

- *The project applicant shall construct a rear-yard sound wall of adequate height and building specifications, as determined by the acoustical professional, between residential uses located adjacent to the Sacramento Job Corps facility that would reduce exterior noise levels to less than 65 dB Ldn and interior noise levels to less than 45 dB Ldn.*
- *All prospective buyers shall be informed of the operational activities that occur at the Sacramento Job Corps facility site and the noise levels associated with those activities. All residential contracts shall include a disclosure statement that a purchaser lessee, or transferee signs at the time of sale, purchase contract of sale, transfer or lease of real property.*

**Finding:** Impacts on sensitive noise receptors at the Project from onsite and offsite stationary and mobile noise sources would be avoided by requiring that commercial and/or office uses install noise attenuation devices and/or placement of stationary noise generating equipment to ensure that noise levels meet or exceed the legal requirement of the Sacramento Municipal Code, as well as requiring that residences near the Sacramento Job Corps facility achieve exterior noise levels of 65 dB Ldn and interior noise levels of 45 dB Ldn. These measures would reduce the noise exposure of sensitive noise receptors to a *less than significant* level.

### Public Services

**Impact 5.7-1:** The proposed Project could result in the construction of new, or expansion of existing, police facilities, which could result in adverse environmental impacts.

**Mitigation Measure (from MMP):** The following mitigation measure(s) has been adopted to address this impact:

*MM 5.7-1: Prior to the issuance of building permits, the project developer shall enter into a funding agreement with the City of Sacramento Department of Development Services to pay its fair share contribution toward the development of the Sacramento Police Department's new Meadowview Area facility. The fair share contribution for the proposed project has been determined to be \$1,182,000.00 per the City. Implementation of this funding agreement shall be monitored by the City's Planning Department.*

**Finding:** Impacts arising from the construction of new, or expansion of existing,

police facilities arising from the project's need for police services would be avoided by requiring that the project developer enter into an agreement with the City to pay its fair share contribution toward the City's cost of providing those facilities, which fair share has been determined to be \$1,182,000.00. The agreement shall be entered into prior to the issuance of any building permits. These measures would reduce this impact to a *less than significant* level.

**Impact 5.7-2:** The proposed Project, in combination with other development in the City, could result in the construction of new, or expansion of existing police facilities, which could result in adverse environmental impacts.

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

*MM 5.7-2: Implement Mitigation Measure 5.7-1.*

**Finding:** Impacts arising from the need for the construction of new, or expansion of existing, police facilities arising from the project's contribution to the cumulative need for police services would be avoided by requiring that the project developer enter into an agreement with the City to pay its fair share contribution toward the City's cost of providing those facilities, which fair share has been determined to be \$1,182,000.00. The agreement shall be entered into prior to the issuance of any building permits. These measures would reduce this significant cumulative impact to a *less than significant* level.

### Transportation and Circulation

**Impact 5.9-1:** Implementation of the proposed Project would result in an increase in traffic levels.

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

*MM 5.9-1: The project applicant shall be required to develop the Delta Shores Finance Plan for review and approval by the City before project approval. The plan shall identify the financing mechanisms for all feasible transportation improvements defined as mitigation measures including, but not limited to, new roadways, roadway widening, traffic signals and public transit. The project applicant shall coordinate preparation of the finance plan with the City of Sacramento. All mitigation measures with "fair share" contributions would be implemented through the proposed financing*

*mechanism(s) indicated in the finance plan or by some other mechanism as determined by the City of Sacramento. The City shall adopt the Delta Shores Finance Plan at the time the project is considered for approval.*

**Finding:** Impacts arising from the project's contribution to increased traffic volumes on the transportation system in the vicinity of the project area would be avoided by requiring the creation and City approval of the Delta Shores Finance Plan to provide financing mechanisms that will pay for the construction of all feasible transportation improvements defined as mitigation measures, such as new roadways, roadway widening, traffic signals and public transit. These actions would reduce this impact to a *less than significant* level.

**Impact 5.9-2:** Implementation of the proposed Project under Near-Term plus Pre-Interchange Scenario would affect the Meadowview Road/Freeport Boulevard Intersection.

**Mitigation Measure (from MMP):** The following mitigation measure(s) has been adopted to address this impact:

*MM 5.9-2: The project applicant shall construct an exclusive eastbound right turn lane at the intersection of Meadowview Road/Freeport Boulevard. This improvement has to be in place at the time when building permits for 200 dwelling units have been issued.*

**Finding:** Project impacts arising from the reduction in LOS D to LOS E during the PM peak hour at the Meadowview Road/Freeport Boulevard intersection would be avoided by requiring the project applicant to construct an exclusive eastbound right turn lane to improve traffic flow at the intersection, thereby reducing delay and restoring LOS D. This action would reduce the significant impact to a *less than significant* level.

**Impact 5.9-3:** Implementation of the proposed Project under Near-Term plus Pre-Interchange Scenario could affect existing transit operations.

**Mitigation Measure (from MMP):** The following mitigation measure(s) has been adopted to address this impact:

*MM 5.9-3: The project applicant shall coordinate with Regional Transit to provide transit facilities to serve the project area. The project applicant, in coordination with Regional Transit, shall also identify the specific locations of sheltered transit stops with bus turnouts. The City of Sacramento Traffic Engineering Division, working in conjunction with*

*Regional Transit, shall approve the location, design, and implementation timing of the sheltered transit stops and bus turnouts prior to the issuance of building permits. Construction of these onsite bus stop facilities shall be phased consistent with the phased development of the project. Once demand for public transit services reached 50 service requests, the project applicant shall work with Regional Transit to begin to provide transit services and shall increase those services in proportion to the development levels and increased ridership levels occurring on the project site. Final design and operation of the transit service will be subject to the approval of the City and other proposed operating agencies (e.g., RT).*

**Finding:** Project impacts on existing transit operations would be avoided by requiring the project applicant to coordinate the provisions of transit facilities in the Project area with Regional Transit so that bus stops and bus turnouts are phased consistent with the phased development of the Project. This would reduce the project's contribution to this impact to a *less than significant level.*

**Impact 5.9-5:** Under the Near-Term plus Pre-Interchange Scenario, Project construction could increase construction-related traffic on existing roadways.

**Mitigation Measure (from MMP):** The following mitigation measure(s) has been adopted to address this impact:

*MM 5.9-5: Before issuance of grading permits for the project site, the project applicant shall prepare a detailed Traffic Management Plan that would be subject to review and approval by the City Department of Transportation, Caltrans, and local emergency service providers including the City of Sacramento fire and police departments. The plan shall ensure that acceptable operating conditions on local roadways and freeway facilities are maintained. At a minimum, the plan shall include:*

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

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

**Finding:** Impacts from the Project's construction on existing roadways and freeway facilities would be avoided by requiring the project applicant to prepare and submit for approval by the City Department of Transportation, Caltrans and local emergency service providers a construction management plan with minimum specified construction operating requirements as noted in MM 5.9-5 in order to assure that acceptable roadway and freeway operating conditions are maintained during the Project's construction. This would reduce the Project's impact to a *less than significant level*.

