authority and responsibility for regulatory oversight of all solid waste handling and disposal sites within the Cities and County of Sacramento. The LEA inspects on a quarterly basis the pre-regulated section of the "West Site" which is regulated under Title 27 California Code of Regulation (CCR). The LEA inspects the site to ensure that the cover is maintained to prevent infiltration of water into the fill, and monitors the site for nuisances such as dust suppression. The LEA reviews and oversees the pre-testing for the City. The LEA also reviews and approves plans for the Landfill Gas Control System. The following are the staff comments on the Mitigated Negative Declaration (MND):

- 1) The MND should include a statement that the LEA has jurisdiction over closed landfills and enforces Title 27 CCR. These regulations pertain to landfill gas control, cover maintenance, dust suppression etc. The MND should include a statement that if LFG concentrations are detected at levels which are harmful to public health and safety then the operator will ensure that landfill gas generated at a disposal site is controlled in such a manner as to satisfy the following requirements:
 - a) The concentration of methane gas must not exceed 1.25 percent by volume in air within any portion of an on-site structure.
 - b) The concentration of methane gas migrating from the disposal site must not exceed 5 percent by volume in air at the disposal site permitted facility boundary or an alternative boundary approved in accordance with §20925.
 - c) Trace gases shall be controlled to prevent adverse acute and chronic exposure to toxic and/or carcinogenic compounds.
- 2) The Feasibility Report recommendations for Landfill Gas Monitoring and Control Systems are very detailed, include these recommendations in the MND.

Sutter's Landing Park Mitigated Negative Declaration Review

August 4, 2008

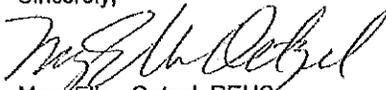
Page 2 of 2

- 3) Page 50 under the heading Standard Regulatory Requirements: Add Title 27 for Closed Landfill regulations.
- 4) The Health and Safety Plan must be submitted to the LEA for review and approval.

We have provided comments on the 90 percent submittal plans, and the MND should reference the 100 percent submittal plans. The 100 percent submittal plans were submitted on July 23, 2008, and is still in review by the LEA. Reference the review of the 100 percent submittal for comments to be included in the MND.

Thank you for the opportunity to comment on the Mitigated Negative Declaration for the Sutter's Landing Regional Park Phase 1 Improvement at 28th Street Landfill. If you have any questions, please feel free to contact me at (916) 875-8434.

Sincerely,



Mary Ellen Oetzel, REHS
Environmental Specialist
Solid Waste/LEA Program

C: Frank Davies, CIWMB
Lisa Todd, LEA

W:\Data\Oetzel\Solid Waste\28TH STREET LANDFILL\Sutter's Landing Regional Park Phase 1 Improvements\Review\Mitigated Negative Declaration



Linda S. Adams
Secretary for
Environmental
Protection

**California Regional Water Quality Control Board
Central Valley Region**

Karl E. Longley, ScD, P.E., Chair

11020 Sun Center Drive #200, Rancho Cordova, California 956706114
Phone (916) 464-3291 • FAX (916) 464-4645
<http://www.waterboards.ca.gov/centralvalley>



RECEIVED Arnold
City of Sacramento Schwarzenegger
Governor

AUG 26 2008

Dept. of Parks & Recreation
Planning & Development

22 August 2008

Roy Tatman
Associate Landscape Architect
Department of Parks & Recreation, City of Sacramento
915 I Street, 5th Floor
Sacramento, California 95814

**SUTTER'S LANDING PARK PROJECT, 28TH STREET LANDFILL, CITY OF SACRAMENTO,
SACRAMENTO COUNTY**

Regional Water Board staff has reviewed the final documents submitted for the next phase of development of Sutter's Landing Park. The final documents include the following:

- February 2008 Postclosure Land Use Plan Amendment
- July 2008 Mitigated Negative Declaration
- July 2008 100% Construction Plans and Drawings
- May 2008 Construction Specifications

Our comments are as follows:

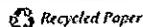
1. Postclosure Plans

- a. We have not yet received an amended postclosure maintenance and monitoring plan (PCMP) for the 28th Street landfill, as required under Waste Discharge Requirements (WDRs) Order No. R5-2004-009 and Title 27 of the California Code of Regulations (27 CCR). The PCMP needs to reflect park plans, as necessary, per 27 CCR Section 21769.
- b. The postclosure land use plan (PLUP) amendment (submitted under 27 CCR Section 21190) should be updated to reflect final (100%) construction plans. Section 3.01, for example, references 50% plans. The report also does not adequately explain how the portion of the landfill within the park area will be maintained. For example, Section 6 states only that the City Parks and Solid Waste departments will need to agree on what these activities will be and which department will conduct such activities. So the plan needs to be more specific. It should also reference relevant sections of the amended landfill PCMP.

2. Negative Declaration

- a. Since the park is within the landfill area, the negative declaration should mention that the park area is subject to applicable requirements of the landfill WDRs and any future revisions to those WDRs. Also, the report should mention that the park area is subject to the PCMP under the landfill WDRs and that landfill facilities within the park

California Environmental Protection Agency

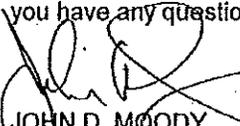


Roy Tatman
Department of Parks & Recreation
City of Sacramento

22 August 2008

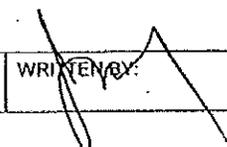
- area (e.g., cover, storm drains) need to be maintained in accordance with the PCMP.
- b. On Page 16, the report indicates that impacts to surface waters from the project will be less than significant, but does not adequately explain why. The report should identify all surface water discharges from the park; which of such discharges (e.g., drainage from the doggy park) could potentially threaten water quality; how the discharges will be plumbed (e.g., swale to storm drain, pipe to combined sewer); and how surface water will be protected. Any discharges to the American River from the park area should be identified.
 - c. The report should mention that the landfill has a General Industrial Storm Water Permit and identify all landfill storm water outfalls and monitoring locations in the project area. Any landfill storm water outfalls in the project area not being monitored should be identified.
3. Construction Plans and Specifications
- a. The construction plans should show how the park area will be plumbed for drainage. Additional maps and construction detail diagrams may be needed for this purpose. As discussed in our previous meeting, the portion of the doggy park covered with decomposed granite should be plumbed to the sanitary sewer (see enclosure).

Please include an amended PCMP with your revisions to the above-referenced documents. If you have any questions, please call me at (916) 464-4641.


