

and monitor" is included. Mitigation requires the inclusion of more specific language to offset potential user conflict impacts. (LU-4)

- The Cal Expo Area Plan includes an Interpretive Area that is not near an access road, which is inconsistent with Parkway policy. Though this does not cause significant physical impacts, mitigation is recommended to eliminate this inconsistency. (LU-6)

Mitigation Measures

LU-1. One of the following shall be implemented to clarify the definitions and functions of the two types of boat launch facilities:

1. The car-top boat launch and the boat ramp/trailer boat designation shall be eliminated and shall be replaced by a single boat launch designation. If this measure is chosen, mitigation for habitat loss must also be implemented in order to reduce impacts to less-than-significant levels (refer to the Biological Resources measures).

OR

2. The Parkway Plan shall be amended to include a definition for car-top boat launch facility and the boat ramp/trailer boat facility. At a minimum, the definition of the car-top boat launch shall include the following elements: no motorized boats may be launched from this point, boats must be hand-carried to the water, and no impervious surfacing shall be used to create the boat launch site or access pathway.

LU-2. The proposed bridge shown on the far eastern side of the Discovery Park Area Plan (adjacent to the existing 16th Street bridge) shall be removed from the Area Plan. *This mitigation measure has been rejected and overridden by the County of Sacramento Board of Supervisors.*

LU-3. One of the following revisions shall be made to the proposed Cal Expo Area Plan:

1. The existing Nature Study Area designation shall be retained in the northwestern portion of the site.

OR

2. The proposed Limited Recreation Area in the northwestern portion of the site shall be restricted to the area of the levee, the levee slope, and the toe of the levee where the habitat is primarily grassy. The Limited Recreation Area shall not overlay the existing marsh habitat, or encumber areas of dense riparian canopy or understory.

LU-4. Policy 5.17 shall be modified to specify that an implementation plan shall be in place prior to allowing the use of unpaved maintenance roads by users on mountain bicycles. The implementation plan shall include a design component and an educational component. The design component shall include surveys of the roads to identify blind curves, intersections and other areas of potential safety

concern. The educational component shall include signage and outreach efforts designed to decrease user group conflicts.

LU-5. One of the following changes shall be made to the Parkway Plan in order to resolve an internal inconsistency related to access to car-top boat launches:

1. A pedestrian trail designation shall be shown on the Area Plans connecting existing and proposed car-top boat launches to the nearest reasonable access point.

OR

2. A new trail designation shall be defined in the Parkway Plan and shown on the Area Plans connecting existing and proposed car-top boat launches to the nearest reasonable access point. The new trail designation shall be described as a footpath primarily maintained through use, not requiring any surface treatment (or similar language). Signage must still be provided, consistent with the requirements for other trail types.

LU-6. One of the following changes shall be made to the Cal Expo Area Plan in order to resolve an internal inconsistency:

1. A pedestrian access trail shall be designated leading to the Interpretive Area in the center of Bushy Lake. The trail designation shall overlie the existing utility road.

OR

2. The Interpretive Area shown in the center of Bushy Lake shall either be removed or shall be relocated to an area adjacent to a proposed or existing public access path.

Finding

The Board of Supervisors has selected Option 2 for LU-1, LU-3, LU-5, and LU-6, and does not adopt LU-2. LU-2 involves the mitigation of a significant impact resulting from the proposed pedestrian bridge on the eastern side of Discovery Park which would physically disrupt and divide the Riverdale Mobile Home Park. This significant impact can be offset by mitigation to remove Policy 10.8.4 of the Parkway Plan and the associated proposed pedestrian bridge crossing. However, the Board of Supervisors agreed to reject this mitigation measure as infeasible and made a statement of overriding considerations to override the significant impact of the proposed pedestrian bridge. The Parkway Plan has existing policies that require acquisition of the mobile home park prior to the installation of the proposed bridge, and therefore resolves the issues of community displace via adopted policy. Implementation of these mitigation measures will avoid the potentially significant impacts associated with land use. Thus, the City Council finds that implementation of these mitigation measures will reduce these impacts to less than significant levels.

Biological Resources Impacts

The analysis identified many areas of potential impact to biological resources within the Parkway.

- Wetlands may be present near proposed facilities in Discovery Park and Cal Expo, based on site reconnaissance. No construction should proceed until a qualified biologist has screened the construction area. (BR-1)
- Any wetlands near construction activities should either be avoided/protected or compensation must be provided for loss. (BR-2)
- The proposed Limited Recreation area along the river in Cal Expo is seasonally flooded, so no permanent structures should be allowed, the area should be cleaned of trash, and the area should be closed to recreation during the winter. (BR-3)
- One proposed maintenance road in Cal Expo goes straight through part of Bushy Lake. This road should be removed. (BR-4)
- In case LU-3 is not adopted, development in the marsh in the northwestern corner of Cal Expo should be limited for the protection of the habitat. (BR-5)
- Implementation of the Woodlake Gateway could remove substantial riparian woodland habitat. This habitat should be protected, particularly the large trees. (BR-6)
- Development of the proposed Limited Recreation area in the northwestern portion of the Cal Expo Area Plan could remove substantial riparian woodland habitat. This habitat should be protected, particularly the large trees. (BR-7)
- The proposed Developed Recreation area in SARA Park overlies a sensitive habitat area with a waterway and steep slopes. This designation should be removed. (BR-8)
- Various Project elements may remove riparian woodland, oak woodland, or individual trees within these woodlands. Compensation should be provided for any removal of this habitat. (BR-9, BR-10, BR-11, BR-12, and BR-13)
- The Project will result in loss of grassland habitat. As a means of indirectly offsetting some of this impact, the chain link fence in Rossmoor Bar should be removed, because it acts as a migration barrier for larger species that use grassland habitat. (BR-14) Further, a program should be established to convert unofficially-created trails in grassland environments back to grassland habitat. (BR-15).
- Some Project construction activities have the potential to impact tricolored blackbird nests, bank swallow nests, raptor nests, or the nests of other migratory bird species. Standard avoidance practices apply. (BR-16, BR-17, BR-18, and BR-19)
- Some Project activities will reduce the available habitat for the American Badger. The current recommendation for this species is continued monitoring. As the Parkway is unique habitat, an effort should be made to aid in the effort to track the presence of the badger. (BR-20)