**Impact 5.9-6:** Implementation of the Project under Baseline plus Project conditions could affect the Meadowview Road/Freeport Boulevard intersection.

**Mitigation Measure (from MMP):** The following mitigation measure(s) has been adopted to address this impact:

*MM 5.9-6: The project applicant shall construct an exclusive southbound right turn lane at the intersection of Meadowview Road/Freeport Boulevard before completion of development that would generate 80 percent of the PM peak hour project traffic, assuming construction of the I-5/Cosumnes River boulevard interchange and the Cosumnes River Boulevard Extension west to Freeport Boulevard.*

**Finding:** Impacts from the Project's PM peak hour traffic on the Meadowview Road/Freeport Boulevard intersection would be avoided or lessened by requiring the construction of an exclusive southbound right turn lane in order to restore acceptable traffic flow conditions at the intersection. This would reduce the Project's impact to a *less than significant level*.

**Impact 5.9-8:** Under Baseline plus Project conditions, the Meadowview Road/Manorside Drive intersection may exceed the peak hour traffic signal warrant.

**Mitigation Measure (from MMP):** The following mitigation measure(s) has been adopted to address this impact:

*MM 5.9-8 The project applicant shall install a traffic signal at the Meadowview Road/Manorside Drive intersection before completion of development that would generate 70 percent of the PM peak hour project traffic, assuming construction of the I-5/Cosumnes River Boulevard interchange and the Cosumnes River Boulevard Extension west to Freeport Boulevard.*

**Finding:** Impacts from the Project's AM and PM peak hour traffic on the Meadowview Road/Manorside Drive intersection would be avoided by requiring the construction of a traffic signal at the intersection when 70 percent of the Project's PM peak hour traffic is generated because the traffic signal would restore operation of this intersection to LOS B during the AM and PM peak hours. This would reduce the Project's impact to a *less than significant level.*

**Impact 5.9-10:** Under Baseline plus Project conditions, the Project would have a significant impact on existing transit operations.

**Mitigation Measure (from MMP):** The following mitigation measure(s) has been adopted to address this impact:

*MM 5.9-10: The Project applicant shall coordinate with Regional Transit to provide transit facilities to serve the Project area. This may include, but not be limited to, creating new bus routes or/add rerouting existing bus services through the Project area to connect the Project site with the future light rail station at Morrison Creek or to Meadowview station or to downtown Sacramento. The Project applicant in coordination with Regional Transit, shall also identify the specific locations of sheltered transit stops with bus turnouts. The City of Sacramento Traffic Engineering Division, working in conjunction with Regional Transit, shall approve the location, design, and implementation timing of the sheltered transit stops and bus turnouts prior to the issuance of building permits. Construction of these on-site bus stop facilities shall be phased consistent with the phased development of the Project. Once demand for public transit services reaches 50 service requests, the Project applicant shall coordinate to begin to provide private transit services and shall increase those services in proportion to the development levels and increased ridership levels occurring on the project site. Final design and operation of the transit service would be subject to the approval of the City and other proposed operating agencies (e.g., RT).*

**Finding:** Impacts of the Project on existing public transit operations would be avoided by requiring the construction of on-site bus stop and shelter

facilities, as well as requiring the project applicant to provide phased transit service as the Project is built subject to the approval of the City and other proposed operating agencies. This would reduce the Project's impact to a *less than significant* level.

**Impact 5.9-12:** Under Baseline plus Project conditions, the proposed Project would have a significant impact on existing roadways based on the routing of construction traffic.

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

*MM 5.9-12: Implement Mitigation Measure 5.9-5*

Finding: Impacts of the Project's construction activities on the transportation network near the Project site would be avoided by requiring the preparation and implementation of a Construction Traffic and Parking Management Plan, subject to the approval of the City traffic engineer, to reduce this impact from the Project's construction. This would reduce the Project's impact to a *less than significant* level.

**Impact 5.9-15:** Under Cumulative Plus Project conditions, the Meadowview Road/Freeport Boulevard intersection could be impacted by the Project.

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

*MM 5.9-15: The project applicant shall pay a fair share towards the addition of a second exclusive southbound left turn lane, an exclusive southbound right turn lane, and shall pay a fair share to recover costs for the City's Traffic Operations center monitoring and retiming of modifications to the traffic signal to provide an overlap phase for the southbound right turn/eastbound left turn movements at the intersection of Meadowview Road/Freeport Boulevard.*

Finding: Impacts of the Project's traffic on the Meadowview Road/Freeport Boulevard intersection under Cumulative Plus Project conditions would be avoided by requiring the project applicant to fund a fair share of the cost to construct an additional second exclusive southbound left turn lane, an exclusive southbound right turn lane, and retiming of the traffic signals at the intersection to improve traffic flow and restore the LOS to LOS C. This would reduce the Project's impact to a *less than significant* level.

**Impact 5.9-17:** Under Cumulative plus Project conditions, the Mack Road/Franklin Boulevard intersection could be impacted by the Project.

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

*MM 5.9-17: The Project applicant shall pay a fair share to cover costs for the City's Traffic Operations Center monitoring and retiming of the traffic signal to provide an overlap phase for the eastbound right-turn/northbound left-turn movements at the intersection of Mack Road/Franklin Boulevard.*

Finding: Impacts of the Project's traffic on the Mack Road/Franklin Boulevard intersection under Cumulative Plus Project conditions would be avoided by requiring the project applicant to fund a fair share of the cost to monitor and retime the traffic signal because it would result in the intersection operating at LOS D during the PM peak hour and there would be less than a 5 second delay during the AM and PM peak hour. This would reduce the Project's impact to a *less than significant* level.

**Impact 5.9-18:** Under Cumulative plus Project conditions, the Cosumnes River Boulevard/Franklin Boulevard intersection could be impacted by the Project.

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

*MM 5.9-18 The project applicant shall pay a fair share towards the addition of a second exclusive northbound left-turn lane at the intersection of Cosumnes River Boulevard/Franklin Boulevard.*

Finding: Impacts of the Project's traffic on the Cosumnes River Boulevard/Franklin Boulevard intersection under Cumulative Plus Project conditions would be avoided by requiring the Project applicant to fund a fair share of the cost to construct a second exclusive northbound left-turn lane at the intersection of Cosumnes River boulevard/Franklin Boulevard because while it would not change the LOS, it would result in a less than five second increase in delay during the AM and PM peak hour. This would reduce the Project's cumulative impact to *less than significant*.

**Impact 5.9-19:** Under Cumulative plus Project conditions, the Cosumnes River Boulevard/Freeport Boulevard intersection could be impacted by the Project.

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

*MM 5.9-19: The Project applicant shall pay a fair contribution toward the construction of the Cosumnes River Boulevard/Freeport Boulevard intersection as defined in the Delta Shores Finance Plan.*

Finding: Impacts of the Project's traffic on the Cosumnes River Boulevard/Freeport Boulevard intersection under Cumulative Plus Project conditions would be avoided by requiring the Project applicant to fund a fair share of the cost to construct the Cosumnes River Boulevard/Freeport Boulevard intersection and modify the traffic signal to provide overlap phasing for the northbound right-turn/westbound left-turn movements so the intersection would operate at LOS D during the PM peak hour. This would reduce the Project's contribution to this cumulative impact to a *less than significant* level.