JOHN D. MOODY
Water Resources Control Engineer
Land Disposal Permitting Unit

Enclosure

cc: Frank Davies, California Integrated Waste Management Board, Sacramento
Mary Ellen Oetzel, Sacramento County Environmental Management Department,
Sacramento
Dana Allen, Department of Parks and Recreation, City of Sacramento, Sacramento
Marty Strauss, Department of Utilities, City of Sacramento, Sacramento
Melissa Ruth, Callander Associates, Rancho Cordova

CENTRAL VALLEY REGIONAL WATER QUALITY CONTROL BOARD		
RECORD OF COMMUNICATION		<input type="checkbox"/> Phone Call <input type="checkbox"/> Other (specify) _____ <input checked="" type="checkbox"/> Meeting
PARTIES		DATE: 12 March 2008
Marty Strauss, City of Sac. Util. Roy Tatman, City of Sac. Dept of Parks and Recreation* Melissa Ruth, Ben Woodside, Callander Associates	John Moody, CVRWQCB Mary Ellen Oetzel, Sac County LEA	TIME: 2:00 p.m.
* Party Initiating Communication		
SUBJECT: Sutter's Landing Park Project		FILE:
SUMMARY OF COMMUNICATION: A joint agency meeting was held to discuss conceptual ("50%") plans and a draft land use plan amendment submitted for the next (second) phase of the Sutter's Landing Project. The following summarizes the meeting:		
<ul style="list-style-type: none"> • The project is on a tight schedule to preserve local bond funding. The City therefore plans to finalize project plans within a couple months and begin project construction by late summer, 2008. • The City's Utilities and Parks & Recreation Departments will finalize an MOU regarding landfill maintenance in the park area. The MOU will apply both during and after park construction. The City is also working on an amended post-closure maintenance plan (PCMP) for the landfill that will cover maintenance issues associated with the park. • It is not yet clear whether the project will require updated WDRs prior to construction. I indicated that I would review the WDRs and follow-up on this issue. Preliminary construction activities may be possible under the general storm water permit. The City will parallel track preparation of the amended PCMP and final construction documents, in the event that they need to be submitted as part of an amended RWD for updated WDRs. • The City will revisit/update the settlement model for the park area and show updated settlement predictions in the final plans. • Although not clearly shown on the 50% plans, drainage from the portion of the dog park covered with decomposed granite will be captured in lined interceptor trenches cut into the existing asphalt. The system will be plumbed to the City's combined storm sewer along 28th Street. The final plans will show the details. • The City believes that the existing gas controls for the 28th Street Landfill should be sufficient to detect, if not prevent, any gas migration to or buildup under the landfill cover in the park area. Gas monitoring wells relevant to the park area will be shown in the final plans. 		
CONCLUSIONS, ACTION TAKEN OR REQUIRED:		
REVIEWED BY: <u>UPS</u>		WRITING: 

Attachment 3

Response to Mitigated Negative Declaration (MND) comments

SRCS: Comment noted.

SARA:

1. The project will include the use of recycled mulch in the landscaping, reuse of clean dirt as fill material, and the use of street grindings for the roadbed.
2. The use of solar panels in the park system is part of the long term goals for the Department of Parks and Recreation. The use of solar panels in the regional park will be evaluated for future phases of build out of the regional park.
3. The Department of Parks and Recreation may consider naming various portions of the park site by following the City adopted Policy for Naming Rights (Res. 2008-112).
4. Advisory assistance from residents during a construction project is not appropriate. Rather, the community can provide comments on the project in advance of completion of project design and construction contract awards.

Judith Lamare:

1. The IS/MND identified a potentially significant impact to nesting and foraging Swainson's hawk. The MND included mitigation measure Bio-5 to avoid impacting this species' nesting habitat, and other protected species in the area. The Staff Scientist from the Department of Fish and Game reviewed the nest site on August 12, and has provided no revision to the mitigation measure as provided in the MND.
2. Construction is scheduled to commence in Fall 2008 to conclude by June 2009. The Park and American River Parkway trail going east will be open during construction.

Dale Kooyman:

1. This project is a development of the park with recreational facilities that will have a life of approximately 20 years and which are consistent with the Park Master Plan adopted by City Council in 2003. The proposed project is only a community or neighborhood park level of development, as defined by the City's Parks and Recreation Master Plan. Only one portion of the project site can be developed with any recreational uses, the West Side (32 acres), since the remainder of the site must not be developed until a significant amount of subsidence occurs. That subsidence is expected to take up to 20 to 30 years before the remainder of the site can be fully developed to regional park levels.

The addition of regional destination attractions to the Park Master Plan as approved by City Council in 2006 is not what this project accomplishes. Preparation of a Sutter's Landing Area Master Plan is currently in process by the City and when the Plan is drafted for public review, a subsequent CEQA review will commence which will analyze the full build out environmental

impacts. Regional transportation and alternative access impacts will be analyzed at that time.

2. Disabled access for the proposed project is provided within the project design. There are two disabled only parking spaces located at the dog park and hand ball courts. Access to the park is located off of 28th Street, a public right-of-way. Since no frontage improvements are made to 28th Street, ADA requirements are not triggered, per the City's Department of Transportation.
3. The Fire Department is equipped with a river boat that can be used to access the park from the river if needed. The Fire Department, if needed, would also notify Union Pacific ahead of time to alter train schedules if the emergency was catastrophic in nature.
4. Correct, Business 80 does not have a direct interchange at the project site. Users of the park site must use 28th Street as the primary access to the park. This proposed project is similar to many community parks in the area where the anticipated traffic as a result of the project components is below the transportation threshold to require additional access and public right of way improvements. At full build out of the regional park, it is expected that multiple vehicular and pedestrian access points will be needed.
- 5-6. The project has been reviewed by the City's Department of Transportation, and due to the low levels of traffic anticipated (23 trips at peak hour), it is not considered to be a potential impact to residential streets. Therefore, no mitigation is required.

The City has completed preliminary circulation studies identifying potential for a Sutter's Landing Parkway that would connect the Richards Blvd. area to Hwy. 80. These regional park development issues for buildout of the pending Sutter's Landing Area Master Plan, however, will be addressed through separate environmental studies.

7. The nearest bus line is route #34 on F Street in the downtown area, which follows F Street from Alhambra to 7th Street. The correction will be noted in the MND.
8. The issue of homeless camping is a social effect which the proposed project is not associated. Physically constructing the project components is not anticipated to result in economic or social changes to address this societal issue. However, the design of the park does take public safety into consideration. The Park Safety and Police CPTED Units of the City of Sacramento have reviewed the project and made recommendations which were incorporated into the design of the project. With these recommendations incorporated, it is expected that potential criminal activities will be reduced. There is a guard at the park site 24/7. Additionally, DPR has adopted a strategy with park planning to always consider "Eyes on the Park" to enhance and encourage community stewardship of the City's green infrastructure by providing a presence from users and neighbors that work positively with law enforcement to improve safety. Also, please note that Sacramento County's American River Parkway Plan Update (2006 draft) Policy 9.29 addresses

illegal camping and sets forth an Implementation Measure (6(e)) to protect the parkway from the impacts of illegal camping.

Ken Lauszus:

1. We are not affiliated with the Salvation Army and cannot verify if they in fact deliver food to the homeless at the entrance to the American River Parkway, which is not part of the Sutter's Landing Regional Park. The city is developing this park as anticipated in the 2003 Master Plan approved by City Council. See also Dale Kooyman's response #8.