- Some elements of the Project may impact vernal pools, which are habitat for listed invertebrate species. Standard avoidance and mitigation applies. (BR-21)
- Some elements of the Project may impact elderberry plants, which is host to the Endangered Valley Longhorn Elderberry Beetle. Standard avoidance and mitigation applies. (BR-22)
- Some elements of the Project may impact waterbodies that support Northwestern pond turtles. Standard avoidance applies. (BR-23)
- Any bridges or trailered boat launches constructed in the Parkway have the potential to impact the habitat of special status fish species, such as the Chinook salmon. Various measures to protect water quality and to avoid disturbance of the river channel should be implemented. (BR-24)
- Some elements of the Project may impact waterbodies that are host to rare plant species. Surveys for these species should occur before construction, and appropriate mitigation provided. (BR-25)
- Parkway Policy 5.8 allows overnight camping, but does not specify that this camping shall not result in any degradation of the natural environment or the nearby restoration area. This language should be added. (BR-26)
- Mountain biking on unpaved maintenance roads may cause damage if the roads are wet, and the soils are thus easily disturbed. These activities could cause siltation of nearby biological resources. Mountain biking should not be permitted during the rainy season. (BR-27)

Mitigation Measures

- BR-3.** This measure applies to the Limited Recreation area along the American River in the Cal Expo Area Plan and shall be added to the Parkway Plan policies applicable to the Cal Expo Area Plan. No permanent facilities are permitted in this location. Temporary facilities may not be placed within the area prior to June 1 or the recession of high water from the area (whichever is *later*), and must be removed by October 15. All trash and debris must also be cleaned from this area by October 15. Signs shall be posted at the head of the main access trails to this area from October 15 to June 1 (or later – see above) stating that the area is closed to recreation until the summer.
- BR-4.** The proposed maintenance roadway shown on the northwestern margin of Bushy Lake and extending to the levee shall be removed from the Cal Expo Area Plan.
- BR-5.** This measure applies to the Limited Recreation area in the northwestern portion of the Cal Expo Area Plan. Up to two piers may be placed within the marsh margins, but all other development or fill within the marsh margins is prohibited. The piers shall extend no more than 10 feet into the marsh, and shall be no wider than the minimum required for ADA access. If Mitigation Measure LU-3 is adopted, this Measure no longer applies.

BR-7. This measure applies to the Limited Recreation area in the northwestern portion of the Cal Expo Area Plan. The removal of any native tree of 19" dbh or greater in this location is prohibited, and no more than 0.10 acres of riparian habitat area may be removed. Mitigation Measure BR-9 applies to any removal of riparian habitat, and Mitigation Measure BR-12 shall apply to all native trees that will not be removed. If Mitigation Measure LU-3 is adopted, this Measure no longer applies.

BR-8. This measure applies to the SARA Park Area Plan. The proposed Developed Recreation designation on the eastern side of the Area Plan shall be dropped from the Project and the existing designations in this location shall be retained.

BR-14. Prior to any development within the Limited Recreation area to the east of the Live Steamers facility, the chain link fence that begins at the eastern edge of the Live Steamers facility and extends along the riverfront trail in the Rossmoor Bar Area Plan shall be removed. An ISA-certified arborist shall be present where the removal of the fence will require excavation within the driplines of any native trees, or where portions of the fence have been absorbed into the trunks of native trees.

BR-15. Within one year after approval of the first Parkway project involving at least ¼-acre of grassland loss, a trails maintenance program shall be established whose principle purpose is to minimize off-trail behavior and convert unofficially-created trails and roads back to grassland habitat. As part of the program, all trailheads shall include informational signs discussing the damage caused by off-trail use, and a statement that any trailhead or new trail intersection that is unmarked should be treated as an unauthorized trail and reported to the Parkway authorities. When discovered, unauthorized trails and roads should be marked as a habitat restoration area, with a caution that users should not enter. The program shall include target goals for trail restoration each year (in either acres or feet of trail).

BR-26. Parkway Plan Policy 5.8 shall be revised to read as follows: Overnight camping may be permitted in association with the programs at an interpretive center with permission from the Parkway Manager, so long as camping is not within a restoration area and natural resources are not degraded.

BR-27. Use of bicycles on the unpaved maintenance roads shall be prohibited when the roads are saturated with water. Implementation of this measure requires either:

1. Signs posted at all access points to the maintenance roads stating that bicycles are not permitted on the roads when the roads are wet from recent rain.
2. Maintenance roads are closed to bicycles at the onset of the rainy season and remain closed until the trails dry out in the spring, as determined by the Parkway Manager. During this period, signs are posted at all access points to the maintenance roads informing bicyclists of the closure.

Whichever option is chosen, the appropriate language shall be incorporated into Parkway Policy 5.17.

Finding

Implementation of these mitigation measures will avoid the potentially significant impacts associated with biological resources. Thus, the Board of Supervisors finds that implementation of these mitigation measures will reduce these impacts to less than significant levels.

Cultural Resources Impact

Project impacts related to the redesignation of land uses to more intensive designations, policy changes, and construction of new facilities/improvements within the updated area plans could result in potentially significant impacts to sensitive cultural resources. Mitigation is required of all future Parkway projects.

Mitigation Measure

CR-6. The area utilized for Soil Born Farms and potential interpretive area, and all associated construction shall be located outside the limits of all known cultural resources sites.