**Impact 5.9-21:** Under Cumulative plus Project conditions, the Meadowview Road/Manorside Drive intersection could be impacted by the Project.

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

*MM 5.9-21: Implement Mitigation Measure 5.9-8.*

Finding: Impacts of the Project's traffic on the Meadowview Road/Manorside Drive intersection under Cumulative Plus Project conditions would be avoided by requiring the Project applicant to implement Mitigation Measure 5.9-8 because it would result in the intersection operating at LOS B during the AM and PM peak hours, and therefore reduce this cumulative impact to *less than significant*.

**Impact 5.9-22:** Under Cumulative plus Project conditions, the I-5 SB Off-Ramp at Cosumnes River Boulevard - queues could be impacted by the Project.

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

*MM 5.9-22: The project applicant shall pay a fair contribution toward the construction of the interchange as defined in the Delta Shores Finance Plan and the cost of widening the southbound off ramp and I-5 overcrossing additional eastbound lane.*

**Finding:** Impacts of the Project's traffic on the length of vehicle queues at the I-5 and Cosumnes River Boulevard off-ramp would be avoided or lessened because the Project applicant would be required to pay for a share of the cost to widen the southbound off ramp and I-5 overcrossing with an additional eastbound lane, and thereby reduce this cumulative impact to *less than significant*.

**Impact 5.9-24:** Under Cumulative plus Project conditions, the Project would have a significant impact on existing transit operations.

**Mitigation Measure (from MMP):** The following mitigation measure(s) has been adopted to address this impact:

*MM 5.9-24: Implement Mitigation Measure 5.9-10.*

**Findings:** Impacts of the Project's traffic on existing transit operations would be avoided by MM 5.9-24 and MM 5.9-10 because they would require the Project applicant to provide on-site bus stop and shelter facilities on the site plan subject to the approval of the City's Department of Transportation-Traffic Engineering Division; and provide for new bus routes and/or rerouting of existing bus services through the project area. Therefore this cumulative impact of the Project would be *less than significant*.

#### **D. SIGNIFICANT AND UNAVOIDABLE IMPACTS**

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

##### Air Quality

**Impact 5.3-3:** Operation of the proposed project would contribute to emissions of ozone precursors.

**Mitigation Measure (from MMP):** The following mitigation measure(s) has been adopted to address this impact:

*MM 5.3-3 (a): The project applicant shall implement the emission reduction strategies contained in the Delta Shores Air Quality Management Plan (AQMP). The AQMP shall*

*be endorsed by the SMAQMD prior to the release of the Draft EIR. Documentation confirming implementation of the AQMP shall be provided to the SMAQMD and the City of Sacramento prior to issuance of occupancy permits, as required.*

*MM 5.3-3 (b): Prior to the issuance of building permits for the commercial portion of the project, the project applicant shall either enter into an existing Transportation Management Association (TMA) or create a new TMA to serve the project area. Funding shall be provided by the project applicant through a Community Facilities District (CFD) or other financing mechanism approved by the City.*

**Finding:** Although the AQMP would be endorsed by the SMAQMD, that plan would not in and of itself reduce project emissions. Implementation of emission reduction strategies could be effective, but not enough to reduce emissions levels to an acceptable level.

For these reasons, the impact remains *significant and unavoidable*.

**Impact 5.3-9:** Operation of the proposed project combined with other on-going development in the air basin would increase cumulative levels of ozone precursors.

**Mitigation Measure (from MMP):** The following mitigation measure(s) has been adopted to address this impact:

*MM 5.3-9: Implement Mitigation Measure 5.3-3.*

**Finding:** Impacts of the Project relating to cumulative impacts arising from increased levels of ozone precursors due to operation of the project in conjunction with other on-going development in the air basin would be reduced by the foregoing mitigation measure, but not to a less than significant level because specific levels of reduction would not reduce the total emissions generated below the SMAQMD threshold of 65 lbs/day. Consequently, even with implementation of the SMAQMD recommended emission reduction measures set forth in Mitigation Measure 5.3-3, the predicted emissions of ozone precursors by the project would remain *significant and unavoidable*. The environmental, economic, social and other benefits of the project override the remaining impacts of the project relating to its increase in the cumulative emissions of ozone precursors from operation of the project.

Noise

**Impact 5.6-3:** Operation of the proposed Project could permanently expose sensitive receptors to increased traffic noise levels from local roadways.

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

*MM 5.6-3: At the time of building permits, the project applicant or developer shall be required to comply with the City's adopted General Plan policies that pertain to acceptable noise levels. This may require construction of a soundwall, if appropriate and feasible given the exposure circumstances of the residence(s) along 24<sup>th</sup> street, to traffic noise.*

Finding: Impacts of the Project relating to increased noise impacts from local roadways on sensitive receptors would be reduced by requiring compliance with the City's adopted General Plan plans and policies that pertain to acceptable noise levels, including the possible construction of a soundwall at residence(s) along 24<sup>th</sup> Street to minimize traffic noise. However, due to uncertainty over whether it is feasible to construct soundwalls in this area, and uncertainty over whether the draft policies in the 2030 General Plan could change before the 2030 General Plan is adopted, this impact would be *significant and unavoidable*.

Traffic and Circulation

**Impact 5.9-7:** Implementation of the Project under Baseline plus Project conditions could affect the Meadowview Road/24<sup>th</sup> Street intersection.

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

*MM 5.9-7: No feasible mitigation available.*

Finding: Impacts of the Project relating to reductions in the level of service and increased delays at the Meadowview Road/24<sup>th</sup> Street intersection could be reduced by requiring construction of a second exclusive southbound left-turn lane and retiming of the traffic signal to provide an overlap phase for northbound right-turn/eastbound left-turn movements to minimize traffic impacts. However, those measures would not restore the LOS and it is not feasible to widen this intersection to add an additional lane because it would require the removal of buildings, would not be considered

pedestrian friendly, and would not comply with the City's Smart Growth Policies. Consequently, there is no feasible mitigation measure available and this impact would remain *significant and unavoidable*.

**Impact 5.9-9:** Under Baseline plus Project conditions, the Project would have a significant impact on freeway operations.

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

*MM 5.9-9: The project applicant shall be required to pay a fair share development impact fee toward the I-5/Cosumnes River Boulevard interchange construction and the I-5 corridor impact fee that is in effect at the time of issuance of building permits.*

Finding: Impacts of the Project relating to increased traffic volumes on the mainline freeway corridor and nearby interchanges would be reduced by requiring payment of the I-5 corridor impact fee that is in effect at the time of issuance of building permits; however, the contribution of this funding for mainline freeway corridor improvements does not ensure that the project's impacts of the mainline freeway system would be fully mitigated, since a program of improvements and the timing of their construction has not yet been determined by the multi-agency committee that is developing the I-5 corridor impact fee. Due to that uncertainty, this impact would be considered *significant and unavoidable*.

**Impact 5.9-13:** Under Cumulative Plus Project conditions, the segment of Cosumnes River Boulevard from I-5 to Delta Shores Circle could be impacted by the Project.