Melinda Gaylor:

1. The Notice of Availability (Intent) notifying the residents, land owners, business owners within 1000 feet radius of the project boundaries, county clerk, Office of Public Resources/State Clearinghouse, neighborhood groups, interested parties, environmental agencies and non-profits, local officials, and the Daily Journal was released on July 3 for a 30-day public review period, per CEQA Guidelines Section 15072.
2. See also Dale Kooyman's #1 response.
3. See also Dale Kooyman's #6 response.
4. See also Dale Kooyman's #8 response.
5. See also Dale Kooyman's #2 response.

Vito Sgromo:

1. See also Melinda Gaylor's #1 response.
2. See also Dale Kooyman's #2 response.
3. See also Dale Kooyman's #4 response.
4. The special activities held at Sutter's Landing Regional Park are not reoccurring events and are sometimes held by groups outside of the City. It is speculative to assume certain special events will occur on the park site. See also Dale Kooyman's responses.
5. Any special event planned for the site must obtain a permit from DPR, which includes a traffic control plan.

Greg Popejoy:

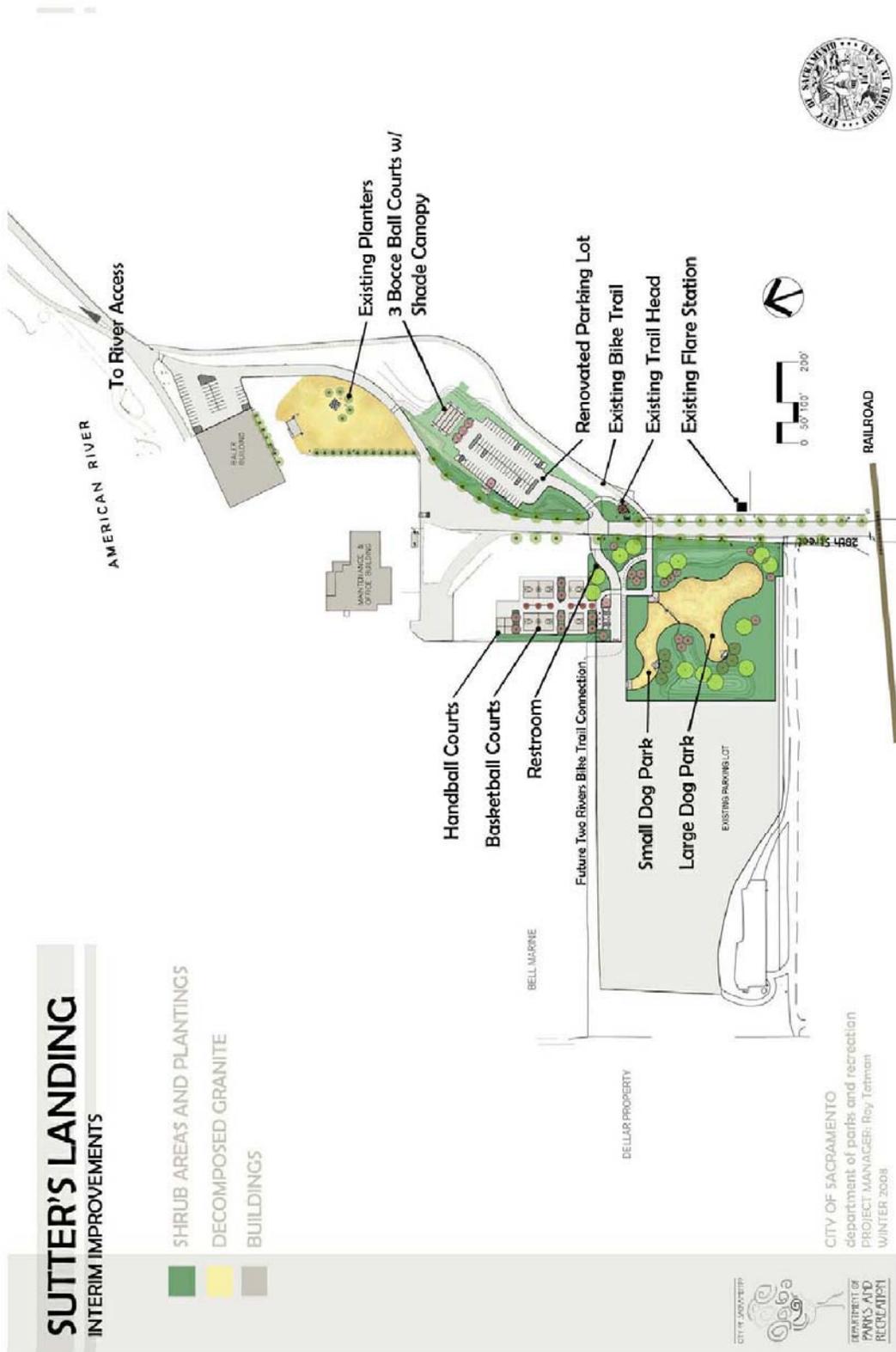
1. Please see responses above for Vito Sgromo regarding notification.
2. See also Dale Kooyman's #6 response.
3. This project is not connected to the private development called "Centrage."

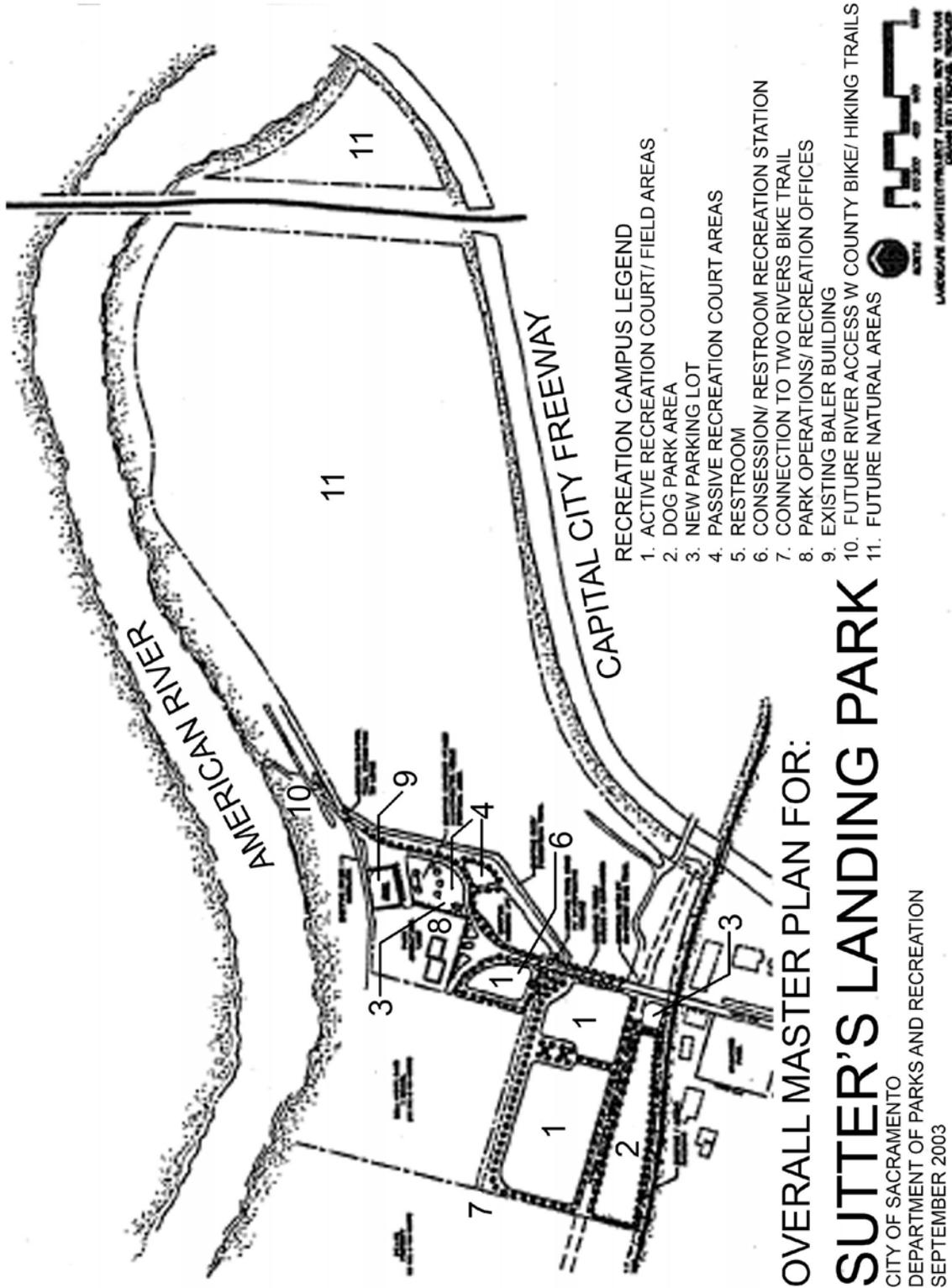
Sacramento County's Environmental Management Department:

1. The Hazards section will include the suggested mitigation measures. These revised mitigation measures to Haz - 4 are of equal or more effective measure pursuant to Section 15074.1 as included in the MND to address the specific Hazard impacts.

Central Regional Water Quality Control Board

1. The PCMP will be provided reflecting park plans. The PLUP amendment shall be updated to reflect final (100%) construction plans.
2. The Negative Declaration, page 20, identifies that the surface and groundwater are being monitored per the requirements of the landfill WDRs. The Negative Declaration, page 18, identifies the surface water drainage system. However, it will be more clearly stated in the Environmental Setting that the closed landfill is subject to the PCMP under the landfill WDRs and that the landfill has a General Industrial Storm Water Permit.
3. The Construction Plans and Specifications will contain the detail diagrams for drainage of the park site.





RESOLUTION NO. 2008-

Adopted by the Sacramento City Council

September 9, 2008

APPROVING A CONTRACT: SUTTER'S LANDING REGIONAL PARK INTERIM IMPROVEMENTS (L19167100)

BACKGROUND

- A. The Sutter's Landing Regional Park is a 163.18-acre regional park located in the Central City.
- B. The Sutter's Landing Regional Park Master Plan was reviewed and supported by the community and the Parks and Recreation's Citizens Advisory Committee; the expanded vision for the master plan was reviewed and supported in 2005 by the community and the Parks and Recreation Commission, and were approved respectively by City Council in Resolution No. 2003-858 and Resolution No. 2006-181.
- C. On May 23, 2006, City Council authorized the issuance of approximately \$150 million in 2006 Capital Improvement Revenue Bonds (CIRBs), authorized funding for the Tier I Community Reinvestment Capital Improvement Program (CRCIP) projects, and adopted policy directives. The Sutter's Landing Regional Park project was approved as a Tier I project with an allocation of \$1.667 million from the 2006 CIRBs.
- D. The City of Sacramento, Environmental Planning Services has determined that the Sutter's Landing Regional Park Interim Improvements project, as proposed, will not have a significant impact to the environment; therefore a Mitigated Negative Declaration has been prepared. In compliance with Section 15070(b)(1) of the California Environmental Quality Act (CEQA) Guidelines, the City has incorporated mandatory mitigation measures into the project plans to avoid identified impacts or to mitigate such impacts to a point where clearly no significant impacts will occur. These mitigation measures are included in the attached Mitigation Reporting Plan and address impacts to soils, transportation and circulation, biological resources, hazards, and cultural resources.
- E. The Mitigated Negative Declaration was distributed through the State Clearinghouse and available for public review during the period of July 3, 2008 through August 2, 2008. Staff recommends that the City Council approve the Mitigated Negative

Declaration and adopt the Mitigated Monitoring Plan for the Sutter's Landing Regional Park Interim Improvements Project.

- F. City Code Chapter 3.60.170(D) and City API No. 48 authorize the suspension of formal competitive bidding upon a two-thirds vote of the City Council, when this is determined to be in the best interests of the City.
- G. A competitive, qualification based selection process for the contractor for Sutter's Landing Regional Park Interim Improvements project has been completed based on the qualifications set forth by the City.
- H. Hemington Landscape Services was selected by a committee of City Parks and Recreation staff to develop a guaranteed maximum price (GMP) for the Project.
- I. Hemington Landscape Services solicited bids from subcontractors in accordance with City policy.
- J. The amount of the GMP is \$1,192,933.
- K. There are sufficient funds in L19167100 Fund 3004 to award this contract.

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

- Section 1. The Mitigated Negative Declaration is approved and the Mitigation Monitoring Plan is adopted for the Sutter's Landing Regional Park Interim Improvements project.
- Section 2. Competitive bidding is suspended as it is in the best interest of the City for the construction of the Sutter's Landing Regional Park Interim Improvements project.
- Section 3. The design-assist construction contract for the Sutter's Landing Regional Park Interim Improvements project (L19167100) for the guaranteed maximum price of \$1,192,933 is awarded to Hemington Landscape Services, Inc.
- Section 4. The City Manager or the City Manager's designee is authorized to execute the design-assist construction contract with Hemington Landscape Services, Inc. for the Sutter's Landing Regional Park Interim Improvements project (L19167100) for the guaranteed maximum price of \$1,192,933.

Table of Contents:

- Exhibit A – Mitigated Negative Declaration
- Exhibit B – Mitigation Monitoring Plan

Exhibit A – Mitigated Negative Declaration

This document is available on the City of Sacramento's website at:
http://www.cityofsacramento.org/webtech/streaming_video/live_council_meetings.htm
under *Future and Archived Meetings* and is on file in hard copy in the Office of the City Clerk at 915 I Street, Historic Building, First Floor.