Finding

Implementation of these mitigation measures will avoid the potentially significant impacts associated with cultural resources. Thus, the Board of Supervisors finds that implementation of these mitigation measures will reduce these impacts to less than significant levels.

The Plan will result in the following significant environmental effects that cannot be fully avoided through the adoption of feasible mitigation measures:

- Visual and Aesthetic Quality

Visual and Aesthetic Quality Impacts

The Project includes significant visual impacts associated with the bridges in Discovery Park, the Developed Recreation Area in the Woodlake Area Plan, and some of the roadways and Limited Recreation areas in Cal Expo. Some of these impacts can be avoided or offset by mitigation already recommended in other chapters of this EIR, but the bridges in Discovery Park and the Developed Recreation area in the Woodlake Area Plan remain significant. At a project-level stage, specific mitigation related to facility design and location could be recommended. However, at this plan-level stage, only general recommendations can be made to offset impacts. These are already encapsulated in the proposed Parkway Plan, which includes the plan-level policies that are necessary to protect visual resources in the Parkway. No mitigation beyond this

135

can be recommended at this time. Aesthetic impacts related to some elements of the Project are significant.

Finding

For the reasons set forth in Section VII below, the Project is approved despite the significant and unavoidable impacts to visual and aesthetic quality.

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

The Parkway Plan will result in potentially significant environmental effects with respect to the following issues or resources within the jurisdiction of the City of Sacramento that can be reduced to less than significant levels and/or avoided with the implementation of mitigation measures:

- Biological Resources
- Hydrology and Water Quality
- Air Quality
- Cultural Resources

The following discussion addresses the impacts and findings for each significant or potentially significant impact found in the FEIR for the Plan:

Biological Resources Impacts

The analysis identified many areas of potential impact to biological resources. The mitigation measures listed below are specific to a particular improvement or land use area within the City of Sacramento's jurisdiction.

- Wetlands may be present near proposed facilities in Discovery Park and Cal Expo, based on site reconnaissance. No construction should proceed until a qualified biologist has screened the construction area. (BR-1)
- Any wetlands near construction activities should either be avoided/protected or compensation must be provided for loss. (BR-2)
- The proposed Limited Recreation area along the river in Cal Expo is seasonally flooded, so no permanent structures should be allowed, the area should be cleaned of trash, and the area should be closed to recreation during the winter. (BR-3)
- One proposed maintenance road in Cal Expo goes straight through part of Bushy Lake. This road should be removed. (BR-4)
- In case LU-3 is not adopted, development in the marsh in the northwestern corner of Cal Expo should be limited for the protection of the habitat. (BR-5)
- Implementation of the Woodlake Gateway could remove substantial riparian woodland habitat. This habitat should be protected, particularly the large trees. (BR-6)

- Development of the proposed Limited Recreation area in the northwestern portion of the Cal Expo Area Plan could remove substantial riparian woodland habitat. This habitat should be protected, particularly the large trees. (BR-7)
- The proposed Developed Recreation area in SARA Park overlies a sensitive habitat area with a waterway and steep slopes. This designation should be removed. (BR-8)
- Various Plan elements may remove riparian woodland, oak woodland, or individual trees within these woodlands. Compensation should be provided for any removal of this habitat. (BR-9, BR-10, BR-11, BR-12, and BR-13)
- The Plan will result in loss of grassland habitat. As a means of indirectly offsetting some of this impact, the chain link fence in Rossmoor Bar should be removed, because it acts as a migration barrier for larger species that use grassland habitat. (BR-14) Further, a program should be established to convert unofficially-created trails in grassland environments back to grassland habitat. (BR-15)
- Some Plan construction activities have the potential to impact tricolored blackbird nests, bank swallow nests, raptor nests, or the nests of other migratory bird species. Standard avoidance practices apply. (BR-16, BR-17, BR-18, and BR-19)
- Some Plan activities will reduce the available habitat for the American Badger. The current recommendation for this species is continued monitoring. As the Parkway is unique habitat, an effort should be made to aid in the effort to track the presence of the badger. (BR-20)
- Some elements of the Plan may impact vernal pools, which are habitat for listed invertebrate species. Standard avoidance and mitigation applies. (BR-21)
- Some elements of the Plan may impact elderberry plants, which is host to the Endangered Valley Longhorn Elderberry Beetle. Standard avoidance and mitigation applies. (BR-22)
- Some elements of the Plan may impact waterbodies that support Northwestern pond turtles. Standard avoidance applies. (BR-23)
- Any bridges or trailered boat launches constructed in the Parkway have the potential to impact the habitat of special status fish species, such as the Chinook salmon. Various measures to protect water quality and to avoid disturbance of the river channel should be implemented. (BR-24)
- Some elements of the Plan may impact waterbodies that are host to rare plant species. Surveys for these species should occur before construction, and appropriate mitigation provided. (BR-25)
- Parkway Policy 5.8 allows overnight camping, but does not specify that this camping shall not result in any degradation of the natural environment or the nearby restoration area. This language should be added. (BR-26)

- Mountain biking on unpaved maintenance roads may cause damage if the roads are wet, and the soils are thus easily disturbed. These activities could cause siltation of nearby biological resources. Mountain biking should not be permitted during the rainy season. (BR-27)

Mitigation Measures

BR-1. Prior to the start of construction, all development projects within the Discovery Park and Cal Expo Area Plans must provide documentation that there are no wetlands present within the construction area (including staging areas and similar). A person qualified to perform wetland delineations (in accordance with the most recent United States Army Corps of Engineers delineation manual) shall inspect the construction area, determine if wetlands are present, and provide written documentation of the findings. This need not include a formal wetland delineation if the site investigator determines a finding of negative presence can be made without the delineation. If wetlands are not present, no further action is required. If wetlands are present, Mitigation Measure BR-2 shall apply.