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

*MM 5.9-13: No feasible mitigation available.*

Finding: Impacts of the Project relating to increased traffic volumes on Cosumnes River Boulevard between the I-5/Cosumnes River Boulevard Interchange and Delta Shores Circle (west) could be reduced by expanding that segment of Cosumnes River Boulevard to eight lanes. However, the City finds it infeasible to widen Cosumnes River Boulevard from 6 to 8 lanes because to do so would be inconsistent with the City's goals, policies and objectives. Therefore, this impact would remain *significant and unavoidable*.

**Impact 5.9-14:** Under Cumulative Plus Project conditions, the segment of Detroit Boulevard south of Meadowview Road could be impacted by the Project.

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

*Mitigation Measure: None Available.*

Finding: The Council finds that there is no feasible mitigation measure available because widening 24<sup>th</sup> Street to 4 lanes would require additional right of way, which is not available, as well as have adverse impacts on several residential buildings on both sides of the street and eliminate all parking and bike lanes. These changes would not be consistent with the City's Pedestrian Friendly Standards and Smart Growth Policies. Consequently, there is no feasible mitigation and the impact would remain *significant and unavoidable*.

**Impact 5.9-16:** Under Cumulative plus Project conditions, the Meadowview Road/24<sup>th</sup> Street intersection could be impacted by the Project.

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

*Mitigation Measure: None available.*

Finding: The Council finds that there is no feasible mitigation measure because widening the intersection to add lanes would require additional right of way and be beyond the applicant's control, as well as adversely affect existing buildings. Increasing the number of travel lanes at the intersection, which is near an existing community center, is not considered pedestrian friendly and does not meet the City's Smart Growth Policies. Consequently, there is no feasible mitigation and the impact would remain *significant and unavoidable*.

**Impact 5.9-20:** Under Cumulative plus Project conditions, the Cosumnes River Boulevard/Delta Shores Circle (West) intersection could be impacted.

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

*MM 5.9-20: The Project applicant shall construct two southbound through lanes and two northbound through lanes on Delta Shores Circle South between Cosumnes River Boulevard and Street D (north). The Project*

*applicant shall pay a fair share towards modifying the planned westbound approach of the Cosumnes River Boulevard/I-5 northbound ramps intersection to provide two through lanes and two exclusive right-turn (mixed flow) lanes. This configuration would allow mixed flow vehicles to use both westbound right-turn lanes to enter the northbound on-ramp. This differs from the planned configuration which only allows high occupancy vehicles (HOV) to turn right from a shared through/right-turn lane. The HOV bypass lane would begin just downstream on the northbound on-ramp.*

**Findings:** Impacts of the Project's traffic on the Cosumnes River Boulevard/Delta Shores Circle (West) intersection under Cumulative Plus Project conditions would be reduced but not completely avoided by MM 5.9-20 because it would result in the intersection operating at LOS D during the AM and PM peak hours; in addition, widening of the intersection to achieve LOS C would be inconsistent with the City's goals and policies to create Pedestrian-Friendly Streets and its Smart Growth Policies. Therefore, the Project's contribution to this cumulative impact would remain considerable and the impact would be *significant and unavoidable*.

**Impact 5.9-23:** Under Cumulative plus Project conditions, the Project would have a significant impact on freeway operations.

**Mitigation Measure (from MMP):** The following mitigation measure(s) has been adopted to address this impact:

*MM 5.9-23: Implement Mitigation Measure 5.9-9.*

**Findings:** Impacts of the Project's traffic on the state highway system near the Project would be reduced but not completely avoided or lessened by MM 5.9-9 because the contribution of funding for the I-5/Cosumnes River Boulevard interchange construction costs, and payment of a regional impact fee for the I-5 corridor improvements, will not ensure that the Project's impacts on the mainline freeway system would be fully mitigated. Therefore the impact of the Project would remain *significant and unavoidable*.

**E. FINDINGS RELATED TO THE RELATIONSHIP BETWEEN LOCAL SHORT-TERM USES OF THE ENVIRONMENT AND MAINTENANCE AND ENHANCEMENT OF LONG-TERM PRODUCTIVITY**

Based on the EIR and the entire record before the City Council, the City Council makes the following findings with respect to the project's balancing of local short term uses of

the environment and the maintenance of long term productivity:

- As the project is implemented, certain impacts would occur on a short-term level. Such short-term impacts are discussed above. Where feasible, measures have been incorporated in the project to mitigate these potential impacts.
- The project would result in the long-term commitment of resources to develop and operate the project including water, natural gas, fossil fuels, and electricity. The long-term implementation of the project would provide economic benefits to the City. The project would be developed adjacent to an existing urban area and within the existing City limits and not contribute to urban sprawl. Notwithstanding the foregoing, some long-term impacts would result.

Although there are short-term and long-term adverse impacts from the project, the short-term and long-term benefits of the project justify implementation.

## F. PROJECT ALTERNATIVES

CEQA requires the City to consider the feasibility of any environmentally superior alternatives to the Project, as proposed. An evaluation must be made by the City as to whether one or more of these alternatives could substantially lessen or avoid the unavoidable significant environmental effects. (*Citizens for Quality Growth v. City of Mount Shasta* (1988) 198 Cal.App.3d 433, at 443-445 [243 Cal. Rptr. 727]; see also Public Resources Code, Section 21002.) An EIR is required to evaluate a reasonable range of alternatives that would attain most of the basic objectives of the proposed project, but would avoid or substantially lessen the significant effects of the project under review. (CEQA Guidelines, Section 15126.6)

In preparing and adopting findings, a lead agency need not necessarily address the feasibility of both mitigation measures and environmentally superior alternatives when contemplating approval of a proposed project with significant impacts. Where a significant impact can be mitigated to an acceptable level (i.e., can be substantially lessened) solely by the adoption of mitigation measures, the agency, in drafting its findings, has no obligation even to consider the feasibility of environmentally superior alternatives, even if their impacts would be less severe than those of the proposed project as mitigated. (*Laurel Hills Homeowners Association v. City Council* (1978) 83 Cal.App.3d 515, 521 [147 Cal.Rptr. 842]; see also, *Laurel Heights Improvement Association of San Francisco, Inc. v. Regents of the University of California* (1988) 47 Cal.3d 376, 400-403 [253 Cal.Rptr. 426]; *Kings City Farm Bureau v. City of Hanford* (1990) 221 Cal.App.3d 692, 730-731 [270 Cal.Rptr. 650]; see also Public Resources Code, Section 21002.)

Additionally, factors such as site suitability, availability of infrastructure, general plan

consistency, other plans or regulatory limitations, jurisdictional boundaries, and site accessibility and control should also be considered and evaluated in the assessment of alternatives.

The City Council has considered the Project alternatives presented and analyzed in the EIR and presented during the comment period and public hearing process. Some of those alternatives have the potential to avoid or reduce certain significant or potentially significant environmental impacts, as set forth below. The City Council finds, based on specific economic, legal, social, technological, or other considerations, that those alternatives were infeasible as set forth below.