Exhibit B – Mitigation Monitoring Plan

MITIGATION MONITORING PLAN

FOR:

Sutter's Landing Regional Park Phase 4 *Interim* Improvements Project (CIP#LS13)

PREPARED BY:

CITY OF SACRAMENTO
DEPARTMENT OF PARKS AND RECREATION

TYPE OF ENVIRONMENTAL DOCUMENT:

INITIAL STUDY/MITIGATED NEGATIVE DECLARATION

DATE:

ADOPTED BY:

CITY OF SACRAMENTO, CITY COUNCIL

DATE:

ATTEST:

**Sutter's Landing Regional Park
Phase 1 *INTERIM* Improvements Project (CIP#LS13)
MITIGATION MONITORING PLAN**

This Mitigation Monitoring Plan (MRP) has been required by and prepared for the City of Sacramento Department of Parks and Recreation, 915 I Street, Fifth Floor, Sacramento, CA 95814, pursuant to CEQA Guidelines Section 21081.6.

SECTION 1: PROJECT IDENTIFICATION

Project Name/File Number: Sutter's Landing Regional Park Phase 1 Improvements Project (CIP#LS13)

Project Location:

The proposed project is located in the Central City Planning Area, in the Sutter's Landing Regional Park bounded by the American River to the north, Business 80 to the east, Business 80 and the Union Pacific Railroad (UPR) tracks to the south, and a private mining operation (Harbor Sand and Gravel) and vacant privately-owned property to the west. The 32-acre study area is within the "West Site" of the 172-acre closed 28th Street Landfill. (Assessor's Parcel Numbers 003-001-0001, 003-005-0016)

Project Description:

Phase 1 Interim Improvements:

- Four-acre dog park located on top of the existing asphalt pavement cap. The asphalt pavement will remain in place with the exception of trenches for the storm drain lines. A 6-foot-high perimeter fence with sally port entrances will enclose the area with decomposed granite pavement over a permeable drain rock base, landscape mounds with bark mulch and trees with drip irrigation, drinking fountains, benches, shade shelter, and potted plants;
- Three bocce courts, including shade shelter, benches and lighting;
- Two hand ball courts enclosed by walls on three sides and overhead;
- Giant chess board including two chess tables;
- Two basketball courts, regraded, filled, and repaved for improved drainage, including the addition of a plaza with bleachers and shade canopies;
- Parking lot regraded, filled, repaved for improved drainage, treated with a slurry seal coat and restriped;
- New restroom facilities with an outdoor sink and counter for fish cleaning;
- Trailhead with sculpture art work, drinking fountain, permanent interpretive signage, and rehab of shade shelter;
- River access trail with permeable decomposed granite pedestrian access for hand portaging small boats to the river;
- Post and cable fencing along 28th Street;
- Planter improvements including staining and adding stone facades; and

- Arbor at "Baler" building side entry.

SECTION 2: GENERAL INFORMATION

The Mitigation Monitoring Plan (MMP) includes mitigation for Soils, Transportation, Biological Resources, Hazards, and Cultural Resources. The intent of the Plan is to prescribe and enforce a means for properly and successfully implementing the mitigation measures as identified within the Initial Study for this project. Unless otherwise noted, the cost of implementing the mitigation measures as prescribed by this Plan shall be funded by the owner/developer identified above. This MRP is designed to aid the City of Sacramento in its implementation and Reporting of mitigation measures adopted for the proposed project.

The mitigation measures have been taken verbatim from the Initial Study and are assigned the same number they have in the document. The MRP describes the actions that must take place to implement each mitigation measure, the timing of those actions, and the entities responsible for implementing and reporting the actions. The developer will be responsible for fully understanding and effectively implementing the mitigation measures contained within the MRP. The City of Sacramento will be responsible for ensuring compliance.

Mitigation Measure	Implementing Responsibility	Monitoring Responsibility	Compliance Standards	Timing	Verification of Compliance (Initials and Date)
SOILS					
<p>SOILS-1. For final design, the landfill settlements shall be re-estimated based on supplemental information, including settlement monument data and the final grading plan for the proposed park development. In addition, a test section should be performed to measure the actual settlement behavior of the landfill under the weight of new fill loads. The purpose of performing the test section is to measure site specific settlement parameters associated with the primary consolidation of the landfill debris layer.</p> <p>SOILS-2. All proposed building foundations and utility trenches shall follow the recommendations outlined in Section 4.6.c General Site Preparation and Grading of the Feasibility Study for Sutter's Landing Park.</p>	Contractor	City of Sacramento – Department of Parks and Recreation	Measures shall be included with construction specifications	Measures shall be implemented prior to and during construction activities.	
TRANSPORTATION AND CIRCULATION					
<p>TRANS – 1: The contractor shall verify that all roads, bridges, culverts, and other infrastructure along the access routes can support haul vehicle loads. The plan would be approved by the City of Sacramento and the California Department of Transportation. The purpose of the plan would be to:</p> <p>Reduce, to the extent feasible, the number of</p>	Contractor	City of Sacramento – Department of Parks and Recreation	Measures shall be included with construction specifications	Measures shall be implemented prior to and during construction activities.	

Mitigation Measure	Implementing Responsibility	Monitoring Responsibility	Compliance Standards	Timing	Verification of Compliance (Initials and Date)
<p>vehicle (construction and other) on the roadways adjacent to the project site;</p> <p>Reduce, to the extent feasible, the interaction between construction equipment and other vehicles; and</p> <p>Promote public safety through actions aimed at driver and road safety.</p> <p>The traffic management plan would include specific measures to manage traffic in the area and along haul routes. The plan would include specific measures to ensure the following:</p> <ul style="list-style-type: none"> a. Through access for emergency vehicles shall be provided at all times. b. Access to driveways and private roads shall be maintained. c. Construction parking shall be restricted to the designated staging areas. d. A plan shall be provided for construction-generated traffic to avoid during peak periods roadway segments or intersections that are at, or approaching, a LOS that exceeds local standards. e. Traffic controls on major roads and collectors shall include flag-persons wearing 					

Mitigation Measure	Implementing Responsibility	Monitoring Responsibility	Compliance Standards	Timing	Verification of Compliance (Initials and Date)
<p>safety vests and using —stop/slowll paddles to direct drivers.</p> <p>f. Access to public transit shall be maintained, and movement of public transit vehicles would not be impeded as a result of construction activities.</p> <p>g. Construction warning signs shall be posted in accordance with the local standards or those set forth in the Manual on Uniform Traffic Control Devices (FHA 2007) in advance of the construction area and at any intersection that provides access to the construction area.</p> <p>h. A sign, at least one square yard in size, shall be posted at all active construction sites that gives the name and telephone number or electronic mail address to contact with complaints regarding construction traffic.</p> <p>i. Rock, dirt, and/or other fill materials shall be prevented from being accidentally dropped from trucks traveling on highways to and from the erosion sites.</p>					
BIOLOGICAL RESOURCES					
<p>BIO-1: The City shall provide Worker Environmental Awareness Training for all employees working on the proposed project so that they are aware of resources in the area, required measures and practices for</p>	Contractor	City of Sacramento – Department of Parks and Recreation;	Measures shall be included with construction specifications	Measures shall be implemented prior to and during construction	