BR-2. All projects that have identified wetlands 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 Environmental Planning Services (unless the wetland is habitat for vernal pool branchiopods, in which case Mitigation Measure BR-21 shall apply):

1. Total avoidance: The Plan is designed to achieve total wetland avoidance, which requires that the construction footprint shall be no closer than 50 feet to any wetland. Orange temporary construction fencing shall be installed to delineate this buffer area. If total avoidance is achieved, no further action is required.

2. Partial avoidance: The project is designed to avoid encroaching within the delineated wetland boundaries, but is within 50 feet of the wetland boundaries. In such a case, orange temporary construction fencing shall be installed at the limits of construction. Regardless of the construction season, this shall be supplemented by straw wattles (or similar) and silt fencing. If the edge of the facility is closer than 50 feet to the wetland margin, informational signage shall be installed next to the facility to inform Parkway users that a sensitive wetland habitat is located nearby and that off-trail activities could result in serious harm to this resource. Any new parking lot in the buffer area shall be designed so that runoff from the surface of the lot shall be directed away from the wetland. Permanent fencing shall also be placed around the boundary of the facility on all sides where a wetland is within 50 feet. The fencing shall be of open style, to allow the passage of wildlife (e.g. vertical pipe fencing).

3. Compensation: Compensation may be either through restoration or creation of wetlands, with priority being placed on the restoration option, and shall take place within the Parkway.

a. Restoration: Restoration may include either enhancing an existing degraded wetland area (rehabilitation) or returning function to an historic wetland area that is no longer functioning (re-establishment). As the former type of restoration does not result in net-gain of wetland habitat, this type of restoration shall only be permissible when mitigating for loss of a wetland that is also degraded or otherwise low-quality (according to a qualified biologist). High-quality wetlands must be mitigated through either the re-establishment restoration method or through creation (see item b, below). Mitigation may take place at multiple locations if multiple wetlands are impacted, but the total size of each restoration area shall be at least the same size as the wetland impacted. Any vegetation planted as part of the restoration activities shall be locally native plants chosen from the Army Corps list of wetland plants that is current at the time of Plan approval. In the case of re-establishment, mitigation is required at a minimum 1:1 ratio. In the case of rehabilitation, mitigation is required at a minimum 2:1 ratio.

b. Creation: An equivalent amount of in-kind wetland habitat removed shall be created within the Parkway. Creation shall be in accordance with the Army Corps guidelines that are current at the time of project approval.

BR-6. This Measure applies to the expanded Developed Recreation area in the Woodlake Area Plan (the "Woodlake Gateway"). No more than 10% of the native trees of 19" dbh or greater in this location may be removed, and no more than 5 acres of riparian habitat area may be removed. Mitigation Measure BR-9 applies to any removal of riparian habitat, and Mitigation Measure BR-12 shall apply to all native trees that will not be removed.

BR-9. To mitigate riparian woodland and scrub habitat removal, an equivalent amount of habitat removed shall be restored elsewhere in the American River Parkway. Mitigation may also be achieved by invasive plant removal activities in a riparian area, but in this case the invasive plant removal area must be twice the size of the area impacted by the project. Preference shall be given to complying with this mitigation by passive restoration activities consisting of blocking off and restoring unauthorized/undesignated roads or trails within the Parkway (if the roads are within riparian habitat). Signs shall be placed at all access points to these roads and trails indicating that restoration is in progress and entry is prohibited (or similar message). This passive restoration area will take longer to replace the lost habitat, and therefore must be twice the size of the area impacted.

For active restoration mitigation, revegetation shall consist of locally native riparian plant and tree species. To ensure species diversity, a single species shall not comprise more than 50% of the total number of trees planted. Restoration activities shall commence prior to or concurrent with removal of riparian habitat and shall be monitored for three years from the date of planting. The success criteria for plant survival shall be 80 percent throughout the monitoring period. If the survival rate falls below the success criteria during the

monitoring period, in-kind replacement plantings are required. Any new plantings shall be monitored for a further three years. Prior to commencement of restoration activities, a planting plan shall be submitted to and approved by the Environmental Planning Services. The planting plan shall include plant species, planting locations, spacing, maintenance provisions, monitoring requirements, success criteria and plant replacement provisions should a plant die within the monitoring period.

BR-10. Mitigation shall be required for oak woodland canopy removed. The mitigation site shall be within the Parkway, shall be contiguous to an existing oak woodland area, and shall be equal in size to the canopy area removed. Oak trees shall be planted in this area. Tree plantings shall be varied from a 10-foot minimum to a 40-foot maximum, averaging 25 feet apart, in a mosaic pattern that mimics existing oak woodlands. A Replacement Oak Tree Planting Plan commensurate with the description in Mitigation Measure BR-13 shall be required, except that the monitoring period shall be seven years. Where removed oak trees are part of a riparian canopy area, instead of an oak woodland canopy area, mitigation for the oak tree shall be pursued through Mitigation Measure BR-9. Any individual oak tree that is standing alone, not part of any other canopy area, shall be treated as a fragment of riparian woodland if it is within a riparian scrub environment, and shall be treated as a fragment of oak woodland if within a grassland environment.

BR-11. In lieu of either BR-10 or BR-13, the oak tree(s) proposed for removal may be transplanted to an area outside the construction footprint. An ISA-certified arborist must concur that relocation of the tree(s) in question is feasible, and any transplantation shall be planned and conducted under the supervision of an ISA-certified arborist. The transplanted tree(s) shall be monitored for a period of three years. If during this time the tree(s) die, mitigation shall be required in accordance with Mitigation Measures BR-10 or BR-13.