### **Alternatives Considered and Dismissed from Further Consideration**

#### **Retail on the East and West Side of Interstate-5 Alternative**

The project applicant considered an alternative that would place the two proposed retail developments on either side of I-5 off of Cosumnes River Boulevard. While maintaining some of the density and mix of uses as the proposed project, this alternative could increase the magnitude of impacts, specifically, traffic congestion, water demand, and air emissions. By locating the retail uses on either side of I-5, it would change the urban character and connection of land uses achieved in the proposed project. Furthermore, this alternative would eliminate the mixed-use Village Center from the easterly portion of the project site, which would service the residents in that area. The net result of this alternative would be equal or greater levels of congestion on regional roadways, air pollutant emissions, and other effects caused by this type of development pattern.

It is unlikely that this alternative would generate adequate revenues to support the high cost of infrastructure improvements necessary to make the site developable, as such, this alternative would be infeasible.

Because retail uses on the east and west side of I-5 Alternative would result in equal or greater environmental effects and would be infeasible to implement, it was not further considered or evaluated in the EIR.

#### **Retail Corridor Alternative**

The Retail Corridor Alternative would consist of retail development in a long corridor along the newly constructed Cosumnes River Boulevard with the remaining development in residential uses. The proposed development would consist of multiple large retail projects with varying densities of housing located behind the retail corridor stretching along Cosumnes River Boulevard from I-5 to 24th Street.

The Retail Corridor Alternative serves to bifurcate the project site along Cosumnes

River Boulevard into two non-synergistic developments. This alternative would fail to meet the stated objectives of the proposed project because it does not provide for two retail centers. Development of the Retail Corridor Alternative would result in a less dense and a decentralized retail project. It is anticipated that the net result of this type of development would not reduce any of the significant environmental effects associated with the proposed project.

Because the Retail Corridor Alternative would not reduce or avoid significant impacts identified under the proposed project and because it would fail to meet some of the objectives of the proposed project, it is not further considered or evaluated in this EIR.

### Off-Site Alternative

Section 15126.6(f)(2)(B) of the CEQA Guidelines states that "[i]f the lead agency concludes that no feasible alternative locations exist, it must disclose the reasons for this conclusion, and should include the reasons in the EIR. For example, in some cases there may be no feasible alternative locations for a geothermal plant or mining project which must be in close proximity to natural resources at a given location."

The project site is the largest remaining contiguous vacant piece of land within the City of Sacramento and is the only site within the City large enough to accommodate the proposed project. While the construction of residential, office, retail, or other uses identified in the project site could be accomplished through construction at a combination of other locations in the City, no other single location would be large enough to accommodate the project and meet the objectives of the project. In this case, no feasible off-site location exists that could accommodate the project or achieve the objectives of the project. As such, the evaluation of an Off-Site Alternative is not further considered in this EIR.

### Summary of Alternatives Considered

#### No Project/No Development Alternative

Under CEQA, the No Project/No Development Alternative must consider the effects of forgoing the project. The purpose of analyzing the No Project/No Development Alternative is to allow decision-makers to compare the impacts of the proposed project versus no project. The No Project/No Development Alternative describes the environmental conditions that exist at the time that the environmental analysis commences (CEQA Guidelines, section 15126.6 (e) (2)). Under the No Project/No Development Alternative, the existing structures on the site would remain and the site would not be developed. It would remain primarily in agricultural production.

#### *Facts in Support of Finding of Infeasibility*

The No Project/No Development Alternative would not meet any of the project objectives.

#### No Project/Existing Zoning Alternative

The No Project/Existing Zoning Alternative assumes that the proposed project site would be developed consistent with currently allowable land uses, zoning, and development intensities.

The City of Sacramento General Plan currently designates the majority of the project site for Industrial-Employee Intensive uses, such as a high-tech business park. Other General Plan land use designations include Community/ Neighborhood Commercial and Office (CNO), Low Density Residential (LDR), Medium Density Residential (MDR), Regional Commercial and Office (RCO), Parks-Recreation-Open Space (P/OS), and Public/Quasi-Public-Miscellaneous (P/QP).

Current zoning districts for the project site include Agricultural (A), Shopping Center-Planned Unit Development (SC-PUD), Single Family Alternative Residential-PUD (R-1A-PUD), Single Family Alternative Review-PUD (R-1A-R-PUD), Multi-Family-PUD (R-2A-PUD), and Manufacturing, Research & Development-PUD (MRD-PUD).

#### *Facts in Support of Finding of Infeasibility*

The No Project/Existing Zoning Alternative would result in the same significant impacts as the proposed project and would not meet the project objectives.

#### Reduced Density/All Residential Alternative

The Reduced Density/All Residential Alternative assumes that the regional commercial uses proposed by the project would not be developed and would be replaced by residential uses. The smaller neighborhood commercial area within the project site would however, still be developed. In addition to the removal of the regional commercial uses, the density of the residential component under this alternative would be reduced by 20 percent, to 4,178 units. Assuming that approximately 42 acres of the regional commercial uses would be developed as medium-density residential and the remaining 83.6 acres would be developed as low-density residential with a 20 percent density reduction from the maximum densities, the 121.9 acres of regional commercial uses would be replaced by approximately 460 medium-density units and 462 low-density units, for a total of 922 residences replacing the 121.9 acres of regional commercial uses proposed under the project. When combined with the overall 20 percent reduction in the number of residential units proposed under the proposed project, this would result in a total of approximately 5,100 residential units that would be

developed as part of this alternative. Although there would be a 20 percent reduction in density, the replacement of the regional commercial uses with residential development would result in a net loss of only 122 residential units relative to the proposed project, nearly replacing the residential units lost due to the density reduction. This alternative would develop all of the other uses proposed by the project, including 19.9 acres of residential/mixed-use, two elementary schools, parks, open space, fire station, and other public uses. This alternative assumes the project's footprint would remain the same.

#### *Facts in Support of Finding of Infeasibility*

The Reduced Density/All Residential Alternative would not the proposed project objectives of providing housing in close proximity to employment centers, providing regional and neighborhood serving retail, or providing hospitality uses to serve travelers on I-5.

#### **Conclusion.**

The Council finds that none of the above Alternatives are feasible because they will not fully meet the Project's objectives as set forth above in these Findings. The No Project - No Build Alternative would result in the project site remaining vacant, but it would not achieve any of the Project objectives. The No Project - Buildout Pursuant to Existing Designations Alternative would result in the same significant impacts as the proposed project and would not meet the project objectives.

### **G. FINDINGS REGARDING GROWTH-INDUCING AND CUMULATIVE IMPACTS**

As required by CEQA, the EIR evaluated the growth-inducing impacts of the Project and the cumulative impacts of the Project (CEQA Guidelines, Sections 15126.2). The significant growth-inducing and cumulative impacts are set forth in this Section G.

It should be noted that in some cases the impacts described in this Section have been outlined in other sections above and appropriate mitigation imposed and findings made with respect thereto. For instance, impacts relating to the Project's air quality are described above. In such instances, additional mitigation measures may be unnecessary and the mitigation measures considered above are hereby incorporated by reference in this Section G.

#### **1. Land Use.**

**Description:** The project site, as well as lands to the east of it, have been slated for future development for many years under the General Plan.