Mitigation Measure	Implementing Responsibility	Monitoring Responsibility	Compliance Standards	Timing	Verification of Compliance (Initials and Date)
<p>protecting biological resources and contacts and procedures in case wildlife is injured or encountered during construction.</p> <p>BIO-2: Elderberry shrubs shall be avoided where possible. The project proponent shall ensure that elderberry shrubs within 100 feet of the proposed project shall conform to the following guidelines for avoidance of impacts and take as defined under the Endangered Species Act for the VELB. These guidelines comply with habitat creation and mitigation measures described in the USFWS Conservation Guidelines for the Valley Elderberry Longhorn Beetle (USFWS, 1999) and the Programmatic Formal Consultation Permitting Projects with Relatively Small Effects on the Valley Elderberry Longhorn Beetle Within the Jurisdiction of the Sacramento Field Office (USFWS, 1996).</p> <p>a. For all shrubs that can be avoided by construction activities, a 100-foot buffer surrounding the plant shall be maintained at all times. The buffer shall be fenced with temporary fencing and flagging. Signs shall be placed along the fencing every 50 feet that state the following: "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</p>		<p>Ca. Dept. of Fish and Game (DFG)</p> <p>US Fish and Wildlife Service (USFWS)</p> <p>Army Corps of Engineers (ACOE)</p>		<p>activities.</p>	

Mitigation Measure	Implementing Responsibility	Monitoring Responsibility	Compliance Standards	Timing	Verification of Compliance (Initials and Date)
<p>prosecution, fines, and imprisonment." The above sign shall be readable from a distance of 20 feet and maintained through the duration of construction. Work crews shall be briefed on the status of the beetle, the need to protect its host plant (elderberries), requirements to avoid damaging elderberry shrubs, and possible penalties for not complying with identified avoidance and minimization measures. In addition, construction workers should be made aware of the habitat needs of VELB and the location of protection areas on the site (USFWS, 1999).</p> <p>b. For indirectly affected shrubs, a 20-foot buffer shall be fenced with temporary fencing and flagging and maintained throughout construction. Signs shall be placed along the fencing as described above, and work crews will be briefed as described above. The project proponent shall restore any damage occurring within 100 feet of elderberry shrubs that are not removed by the project during construction. Erosion control will be provided and the area will be revegetated with appropriate native plants. No insecticides, herbicides, fertilizers, or other chemical shall be used within 100 feet of any elderberry shrub with one or more stems measuring 1 inch or greater in diameter at ground level. A written description of planned restoration, protection, and maintenance of buffer areas post-construction shall be provided.</p>					

Mitigation Measure	Implementing Responsibility	Monitoring Responsibility	Compliance Standards	Timing	Verification of Compliance (Initials and Date)
<p>c. For any directly affected shrubs, the project proponent shall provide compensatory mitigation by either:</p> <ol style="list-style-type: none"> 1) purchasing credits for all required compensation from the USFWS-approved Conservation Bank, 2) transplanting the shrubs onto the Conservation Bank property and purchasing credits for any remaining mitigation requirements using mitigation ratios described in USFWS Conservation Guidelines for the Valley Elderberry Longhorn Beetle (USFWS, 1999) (Appendix BR-F), or 3) transplanting the shrubs onto the Conservation Bank property and planting additional seedlings for any remaining mitigation requirements using mitigation ratios described in USFWS Conservation Guidelines for the Valley Elderberry Longhorn Beetle (USFWS, 1999) (BR- F). Each credit purchased from the Conservation Bank will provide compensatory mitigation for five elderberry stems and five associated native plant species. If the shrubs are relocated to the Conservation Bank property, all Conservation Guidelines described by USFWS (1999) for elderberry transplants shall be implemented, and the project proponent's contractor shall coordinate with the Conservation Bank to replant the shrubs. <p>BIO-3: BMPs shall be implemented to reduce indirect impacts to other waters of the U.S.</p>					

Mitigation Measure	Implementing Responsibility	Monitoring Responsibility	Compliance Standards	Timing	Verification of Compliance (Initials and Date)
<p>that could occur as a result of sedimentation and siltation from construction activities. These BMPs shall be selected to achieve maximum sediment removal and represent the best available technology that is economically achievable. The performance and effectiveness of these BMPs shall be determined either by visual means, where applicable (e.g., observation of above-normal sediment release), or by actual water sampling in cases where the verification of containment reduction or elimination (inadvertent petroleum release) is required to determine adequacy of the measure. BMPs to be implemented as part of this mitigation measure shall include, but are not limited to, the following measures:</p> <ol style="list-style-type: none"> a. BMPs for temporary erosion control (such as silt fences, staked straw bales/wattles, silt/sediment basins and traps, check dams, geofabric, sandbag dikes, and temporary revegetation or other ground cover) will be employed for disturbed areas, stockpiled soil, and along culverts and drainage ditches on the site and in downstream off-site areas that may be affected by construction activities. Requirements for the placement and monitoring of the BMPs shall become part of the contractor's project specifications. b. Performance and adequacy of the measures shall be determined visually by site construction management and verified by the City as appropriate. 					

Mitigation Measure	Implementing Responsibility	Monitoring Responsibility	Compliance Standards	Timing	Verification of Compliance (Initials and Date)
<p>c. Dirt and debris shall be swept from paved areas in the construction zone on a daily basis as necessary to remove excessive accumulations of silt, mud or other debris. Sweeping and dust removal shall be implemented by the contractor and oversight of these operations the responsibility of the construction site superintendent.</p> <p>d. Grass or other vegetative cover shall be established on bare soils within the construction site as soon as possible after disturbance. If grass is chosen, a native seed mix shall be used. At minimum, vegetative application shall be completed by September 15th to allow for plant establishment. No disturbed surfaces or stockpile areas will be left without erosion control measures in place during the period of October 1 through April 30. The application, schedule, and maintenance of the vegetative cover shall be the responsibility of the contractor and requirements to establish a vegetative cover shall be included in the construction contractor's project specifications.</p> <p>e. If discharges of sediment or hazardous substances to drainage ways are observed, construction shall be halted until the source of contamination is identified and remediated. Visual indications of such contamination include an oily sheen or coating on water, and noticeable turbidity (lack of clarity) in the water.</p>					

Mitigation Measure	Implementing Responsibility	Monitoring Responsibility	Compliance Standards	Timing	Verification of Compliance (Initials and Date)
<p>BIO-4: A focused survey for northwestern pond turtle shall be conducted by a qualified biologist 30 days prior to the onset of construction activities to determine presence or absence of this species within a 100-foot (30-meter) radius of the construction area regardless of the time of year. If construction is planned after April 1st, this survey should include looking for turtle nests within a 100-foot radius of the construction area. If juvenile or adult turtles are found within the proposed construction area, the individuals shall be moved out of the construction site under consultation with CDFG. If a nest is found within a 100-foot radius of the construction area, construction shall not take place within 100 feet of the nest until the turtles have hatched, or the eggs have been moved to an appropriate location under consultation with CDFG.</p> <p>a. Unless otherwise approved by the CDFG, construction shall be avoided when adults and hatchlings are overwintering (October to February), due to the likelihood of turtle adults and juveniles being present in upland habitats. If construction activities must occur during this timeframe, a survey for overwintering locations shall be conducted within two weeks prior to construction. If this species is found overwintering within the study area, den locations shall be avoided until the area is unoccupied, as determined by a qualified biologist.</p>					