BR-12. With the exception of the trees removed and compensated for through Mitigation Measures above, all native trees of 6 inches dbh or larger whose trunks or driplines are within 100 feet of construction activities shall be preserved and protected as follows:

- A. A circle with a radius measurement from the trunk of the protected tree to the tip of its longest limb shall constitute the dripline protection area of each tree. Limbs must not be cut back in order to change the dripline. The area beneath the dripline is a critical portion of the root zone and defines the minimum protected area of each tree. Removing limbs that make up the dripline does not change the protected area.
- B. Chain link fencing or a similar protective barrier shall be installed one foot outside the driplines of the protected trees prior to initiating of Plan construction, in order to avoid damage to the trees and their root systems.

- C. No signs, ropes, cables (except cables which may be installed by a certified arborist to provide limb support) or any other items shall be attached to the protected tree.
- D. No vehicles, construction equipment, mobile home/office, supplies, materials or facilities shall be driven, parked, stockpiled or located within the dripline of the protected tree.
- E. Any soil disturbance (scraping, grading, trenching, and excavation) is to be avoided within the dripline of the protected trees, unless specific authorization has been granted by the City of Sacramento. Where this is necessary and approved by the City of Sacramento, Urban Forest Services, an ISA Certified Arborist will provide specifications for this work, including methods for root pruning, backfill specifications and irrigation management guidelines. In no case shall the impact area be greater than 20% of the protected tree dripline.
- F. Before grading or excavation for footings, walls, or trenching within five feet outside the driplines of protected trees, root pruning shall be required at the limits of grading or excavation to cut roots cleanly to a depth of the excavation or 36 inches (whichever is less). Roots shall be cut by manually digging a trench and cutting exposed roots with a saw, vibrating knife, rock saw, narrow trencher with sharp blades or other approved root-pruning equipment under the supervision of an ISA Certified Arborist.
- G. All underground utilities and drain or irrigation lines shall be routed outside the driplines of protected trees. If lines must encroach upon the dripline, they should be tunneled or bored under the trees.
- H. If temporary haul or access roads must pass within the driplines of protected trees, a roadbed of six inches of mulch or gravel shall be created to protect the soil. The roadbed shall be installed from outside of the dripline and while the soil is in a dry condition, if possible. The roadbed material shall be replenished as necessary to maintain a six-inch depth.
- I. Any herbicides placed under paving materials must be safe for use around trees and labeled for that use. Any pesticides used on site must be tree-safe and not easily transported by water.
- J. Drainage patterns on the site shall not be modified so that water collects or stands within, or is diverted across, the dripline of an oak tree.
- K. No sprinkler or irrigation system shall be installed in such a manner that it sprays water within the dripline of the protected tree.
- L. Tree pruning required for clearance during construction must be performed by an ISA Certified Arborist or Tree Worker.

- M. All portions of permanent fencing that will encroach into the dripline protection area of any protected tree shall be constructed using posts set no closer than 10 feet on center. Posts shall be spaced in such a manner as to maximize the separation between the tree trunks and the posts in order to reduce impacts to the trees.
- N. Trunk protection measures, per City of Sacramento standards, shall be used for all protected trees where development/construction activity, including installation of fencing, occurs within 10 feet of the trunk of a tree.
- O. Landscaping beneath protected oak trees may include non-plant materials such as boulders, decorative rock, wood chips, organic mulch, non-compacted decomposed granite, etc. Landscape materials shall be kept two (2) feet away from the base of the trunk. The only plant species which shall be planted within the dripline of protected oak trees are those which are tolerant of the natural semi-arid environs of the trees. Limited drip irrigation approximately twice per summer is recommended for the understory plants.

BR-13. Replacement Planting Plans shall adhere to this measure. The removal of native oak trees shall be compensated by planting native oak trees equivalent to the dbh inches lost, based on the ratios listed below, at locations that are authorized by the City of Sacramento.

Equivalent compensation based on the following ratio is required:

- one preserved native oak tree < 6 inches dbh on-site = 1 inch dbh
- one D-pot seedling (40 cubic inches or larger) = 1 inch dbh
- one 15-gallon tree = 1 inch dbh
- one 24-inch box tree = 2 inches dbh
- one 36-inch box tree = 3 inches dbh

Replacement tree planting shall be completed prior to the start of construction. Prior to the approval of Improvement Plans or building permits, a Replacement Oak Tree Planting Plan shall be prepared by a certified arborist or licensed landscape architect and shall be submitted to the City of Sacramento, Urban Forest Services for approval. The Replacement Oak Tree Planting Plan(s) shall include the following minimum elements:

1. Species, size and locations of all replacement plantings and < 6-inch dbh trees to be preserved;
2. Method of irrigation;
3. If planting in soils with a hardpan/duripan or claypan layer, include the City of Sacramento Standard Tree Planting Detail, including the 10-foot deep boring hole to provide for adequate drainage;

4. Planting, irrigation, and maintenance schedules;
5. Identification of the maintenance entity and a written agreement with that entity to provide care and irrigation of the trees for a 3-year establishment period, and to replace any of the replacement oak trees which do not survive during that period;
6. Designation of 20 foot root zone radius and landscaping to occur within the radius of oak trees < 6-inches dbh to be preserved on-site.

No replacement tree shall be planted within 15 feet of the driplines of existing oak trees or landmark size trees that are retained on-site, or within 15 feet of a building foundation or swimming pool excavation. The minimum spacing for replacement oak trees shall be 20 feet on-center. Examples of acceptable planting locations are publicly owned lands, common areas, and landscaped frontages (with adequate spacing). Generally unacceptable locations are utility easements (PUE, sewer, storm drains), under overhead utility lines, private yards of single family lots (including front yards), and roadway medians.

Oak trees <6 inches dbh to be retained on-site shall have at least a 20-foot radius suitable root zone. The suitable root zone shall not have impermeable surfaces, turf/lawn, dense plantings, soil compaction, drainage conditions that create ponding, utility easements, or other overstory tree(s) within 20 feet of the tree to be preserved. Trees to be retained shall be determined to be healthy and structurally sound for future growth, by an ISA Certified Arborist subject to City of Sacramento approval.