**Mitigation Measures.** The mitigation measures expressed throughout the EIR mitigate, to the extent possible, any potential growth-inducing impacts of the Project.

**Finding:** The Council finds that the Project will not have any new, significant and unavoidable growth-inducing impacts not already examined in the EIR.

## **2. Traffic and Circulation.**

**Description.** An established transportation network exists in the area surrounding the project site that offers local and regional access to the project site. Development of the project's internal circulation system would remove an obstacle to growth in the project area, although growth to the west would be limited by the Sacramento River and growth to the south would be limited by the SRCSD Bufferlands and City of Elk Grove. Lands north of the project are developed and lands to the east are already slated for future development.

**Mitigation Measures:** The mitigation measures adopted with respect to the transportation and circulation impacts identified above are hereby incorporated by reference and specifically found to lessen and avoid the specific, as well as the general, cumulative traffic and circulation impacts of the Project.

**Finding:** Based on the EIR and the entire Record before the Council, the Council finds that the Project will not have significant cumulative growth inducing impacts on the transportation and circulation system with implementation of mitigation measures identified above and in the EIR.

## **3. Utilities**

**Description.** The project site does not contain water service infrastructure, but water service would be provided by connecting to existing water transmission mains in Meadowview Road and 30<sup>th</sup> Street. These lines would also extend water service to lands east of the project site and remove that obstacle to growth. The project would connect to existing sewer pipelines which run through the project site and at the northern boundary of the site. Those connections would enable growth within the project site and possible growth at the land immediately east of the site. Electricity and natural gas transmission infrastructure exists on the site and in the vicinity. The project would require local distribution facilities for electricity and gas, but would not be sized to serve other future development in the vicinity of the project.

**Mitigation Measures:** The mitigation measures expressed throughout the EIR mitigate, to the extent possible, any potential growth inducing impacts of the Project.

Finding. The Council finds that the utility services being constructed for the Project will not have any new, significant and unavoidable growth inducing impacts not already examined in the EIR.

#### **4. Cumulative Impacts**

The cumulative impacts analysis in the EIR assumed buildout of the City's General Plan. There are no recently approved projects in the south area of the City or within the project vicinity, with the exception of the Cosumnes River Boulevard Extension and I-5 Interchange. The cumulative context for air quality is dependent on the specific pollutant being considered. For example, for ozone precursors, the cumulative context would be all development occurring in the Sacramento Valley; but the cumulative effects of PM<sub>10</sub> and CO would be limited to the general vicinity of the project and be affected by other local projects. Cumulative impacts on biological resources were analyzed assuming buildout of the City's General Plan, as well as SACOG's regional buildout scenario. The hydrology and water quality analysis in the EIR also considered a larger cumulative context including the Sacramento River watershed. The cumulative context for aesthetics evaluated the surrounding area from three separate viewsheds, while the light and glare analysis considered additional development projects that could affect the same sensitive receptors. The noise analysis considered existing and future noise sources and could affect the project and surrounding uses.

#### **H. GLOBAL CLIMATE CHANGE IMPACTS OF THE PROJECT**

No accepted analytical methodology currently exists to determine the Project's relative impact on global climate change when measured in a global context. Therefore, the EIR did not identify a threshold of significance as to the Project's cumulative contribution to global climate change, nor did it make a finding of cumulative significance for the project's potential impacts on the global climate change issue. That does not mean that the City has ignored the issue or has failed to include measures that would mitigate greenhouse gas emissions and the project's potential contribution to global climate change. Global climate change is inherently a cumulative issue insofar as the greenhouse gas emissions of an individual project cannot currently be shown to have any material effect on climate when examined in a global setting. Nonetheless, the EIR provided a comprehensive discussion of the measures that will be employed by the Project to reduce its overall contribution to global climate change.

#### **Speculative Nature of Project Impacts on Global Climate Change**

Currently no State or regional regulatory agency has adopted any agreed upon threshold of significance for greenhouse gas emissions. The California Office of Planning and Research ("OPR") is charged with developing guidelines for the mitigation of greenhouse gas emissions by July 1, 2009, and the California Air Resources Board

("CARB") is required to develop a framework to manage impacts of greenhouse gas pollutants by June 30, 2009. As a result, experts have acknowledged the lack of any meaningful basis for lead agencies, such as the City, to consider or evaluate thresholds of significance for greenhouse gas emissions. In this regard, the California Air Pollution and Control Officers Association has opined that a local agency "may decide to defer any consideration of thresholds" until the state framework is in place. (See, CEQA and Climate Change, California Air Pollution and Control Officers Association, Jan. 2008, p.23.) Similarly, the Association of Environmental Professionals has concluded that "there are currently no published CEQA thresholds or approved methods for determining whether a project's potential contribution to a cumulative [global climate change] impact is considerable." (See, Alternative Approaches to Analyzing Greenhouse Gas Emissions and Global Climate Change in CEQA Documents, Association of Environmental Professionals, June 29, 2007, p.1.) Moreover, it has also been acknowledged that "a typical individual project does not generate enough greenhouse gas emissions to influence [global climate change] significantly on its own." *Id.* Accordingly, absent this important guidance from the State, the City has no meaningful basis to establish a threshold of significance to enable it to evaluate and determine whether project specific impacts of the Project rise to the level of significance for purposes of CEQA review.

CEQA does not demand that the City undertake an analysis of greenhouse gas emissions that cannot be conclusively tied to a physical change in the environment, such as the development of a mixed use project like Delta Shores. Since there currently exists no identified threshold of significance with respect to project-level contributions to greenhouse gas emissions, any finding of significance with respect to a project-level contribution to global climate change, even cumulatively to a larger problem, is highly speculative. In this regard, CEQA Guidelines Section 15145 makes it clear that in the absence of an available methodology to determine whether project-level greenhouse gas emissions are significant, the City simply should evaluate and identify the issue and determine that it is too speculative at this time to make a significance determination. Until such time as a state or regional agency has identified thresholds of significance for individual projects, the City has determined that it will continue to be too speculative for the City to analyze project-level impacts of the Delta Shores Project on this global issue.

The City also recognizes the limitations inherent in quantifying any nexus between the calculated greenhouse gas emissions of individual projects and the predicted environmental changes that could be caused by global temperature increases. Absent such quantification, the City has no authority, pursuant to CEQA or otherwise, to impose mitigation measures on the Project to address speculative impacts on global climate change. (See, CEQA Guidelines Section 15126.4(a)(4); *Nollan v. California Coastal Commission* (1987) 483 U.S. 825; *Dolan v. City of Tigard* (1994) 512 U.S. 374.) Further, the City believes that to engage in such speculative analysis falls outside of the

limitations established under CEQA which pertain to speculation (See, CEQA Guidelines section 15145) and the geographic limitation of impact analysis (See, CEQA Guidelines section 15130(b)(3)).

As explained on pages 5.10-1 through 5.10-28 of the DEIR, the City acknowledged and recognized the current debate concerning global warming, and the recognition of the role of greenhouse gas emissions in contributing to potential climate changes around the globe. The City also finds that the mitigation measures incorporated as part of the Project include measures that will reduce greenhouse gas emissions associated with energy use.