Mitigation Measure	Implementing Responsibility	Monitoring Responsibility	Compliance Standards	Timing	Verification of Compliance (Initials and Date)
<p>b. In the event that a turtle is found during construction activities, construction activities shall stop until the turtle moves outside of harm's way or a qualified biologist, under consultation with CDFG, moves the turtle to a safe location outside of the construction zone.</p> <p>BIO-5: Pre-construction surveys for Swainson's hawks and other tree nesting raptors shall be performed. The project proponent shall conduct preconstruction surveys in suitable nesting habitat within ½ mile of project activities for Swainson's hawk and within ¼ mile of the project site for other tree nesting raptors prior to construction of any facilities that will occur between March 15 and September 15 of any given year.</p> <p>a. Surveys shall be conducted by a qualified biologist and will conform to the Swainson's Hawk Technical Advisory Committee (2000) guidelines. If active nests are recorded within these buffers the City shall:</p> <p>b. Maintain a 500-foot buffer around each active raptor nest (¼ mile for Swainson's hawks); no construction activities shall be permitted within this buffer except as a result of consultation with CDFG.</p> <p>c. Depending on conditions specific to each nest, and the relative location and rate of construction activities, it may be feasible for construction to occur as planned</p>					

Mitigation Measure	Implementing Responsibility	Monitoring Responsibility	Compliance Standards	Timing	Verification of Compliance (Initials and Date)
<p>within the buffer without impacting the breeding effort. In this case (to be determined in consultation with CDFG), the nest(s) shall be monitored by a qualified biologist during construction within the buffer. If, in the professional opinion of the monitor, the project would impact the nest, the biologist shall immediately inform the construction manager and CDFG. The construction manager shall stop construction activities within the buffer until either the nest is no longer active or the project receives approval to continue from CDFG.</p> <p>BIO-6: If construction activities such as ground clearing, grading, or the removal of trees and shrubs are scheduled to occur during the non-breeding season (typically September 1 through January 31), no mitigation is required.</p> <p>a. If construction activities are scheduled to occur during the breeding season (typically February 1 through August 31), the following measures shall be implemented to avoid potential adverse effects to nesting special-status raptors and other birds:</p> <p>b. A qualified wildlife biologist shall conduct preconstruction surveys of all potential nesting habitat within 500 feet of project activities where access is available.</p> <p>c. If active nests are found during preconstruction surveys, a no-disturbance</p>					

Mitigation Measure	Implementing Responsibility	Monitoring Responsibility	Compliance Standards	Timing	Verification of Compliance (Initials and Date)
<p>buffer acceptable in size to USFWS shall be created around active nests of special-status birds during the breeding season or until it is determined that all young have fledged. Typical buffers include 250 feet for nesting birds. Bird nests initiated during construction are presumed to be unaffected and no buffer is necessary. However, the "take" of any individuals shall be prohibited. Buffer zones may be adjusted in coordination with USFWS based on site-specific conditions and ambient noise and disturbance levels.</p> <p>d. If preconstruction surveys indicate that nests are inactive or potential habitat is unoccupied during the construction period, no further mitigation is required. Trees and shrubs within the construction footprint that have been determined to be unoccupied by special-status birds or that are located outside the no-disturbance buffer for active nests may be removed.</p> <p>BIO-7: Pre-construction surveys for burrowing owls shall be performed. The project proponent shall conduct preconstruction surveys in suitable nesting habitat within 50 meters of project activities for burrowing owls prior to construction of any facilities that will occur between February 1 and August 31 of any given year.</p> <p>a. Surveys shall conform to CDFG burrowing owl recommendations (CDFG).</p>					

Mitigation Measure	Implementing Responsibility	Monitoring Responsibility	Compliance Standards	Timing	Verification of Compliance (Initials and Date)
<p>1995). Burrowing owl surveys shall be conducted in both the breeding and non-breeding season. If active burrows are recorded within 50 meters of project activities the project proponent will consult with CDFG regarding suitable measures to avoid impacting breeding effort. Measures may include, but are not limited to:</p> <ul style="list-style-type: none"> b. Maintaining a 50-meter buffer around each active owl burrow; no construction activities shall be permitted within this buffer except as a result of consultation with CDFG. c. Depending on conditions specific to each burrow, and the relative location and rate of construction activities, it may be feasible for construction to occur as planned within the buffer without impacting the breeding effort. In this case (to be determined in consultation with CDFG), the burrow(s) shall be monitored by a qualified biologist during construction within the buffer. If, in the professional opinion of the monitor, the project would impact the burrow, the biologist shall immediately inform the construction manager and CDFG. The construction manager shall stop construction activities within the buffer until either the burrow is no longer active or the project receives approval to continue from CDFG. <p>BIO-8: The City shall ensure the following measures are conducted to avoid impacts to</p>					

Mitigation Measure	Implementing Responsibility	Monitoring Responsibility	Compliance Standards	Timing	Verification of Compliance (Initials and Date)
<p>bat species.</p> <p>a. If the project site contains suitable bat roosting habitat (e.g. abandoned buildings, rock crevices, under tree bark, hollow trees, culverts, under bridges, or other dark crevices), then prior to initiation of construction activity, a pre-construction bat survey shall be performed by a wildlife biologist or other qualified professional. If bat roosts are identified on site, the City shall require that the bats be safely flushed from the sites where roosting habitat is planned to be removed prior to maternity roosting season (typically May to August) of each construction phase prior to the onset of construction activities.</p> <p>b. If a female or maternity colony of bats are found on the project site, the project can be constructed without the elimination or disturbance of the roosting colony (e.g., if the colony roosts in an area not planned for removal), a wildlife biologist shall determine what physical and timed buffer zones shall be employed to ensure the continued success of the colony. Such buffer zones may include a construction-free barrier of 250 feet from the roost and/or the timing of the construction activities outside of the maternity roost season (typically May to August).</p> <p>c. If an active nursery roost is known to occur on site and the project cannot be conducted outside of the maternity roosting season, bats shall be excluded from the site after August and before May to</p>					

Mitigation Measure	Implementing Responsibility	Monitoring Responsibility	Compliance Standards	Timing	Verification of Compliance (Initials and Date)
<p>prevent the formation of maternity colonies. Non-breeding bats shall be safely evicted, under the direction of a bat specialist.</p> <p>BIO-9: Preconstruction surveys for badger dens and burrows shall be conducted by a qualified biologist concurrently with western burrowing owl surveys (MM-BIO-7) to ensure that no occupied dens or burrows are present within the project site or within 100-feet of construction activities. If active dens/burrows are present, construction activities shall stop until the badger moves outside of harm's way or a qualified biologist, under consultation with CDFG, moves the badger to a safe location outside of the construction zone.</p> <p>BIO-10: The preferable form of mitigation recommended by the USACE is avoidance of jurisdictional waters. Where avoidance is not feasible, the City will consult with the USACE to obtain the appropriate permits prior to construction. All excavation activities associated with the project would be limited to the minimum area necessary to complete the work. Additional protection of nearby wetlands and drainages would be implemented through the provisions of MM BIO-3.</p> <p>BIO-11: Ensure no net loss of wetland habitat and no significant impact to potential jurisdictional features. The City shall</p>					