If oak tree replacement plantings are demonstrated to the satisfaction of the Urban Forest Services to be infeasible for any or all trees removed, then compensation shall be made as determined by the Director of the Department of Transportation.

BR-16. The following shall be required for any construction activities within 300 feet of marsh or other wetland habitat that includes dense stands of bulrush, cattail, or blackberry bushes: In order to mitigate potential impacts to tricolored blackbird, two pre-construction surveys of the Plan impact area and areas of appropriate habitat within 300 feet of the site shall be performed by a qualified biologist. The surveys shall be done during the months of March and April (one each month) the year of Plan construction. If tricolored blackbirds are found nesting within the survey area, Plan construction shall be postponed until fledging of all nestlings (about July 15). If no active nests are found during the survey, submit a written report with date and the name of biologist to the Environmental Planning Services. Upon receiving the report, no further mitigation will be required. If construction is proposed outside the nesting season (the nesting season is March 1 – July 15), no pre-construction surveys would be required.

BR-17. Any construction activity within 200 feet of the bank of the American River shall comply with the following: A focused survey for bank swallow nests shall occur between April 1 and July 1 and be conducted by a qualified biologist no less than

14 days and no more than 30 days before construction commences. If active nests are found, the applicant shall consult with the California Department of Fish and Game for appropriate avoidance measures. If no active nests are found during the focused survey, submit a written report with date and the name of biologist to Environmental Planning Services. Upon receiving the report, no further mitigation will be required.

BR-18. If construction occurs between March 1 and September 15, pre-construction nesting surveys for raptor nesting sites shall be conducted by a qualified raptor biologist. If any active nests are located both within the Parkway and within a quarter-mile of proposed heavy equipment operations or construction activities, the Plan proponent shall then consult with the California Department of Fish and Game to determine the appropriate course of action to reduce potential impacts upon nesting raptors and to determine under what circumstances equipment operation and construction activities can occur.

BR-19. For all migratory bird species not covered in the prior mitigation measures (including purple martin and western yellow-billed cuckoo), the following guidelines shall be followed:

A. Trees slated for removal shall either be removed during the non-nesting season (September – January), or if removed during the nesting season (February – August) the trees that are to be removed shall be surveyed by a qualified biologist and will only be removed if no nesting birds are found.

B. Pre-construction surveys of all potentially active nesting trees within 200 feet of the construction area shall be conducted by a qualified biologist no less than 14 days and no more than 30 days before construction commences. If active nests are found in the vicinity of the Plan site, non-disturbance buffers must be established and maintained based on species-specific protocols approved by the California Department of Fish and Game.

BR-20. The date, time, and location of any sighting of the American badger shall be reported to the California Department of Fish and Game. This mitigation shall be satisfied by either:

A. An administrative policy (not a Parkway Policy) shall be adopted that requires all Parkway employees and volunteers to be notified about the above requirement, and to be given basic information about how to identify the species. A copy of the policy shall be provided to the City of Sacramento within 6 months of the adoption of the Parkway Plan.

B. Some other measure suggested by the Parkway Manager to comply with the above that meets with the satisfaction of the Environmental Planning Services. This other measure must be implemented within 6 months of the adoption of the Parkway Plan.

BR-21. In all vernal pools, presence of listed vernal pool branchiopods shall be assumed unless determinate surveys that comply with Fish and Wildlife protocol conclude that the species is absent. In order to reduce impacts to listed vernal pool branchiopods the applicant shall comply with one of the following:

A. Avoid impacts to listed vernal pool branchiopods. Establish buffers with fencing around the perimeter of branchiopod habitat to be preserved. Fencing shall be installed as far from the shrimp habitat as possible (to be determined by the Environmental Planning Services using US Fish and Wildlife Service guidelines). No project activity shall occur within fenced area(s) without prior approval by Environmental Planning Services staff.

B. Compensate for habitat removed (on-site). An equivalent amount of vernal pool habitat removed shall be created within the Parkway. Creation shall be in accordance with Fish and Wildlife guidelines.

C. Compensate for habitat removed (off-site). If compensation within the Parkway is demonstrated to the satisfaction of the Environmental Planning Services to be infeasible, off-site mitigation in accordance with Fish and Wildlife guidelines shall be permitted. An equivalent amount of vernal pool habitat removed shall be created, and in addition an equivalent amount shall be preserved.

BR-22. Any construction Plan within 100 feet of an elderberry plant with at least one stem of a one inch diameter shall adhere to the following measures, consistent with United States Fish and Wildlife Service guidelines:

A. Unless a permit for removal is obtained from the Fish and Wildlife Service, temporary construction fencing and flagging shall be installed at least 100 feet outside the edge of the driplines of the elderberry plants. In areas where encroachment on the 100-foot buffer has been approved by Fish and Wildlife, provide a minimum setback of at least 20 feet from the dripline of each elderberry plant and provide documentation of Fish and Wildlife approval of the reduced setback. Contractors and work crews shall be briefed on the need to avoid damaging the elderberry plants, the status of the beetle, and the possible penalties for non-compliance with these requirements. Signs shall be erected every 50 feet along the edge of the avoidance area with the following information: "This area is habitat of the valley elderberry longhorn beetle, a threatened species, and must not be disturbed. This species is protected by the Endangered Species Act of 1973, as amended. Violators are subject to prosecution, fines and imprisonment." The signs should be clearly readable from a distance of 20 feet, and must be maintained for the duration of construction.

B. Prior to construction within the 100-foot buffer area (or lesser buffer, as approved by Fish and Wildlife) established around the elderberry plants implement one of the following methods (or a combination of the following two

methods) to reduce impacts to the Valley Elderberry Longhorn Beetle to a less than significant level:

1. Elderberry plants with one or more stems measuring 1.0 inch or greater in diameter at ground level shall be transplanted to a conservation area approved by Fish and Wildlife. The Plan applicant shall consult with Fish and Wildlife on all transplantation activities and obtain all applicable permits.
2. The Plan applicant shall compensate for the loss of elderberry plants on the site to the satisfaction of Fish and Wildlife and shall obtain any/all applicable permit(s) from the U.S. Army Corps of Engineers and Fish and Wildlife.