CEQA requires that Lead Agencies inform decision makers and the public regarding potential significant environmental effects of proposed projects; feasible ways that environmental damage can be avoided or reduced through the use of feasible mitigation measures and/or project alternatives; and disclose the reasons why the City approved a project if significant environmental effects are involved (CEQA Guidelines §15002). CEQA also requires the City to evaluate potential environmental effects to the fullest extent possible based on scientific and factual data (CEQA Guidelines §15064[b]). Significance conclusions must be based on substantial evidence, which includes facts, reasonable assumptions predicated upon facts, and expert opinion supported by facts (CEQA Guidelines §15064f[5]).

In addition, under the "rule of reason," an EIR is required to evaluate impacts to the extent that is reasonably feasible (CEQA Guideline §15151; *San Francisco Ecology Center v. City and County of San Francisco* (1975) 48 Cal.App.3d 584, 594). While CEQA does require the City to make a good faith effort to disclose what it reasonably can, CEQA does not demand what is not realistically possible (*Residents Ad Hoc Stadium Committee v. Board of Trustees* (1979) 89 Cal.App.3d 274, 286). The City, therefore, has discretion to design the CEQA document; it does not need to conduct every recommended test or perform all requested research or analysis (CEQA Guideline §15204(a); *Laurel Heights Improvement Association v. Regents of the University of California* (1988) 47 Cal.3d 376, 410).

In the absence of some uniform, accepted methodology to evaluate the significance of potential project level contributions to global climate change, it is sufficient for the City to have analyzed the issue and determined that any impact is too speculative for evaluation. *Berkeley Keep Jets Over the Bay Committee v. Board of Ports Commissioners* (2001) 91 Cal.App.4th 1344, 1370. In this regard, the California Supreme Court has specifically confirmed that CEQA does not require evaluation of speculative impacts that are impossible to quantify. *Laurel Heights Improvement Association v. Regents of the University of California* (1988) 47 Cal.3d 376. Recent Court of Appeal decisions confirm this approach. *Alliance of Small Emitters/Metals Industry v. South Coast Air Quality Management District* (1997) 60 Cal.App. 4<sup>th</sup> 55;

*Anderson First Coalition v. City of Anderson* (2005) 130 Cal. App 4<sup>th</sup> 1173. While these court decisions generally concern the issue of air emissions, toxic or otherwise, they certainly have credible application to the issue of speculation and with respect to project level impacts on global warming.

The speculative nature of any such global warming discussion is further supported by the fact that issues of greenhouse gas emissions and climate change are fundamentally different from other areas of air quality impact analysis, which are linked to some region or specific area in which the impact is significant. In the context of global warming, the majority of emissions that could be generated by a land development project would not necessarily qualify as "new" emissions that are specifically attributable to the proposed project in question. The approval of a new development project does not necessarily create new or additional VMT, which is the primary source of project emissions. People moving to a particular California city or county often are, in large part, switching their VMT and resultant greenhouse gas emissions from one place to another, rather than creating a new emission. This conclusion holds true, regardless of whether the relocating citizen is from within or without the State of California. Thus, there is no accepted methodology for identifying the specific incremental impact of a project on the creation of "new" greenhouse gas emissions.

While the City has been able to provide estimates of the quantified emission of greenhouse gas emissions from the Delta Shores Project, there is simply no basis for the City to determine that any such contribution is in fact significant, as it is too speculative at this time to determine the particular impact of the Project on climate change. As explained in the DEIR, the City acknowledges and recognizes the current debate concerning global warming, and the recognition of the role of greenhouse gas emissions in contributing to potential climate changes around the globe. As explained in the DEIR, the City has acknowledged and acted upon those concerns in a variety of ways including the 2001 adoption of Smart Growth Principles into the General Plan, which seeks to change urban development patterns by supporting projects that, through the density and mix of land uses, transportation management, and infrastructure design and construction, discourage urban sprawl, promote infill development, reduce vehicle emissions and minimize air pollutant emissions. The City has also prepared and approved a Sustainability Master Plan, as well as a resolution establishing a Green Building Plan for new buildings in the City. In all of these ways, the City is taking leadership in the region by addressing the emission of greenhouse gases and the potential global warming effects. As the DEIR noted, the Delta Shores Project includes numerous characteristics consistent with these goals. Moreover, the mitigation measures incorporated as part of the Project include measures that will reduce greenhouse gas emissions associated with energy use.

## Global Climate Change Impacts

Implementation of the Project would generate greenhouse gases through the construction and operation of new residential, retail and commercial land uses. Greenhouse gas emissions from the Project also would specifically arise from Project construction and from sources associated with Project operation, including direct sources such as motor vehicles, natural gas consumption, solid waste handling/treatment, and indirect sources such as electricity generation. Emissions from these sources are presented below.

### a) Construction Emissions

The Project would emit greenhouse gases during construction of the Project from the operation of construction equipment and from worker and building supply vendor vehicles. Emissions during construction were estimated using the URBEMIS2007 model. The Project construction emissions of CO<sub>2</sub> were shown in Table 5.10-2 of the DEIR. It is important to note that emissions from construction equipment are continuously being improved and that emissions at the time of construction will likely be even less than those estimated. Given the timeframe for buildout of the Project, emissions of nitrous oxide and methane are negligible in comparison and were not estimated. Emissions estimates for each phase were based on construction phasing and square footage data for each land use category.

### b) Operational Emissions

The Project would also generate greenhouse gases during its operation, principally from motor vehicle use, electricity and natural gas consumption, and solid waste disposal. Greenhouse gases from each of these sources are further explained, below. Table 5.10-3 in the DEIR summarized the total operational emissions at buildout in CO<sub>2</sub> equivalents.

### c) Motor Vehicle Greenhouse Gas Emissions

The largest source of greenhouse gas emissions associated with the Project would be on- and off-site motor vehicle use. CO<sub>2</sub> emissions, the primary greenhouse gas from mobile sources, are directly related to the quantity of fuel consumed. Two important determinants of transportation-related greenhouse gas emissions are VMT and vehicle fuel efficiency. CO<sub>2</sub> emissions during operation of the Project at full buildout were estimated using URBEMIS2007. As shown in Table 5.10-4 in the DEIR, total Project CO<sub>2</sub> emissions would be 116,266 tons per year, which is 0.024 percent of California's 2004 emissions (i.e., 478.7 million tons).

Combustion of fossil fuels also generates CH<sub>4</sub> and N<sub>2</sub>O. Since URBEMIS 2007 does not

currently calculate CH<sub>4</sub> and N<sub>2</sub>O emissions, emissions factors for each gas were obtained from the California Climate Action Registry (CCAR 2007) and were used with data on the fleet mix, fuel type and VMT for the proposed Project to calculate their emissions, as shown in Table 5.10-4 of the DEIR.