Mitigation Measure	Implementing Responsibility	Monitoring Responsibility	Compliance Standards	Timing	Verification of Compliance (Initials and Date)
<p>compensate for the unavoidable loss of wetlands at a ratio no less than 1:1. Compensation shall take the form of wetland preservation or creation in accordance with USACE and CDFG mitigation requirements, as required under project permits. Preservation and creation may occur onsite through a conservation agreement or offsite through purchasing credits at a USACE approved mitigation bank.</p>					
<p>HAZ - 1: A soil management plan shall be prepared and approved for the project that includes:</p> <ul style="list-style-type: none"> a. requirements for environmental evaluation and assessment of cover soil material that will be excavated or disturbed at the site (including the possibility of ash), and proposed import fill materials, b. protocols for dust suppression and air monitoring during site grading activities, and c. protocols for reporting soil staining or unusual air monitoring readings that may indicate the presence of chemically-impacted soil. The soil management plan should be worded broad enough to identify and address hazards associated with ash in the soil. <p>HAZ-2: worker health and safety plan shall be prepared and approved for the project that monitors for chemical contaminants and reduces the potential for ingesting, inhaling, or touching suspected contaminants during</p>	Contractor	City of Sacramento -- Department of Parks and Recreation.	Measures shall be included with construction specifications	Measures shall be implemented during construction activities	

Mitigation Measure	Implementing Responsibility	Monitoring Responsibility	Compliance Standards	Timing	Verification of Compliance (Initials and Date)
<p>site development activities.</p> <p>HAZ - 3: Exposed soil sub-grade that will receive new fill or building loads should be:</p> <ol style="list-style-type: none"> a. scarified to a depth of at least 8 inches; b. moisture-conditioned to near the optimum moisture content for granular soil or to at least 3 percent above the optimum moisture content for expansive clay soil; and compacted to at least 90 percent relative compaction. <p>HAZ-4: Surface and perimeter monitoring programs should be established to identify the presence of LFG within the limits of the proposed park and along the boundaries between the proposed park and sensitive receptors, such as the residential community located south of the proposed park site.</p> <ol style="list-style-type: none"> a) If LFG concentrations are detected at hazardous or nuisance levels, or at levels that violate SMAQMD permit conditions, mitigation measures such as the installation of a LFG control system may be warranted. • A LFG control system may consist of a series of piping, blower facilities, extraction wells, cut-off trenches, and ventilation blankets to intercept and redirect LFG to an appropriate outlet or to an enclosed fl are station for destruction. b) In addition, LFG migration controls consisting of horizontal cutoffs within underground utility trenches should be 					

Mitigation Measure	Implementing Responsibility	Monitoring Responsibility	Compliance Standards	Timing	Verification of Compliance (Initials and Date)
<p>incorporated into the proposed park development plans.</p> <p>CR-1: The project shall be designed and implemented with the goal of retaining all important cultural features in the design of all future Parkway projects.</p> <p>CR-2: All proposed facilities within the Parkway shall provide documentation that there are no cultural resources present within the construction area (including staging areas and similar). A qualified cultural resources professional shall perform a preliminary analysis of the construction area, to determine the relative sensitivity of the construction area. This need not include a formal cultural resources survey if the cultural resources investigator determines a finding of negative presence can be made from previous surveys or otherwise. If cultural resources are considered not to be present, Mitigation Measure CR-3 and CR-4 shall apply.</p> <p>CR-3: All projects that have been determined sensitive for known and/or unknown cultural resources within the construction area (which includes staging areas and similar) shall adhere to one or a combination of the following to the satisfaction of the Department of Environmental Review and Assessment:</p>	<p>Contractor</p>	<p>City of Sacramento Department of Parks and Recreation</p>	<p>Incorporate the protocol and procedures into grading and construction contracts. If any cultural resources are discovered: a) Cease all work in the immediate area b) Retain a qualified archaeologist or cultural resources consultant to perform a site investigation and take appropriate action.</p>	<p>During grading and construction contract agreements</p>	

Mitigation Measure	Implementing Responsibility	Monitoring Responsibility	Compliance Standards	Timing	Verification of Compliance (Initials and Date)
<p>a) Conduct an archaeological/historical survey and assessment, by a qualified professional archaeologist, of the area of direct impact. If the project area included known resources, then the survey will assess the condition of the resources.</p> <p>b) Based on this review and, as appropriate, a subsurface testing program will be developed and implemented to determine the significance of the resource.</p> <p>c) Following the field investigations, a technical report describing the evaluation shall be prepared to the satisfaction of the Department of Environmental Review and Assessment.</p> <p>d) If based on the results of the field investigations the resource is not considered significant or important, no additional work would be required for that resource, and all construction related impacts would be considered less-than-significant.</p> <p>e) If based on the results of the field investigations resources were identified as being significant the following mitigation would apply:</p> <ol style="list-style-type: none"> 1. Total Avoidance: Redesign the proposed project as to preserve and protect all significant cultural resources. This would reduce impacts to less-than-significant levels. OR, if a redesign is determined infeasible by the Department of Environmental Review and Assessment, then. 2. Data Recovery: After all design obtains have been exhausted that would result in the 					

Mitigation Measure	Implementing Responsibility	Monitoring Responsibility	Compliance Standards	Timing	Verification of Compliance (Initials and Date)
<p>preservation of significant resources, institute a data recovery program to the satisfaction of the Department of Environmental Review and Assessment. Impacts to the resource would remain significant.</p> <p>CR-4: Should any cultural resources, such as structural features, unusual amounts of bone or shell, artifacts, human remains, or architectural remains be encountered during any development activities, work shall be suspended and the Department of Environmental Review and Assessment (DERA) shall be immediately notified at (916) 874-7914.</p> <p>At that time, the DERA will coordinate any necessary investigation of the find with appropriate specialists as needed. The project applicant shall be required to implement any mitigation deemed necessary for the protection of the cultural resources. In addition, pursuant to Section 5097.97 of the State Public Resources Code and Section 7050.5 of the State Health and Safety Code, in the event of the discovery of human remains, all work is to stop and the County Coroner shall be immediately notified. If the remains are determined to be Native American, guidelines of the Native American Heritage Commission shall be adhered to in the treatment and disposition of the remains.</p>					

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<p>CR-5 The project shall design and implement interpretive uses so that locational data of sensitive cultural resources is not disclosed to the general public. If locational data resources is crucial to an interpretive use than the following shall apply:</p> <ul style="list-style-type: none"> a) Limit accessibility to envisioned cultural interpretive uses by requiring docent led tours or restricting access through fencing or elevated wooden walkways. b) Consult with qualified cultural resources staff, local Native Americans, and historical societies during the design phases in order to create interpretive uses that are appropriate for specific cultural resources sites. 					