BR-23. To avoid potential taking of northwestern pond turtle, for all construction Plans involving work in or within 300 feet of a linear waterway (creek, slough, etc) a qualified biologist shall inform all construction personnel that turtles may occur in the area. A description of their natural history and identifying characteristics shall also be provided. The foreperson(s) shall be further instructed of the proper techniques for handling and relocating turtles if relocation is required. The biologist shall distribute reporting forms to all foreperson(s) to document observances or the relocation of any turtles.

If a turtle of any species enters an active construction area, or is in imminent danger, the foreperson shall carefully remove the turtle to a point at least 300 feet upstream of the Plan limits within the leveed floodway. Upon relocation the foreperson shall immediately notify the Environmental Planning Services of the action taken and provide a completed reporting form to the City within 48 hours of the relocation. Turtles found outside the active or proposed construction areas shall be left unharrassed, uninjured and alive. All observances of turtles within the construction limits shall be immediately reported via telephone to the City of Sacramento (808-5935) and subsequently documented on a reporting form.

BR-24. In order to avoid impacts to the steelhead, chinook salmon and Sacramento splittail, the following measures must be implemented for all work within the Ordinary High Water Mark of the American River:

A. In-channel construction and riparian revegetation work on the main channel of the American River during the peak migration period for all three species (November through May, or specific periods that are specified in permits issued for the Plan by the National Marine Fisheries Service, U.S. Fish and Wildlife Service and/or the California Department of Fish and Game) shall be prohibited.

B. Erosion control measures that prevent soil and sediment from entering the river shall be installed, monitored for effectiveness and maintained throughout construction operations.

C. Refueling of construction equipment and vehicles and storage of fuel shall not occur within the leveed floodway.

D. Truck and concrete equipment wash-down shall not occur within the leveed floodway.

E. Equipment and vehicles operated within the leveed floodway shall be checked and maintained daily to prevent leaks of fuels, lubricants or other fluids into the river.

F. Litter and construction debris shall be removed from below the Ordinary High Water Mark daily, and disposed of at an appropriate site.

G. Comply with water pollution protection provisions and conditions established by the Department of Fish and Game and all regulatory authorities with jurisdiction over the Plan.

H. An erosion control and water quality protection plan shall be prepared and implemented that will be subject to the review and approval of the City of Sacramento, Department of Utilities.

BR-25. Rare plant surveys will be required in any wetland, marsh, or stream habitats prior to any grading, grubbing, or excavation within 250 feet of the wetland margin. The rare plant surveyor shall have:

A. experience as a botanical field investigator;

B. taxonomic experience and a knowledge of plant ecology (the surveyor should have some college coursework in plant taxonomy and ecology, and be a biological professional), and

C. familiarity with the local flora and potential rare plants in the habitats to be surveyed.

The surveys shall be conducted when the rare plants at the site will be easiest to identify (i.e., flowering stage), and when the plants reach that stage of maturity. A minimum of three site visits shall be required, during the plants' flowering period in order to determine absence. Each site visit must be no less than 7 days apart.

Submit a written report to the Environmental Planning Services. The survey report should include a brief description of the vegetation, survey results, photographs, time spent surveying, date of surveys, a map showing the location of the survey route and any rare plant populations and copies of any rare plant occurrence forms. Notify Fish and Game and Fish and Wildlife if species are found, and apply for "take" authorization (state law section 2081 of the Fish and Game Code and federal Endangered Species Act) prior construction. Priority shall be given to transplanting individual plants to a different surface water in the Parkway, unless it can be demonstrated to the satisfaction of the City of Sacramento that transplantation is infeasible.

Finding

Implementation of these mitigation measures will avoid the potentially significant impacts associated with biological resources. Thus, the City Council finds that implementation of these mitigation measures will reduce these impacts to less than significant levels.

Hydrology and Water Quality Impacts

Various Plan elements have the potential to impact hydrology. Some of these are more major facilities, such as bridges, boat launches, and an interpretive center, but most are minor facilities (e.g. kiosks) or facilities that do not have impacts (e.g., trails). All facilities with the potential to impact hydrology would be required to minimize their effects by existing ordinances, regulations, and standards. No mitigation is necessary – the existing regulatory framework ensures that impacts are less-than-significant. All elements of the Plan that will involve new construction have the potential to result in construction and post-construction impacts to water quality. For most projects, the existing City of Sacramento erosion control ordinance and the existing stormwater quality design manual applicable to City of Sacramento will protect water quality. However, some projects may be too small to be captured by the ordinances, and the Parkway is a particularly sensitive area. Compliance with the requirements of existing ordinances or the mitigation herein is essential to ensuring that construction water quality impacts are less-than-significant.

Mitigation Measures

- HY-1.** All new construction Plans within the Parkway shall incorporate the design components within the latest version of the City of Sacramento's *The Administrative and Technical Procedures for Grading and Erosion and Sediment Control Plan*, even if a grading permit is not required for the project. No grading shall be permitted from October 1 – April 30, unless the grading is associated with an emergency projects or it can be demonstrated to the Environmental Planning Services that there is an environmental benefit to wet-season construction.
- HY-2.** All new construction or redevelopment of facilities within the Parkway shall incorporate the design components within the latest version of the City of Sacramento's *Manual for Stormwater Quality Design*, unless the City of Sacramento determines that the project does not have the potential to release post-construction pollutants (e.g. signage). This shall include all new roads and trails, which shall be designed to minimize transport of sediment from the road or trail surface into nearby water bodies.