Although motor vehicle energy consumption will occur at the Project, the Project's proximity to light rail, its mix of land uses, its participation in a Transportation Management Association and the various smart growth measures incorporated into the Project are designed to improve the energy efficiency of the transportation system by increasing use of more fuel-efficient public transit, carpools, and vanpools, and improving circulation system levels of service. Any reductions in traffic congestion realized through implementation of enhanced transit operations would also allow for more energy-efficient vehicular travel.

d) Electricity and Natural Gas Combustion Greenhouse Gas Emissions

The Project would use electricity for its office, commercial, residential, and other components, which would contribute to greenhouse gas emissions. The Project related emissions were estimated by using Project electricity and natural gas use estimates. The emissions factors for electricity use and natural gas combustion were obtained from the California Climate Action Registry (CCAR 2007). Greenhouse gas emissions from these sources were shown in Table 5.10-5 in the DEIR.

e) Solid Waste Greenhouse Gas Emissions

Solid waste generated by the Project would also contribute to greenhouse gas emissions. Treatment and disposal of municipal, industrial and other solid waste produces significant amounts of CH<sub>4</sub>. In addition to CH<sub>4</sub>, solid waste disposal sites also produce biogenic CO<sub>2</sub> and non-methane volatile organic compounds, as well as smaller amounts of N<sub>2</sub>O, nitrogen oxides (NO<sub>x</sub>) and carbon monoxide (CO).

CH<sub>4</sub> and CO<sub>2</sub> emissions from solid waste generated by the Project were estimated based on formulas provided in the State Workbook: Methodologies for Estimating Greenhouse Gas Emissions. Total Project emission of greenhouse gases from landfill material was shown in Table 5.10-6 of the DEIR.

f) Other Greenhouse Gas Emissions

Ozone is a greenhouse gas; however, unlike the other greenhouse gases, ozone in the troposphere is relatively short-lived and therefore is not global in nature. According to CARB, it is difficult to make an accurate determination of the contribution of ozone precursors (NO<sub>x</sub> and ROGs) to global warming (CARB 2004b). Therefore, it is assumed that Project emissions of ozone precursors would not significantly contribute to global

climate change. At present, there is a federal ban on CFCs; therefore, it is assumed the Project will not generate emissions of these greenhouse gases. The Project may emit a small amount of HFC emissions from leakage and service of refrigeration and air conditioning equipment and from disposal at the end of the life of the equipment. However, the details regarding refrigerants to be used in the Project and the capacity of these are unknown. Therefore, it is not anticipated the Project would contribute significant emissions of these additional greenhouse gases.

### **Mitigation Measures That Will Lessen Global Climate Change Impacts**

The inherent design and location of the Project will operate to lessen its contribution to global climate change, and thus may be considered built-in mitigation when compared to a similar project in an outlying area. From a geographic standpoint, the Project is situated close to the route of an existing light rail line and station, and is situated within five miles of the urban core in Downtown Sacramento. It will provide residents of the City with the opportunity to live and shop close to their jobs and close to public transportation lines.

In order to reduce congestion and promote the free flow of traffic, thereby improving vehicle exhaust emissions, the EIR required Mitigation Measures 5.9-1 through 5.9-25 described above in these Findings. In order to reduce the air pollutants emitted by the Project and lessen its air quality impacts, the EIR proposed air quality Mitigation Measures 5.3-1 through 5.3-11 noted above that would aide in reducing the Project's contributions to global climate change by reducing its overall emissions of greenhouse gases.

Notwithstanding the speculative nature of environmental impacts resulting from greenhouse gas emissions at the project level, the impacts of the project on climate change are potentially cumulatively considerable. The following mitigation measures being voluntarily implemented by the project applicant and enforced by the MMP and the Development Agreement for the project, will serve to substantially lessen the environmental effects of greenhouse gas emissions resulting from construction and operation of the project:

*MM 5.10-1: In order to further reduce and substantially lessen the impacts on global climate change resulting from construction and operation of the project, the project applicant has voluntarily agreed to implement the following mitigation measures:*

*5.10-1(a): Priority parking for hybrid and alternative energy vehicles shall be provided at commercial and retail parking areas, and provide*

*passenger loading, unloading and waiting areas for ridesharing in commercial/retail/office developments.*

*5.10-1(b): Pedestrian and bike paths shall be located in a manner to minimize road crossings to promote safety and encourage children to walk or bike to school, consistent with the project's Air Quality Management Plan.*

*5.10-1(c): Energy efficiency shall be increased fifteen percent (15%) above Title 24 requirements and comply with City's Green Building program.*

*5.10-1(d): Light-colored roofing materials and paints shall be used on building roofs.*

*5.10-1(e): Energy star rated appliances shall be installed in all residential development.*

*5.10-1(f): Encourage participation in the California Energy Commission's New Solar Homes Partnership and encourage solar power in the project's PUD Guidelines.*

*5.10-1(g): Encourage energy efficient design, such as providing hot water systems with booster heating and locating hot water heaters near hot water taps in the Project's PUD Guidelines.*

*5.10-1(h): Encourage the use of solar on retail/commercial rooftops and parking lots in the PUD Guidelines. The project applicant will inform all tenants and building owners at the project to make them aware of solar power options since it will not be constructing all buildings at the project.*

*5.10(i): The project applicant shall comply with the City's Shade Tree Parking Ordinance as well as the PUD Guidelines to avoid heat island and similar environmental impacts, as well as use high reflectance or lighter colored paving in accordance with the AQMP which requires all unshaded parking lot areas, driveways, fire lanes and other paved areas to have a minimum albedo of .3 or greater.*

*5.10(j): Light emitting diodes (LED) for traffic, street and other outdoor lighting shall be installed at the project site.*

*5.10-1(k): Outdoor lighting shall be limited, as specified in Table K in the Draft EIR Appendices.*

5.10-1(l): *The project applicant shall participate and fund a transportation management association (TMA) that shall operate ridesharing and shuttle services programs, and also provide educational materials on energy efficiency, as required by the project's Air Quality Management Plan.*

5.10-1(m): *The project applicant shall ensure the project site accommodates future Regional Transit bus service.*

5.10-1(n): *Class I and Class II bike lanes shall be constructed throughout the project site in excess of those required by the City's 2010 Bikeway Master Plan.*

5.10-1(o): *Onsite bicycle and pedestrian facilities shall be provided, including showers and bicycle parking for nonresidential projects.*

5.10-1(p): *The project applicant shall comply with Sacramento City Code Section 17.72.030 which establishes separate waste and recycling disposal requirements for all new uses, including the use of separate receptacles, including green waste and food recycling.*

5.10-1(q): *The project applicant shall comply with Sacramento City Code Section 13.10.400 which requires the separate collection of garden wastes from residential properties.*

5.10-1(r): *The project applicant shall comply with Sacramento City Code Section 15.76.030 which requires that all shower fixtures be fitted with low-flow features.*

5.10-1(s): *The project applicant shall comply with Sacramento City Code Section 15.92.080 which establishes maximum water usage for landscaping and limits the use of turf, and requires the use of climate-adapted landscaping.*

5.10-1(t): *Electrification stations/connections shall be installed in all project loading docks for use by transportation refrigeration units.*

5.10-1(u): *The project applicant shall comply with Sacramento City Code Section 17.68.040 which requires the planting of shade trees to ensure that 50% of all surface parking areas are shaded within 15 years of development.*

5.10-1(v): *Enlarged sidewalks shall be installed to encourage pedestrian movement throughout the project site.*