Finding

Implementation of these mitigation measures will avoid the potentially significant impacts associated with hydrology and water quality. Thus, the City Council finds that implementation of these mitigation measures will reduce these impacts to less than significant levels.

Air Quality Impacts

Plan impacts related to construction emissions may exceed the established thresholds for ozone precursors in some cases, and may also exceed the screening thresholds for particulate matter. Mitigation is included that will reduce construction air quality impacts to less-than-significant levels. Although the Plan may result in increased use of the Parkway, which could increase operational vehicle emissions, the entire purpose of the Parkway is to provide non-vehicular recreation opportunities for the region. Therefore, operational impacts are less-than-significant and no mitigation is required.

Mitigation Measures

- AQ-1. All projects shall comply with the following mitigation if active project grading in any one day falls within the acreage ranges below. This mitigation shall also apply if multiple projects occur in the Parkway within 0.25 miles of each other, and the aggregate total active grading for those Plans fall within the acreage ranges below. This mitigation may be modified if current guidance from the Sacramento Metropolitan Air Quality Management District varies from the below.
- A. 5.1 – 8 acres: Water exposed soil twice daily and maintain two feet of freeboard space on haul trucks.
 - B. 8.1 – 12 acres: Water exposed soil and soil piles three times daily and maintain two feet of freeboard space on haul trucks.
 - C. 12.1 – 15 acres: Keep soil moist at all times, maintain two feet of freeboard space on haul trucks, and use emulsified diesel or diesel catalysts on applicable heavy duty diesel construction equipment.
- AQ-2. All future construction projects shall include an ozone precursor analysis. If the analysis results indicate that the project will generate ozone precursors that exceed the current Sacramento Metropolitan Air Quality Management District thresholds, this mitigation shall apply. This mitigation shall also apply if multiple projects occur in the Parkway within 0.25 miles of each other, and the aggregate total emissions for those Plans exceed thresholds. This mitigation may be modified if current guidance from the Sacramento Metropolitan Air Quality Management District varies from the below.

Category 1: Reducing NOx emissions from off-road diesel powered equipment

The project shall provide a plan, for approval by the lead agency and AQMD, demonstrating that the heavy-duty (> 50 horsepower) off-road vehicles to be used in the construction project, including owned, leased and subcontractor vehicles, will achieve a project wide fleet-average 20 percent NOx reduction and 45 percent particulate reduction (acceptable options for reducing emissions may include use of late model engines, low-emission diesel products, alternative fuels, engine retrofit technology, after-treatment products, and/or other options as they become available.) compared to the most recent CARB fleet average at time of construction; and

The project representative shall submit to the lead agency and AQMD a comprehensive inventory of all off-road construction equipment, equal to or greater than 50 horsepower, that will be used an aggregate of 40 or more hours during any portion of the construction project. The inventory shall include the horsepower rating, engine production year, and proejcted hours of use or fuel throughput for each piece of equipment. The inventory shall be updated and submitted monthly throughout the duration of the Plan, except that an inventory shall not be required for any 30-day period in which no construction activity occurs. At least 48 hours prior to the use of subject heavy-duty off-road equipment, the Plan representative shall provide AQMD with the anticipated construction timeline including start date, and name and phone number of the project manager and on-site foreman.

and Category 2: Controlling visible emissions from off-road diesel powered equipment

The project shall ensure that emissions from all off-road diesel powered equipment used on the project site do not exceed 40 percent opacity for more than three minutes in any one hour. Any equipment found to exceed 40 percent opacity (or Ringelmann 2.0) shall be repaired immediately, and the lead agency and AQMD shall be notified within 48 hours of identification of non-compliant equipment. A visual survey of all in-operation equipment shall be made at least weekly, and a monthly summary of the visual survey results shall be submitted throughout the duration of the project, except that the monthly summary shall not be required for any 30-day period in which no construction activity occurs. The monthly summary shall include the quantity and type of vehicles surveyed as well as the dates of each survey. The AQMD and/or other officials may conduct periodic site inspections to determine compliance. Nothing in this section shall supersede other AQMD or state rules or regulations.

Finding

The operational effects on air quality are less than significant, but the impacts of any future construction activities in the Parkway as potentially significant. The City Council finds that implementation of these mitigation measures will reduce the construction impacts to less than significant levels.

Cultural Resources Impacts

Plan impacts related to the redesignation of land uses to more intensive designations, policy changes, and construction of new facilities/improvements within the updated area plans could result in potentially significant impacts to sensitive cultural resources. Mitigation is required of all future Parkway Plans. This mitigation is intended to reduce potential cultural resources impacts but it is foreseeable, under some circumstances, that impacts to cultural resources could remain significant.

Mitigation Measures

150

CR-1. Retain all important cultural features in the design of all future Parkway Plans, unless doing so is proven to be infeasible to the satisfaction of the Environmental Planning Services.

CR-2. Prior to the start of construction, all proposed facilities Plans within the Parkway must 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-4 will still apply. If additional work is required, Mitigation Measure CR-3 and CR-4 shall apply.

CR-3. All project 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 Environmental Planning Services:

A. Conduct an archaeological/historical survey and assessment, by a qualified professional archaeologist, of the area of direct impact. If the Plan area includes known resources, then the survey will assess the condition of the resource.

B. Based on this review and, as appropriate, a subsurface testing program will be developed and implemented to determine the significance of the resource.

C. Following the field investigations, a technical report describing the evaluation shall be prepared to the satisfaction of the City of Sacramento.

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.

E. If based on the results of the field investigations resources were identified as being significant the following mitigation would apply:

a. Total Avoidance: Redesign the proposed Plan as to preserve and protect all significant cultural resources. This would reduce impacts to less than significant levels.

b. Or, if a redesign is determined infeasible by the City of Sacramento, then,

c. Data Recovery: After all design options have been exhausted that would result in the preservation of significant resources, institute a data recovery program to the satisfaction of the City of Sacramento. Impacts to the resource would remain significant.