

RESOLUTION NO. 2012-054

Adopted by the Sacramento City Council

March 6, 2012

ADOPTING THE MITIGATED NEGATIVE DECLARATION AND THE MITIGATION MONITORING PROGRAM FOR THE EAST DRAINAGE CANAL BIKE TRAIL PROJECT (K19006000)

BACKGROUND

On March 6, 2012, the City Council conducted a public hearing, for which notice was given pursuant Sacramento City Code Section 17.200.010(C)(1) and received and considered evidence concerning the East Drainage Canal Bike Trail.

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

Section 1. The City Council finds as follows:

The Project initial study determined, based on substantial evidence, that the Project is an anticipated subsequent project identified and described in the 2030 General Plan Master EIR; that the Project is consistent with the 2030 General Plan land use designation and the permissible densities and intensities of use for the project site; that the discussions of cumulative impacts, growth inducing impacts, and irreversible significant effects in the Master EIR are adequate for the Project; and that the Project **would** have additional potentially significant environmental effects not previously examined in the Master EIR. Mitigation measures from the Master EIR were applied to the Project as appropriate, and revisions to the Project made by or agreed to by the Project applicant before the proposed mitigated negative declaration and initial study were released for public review were determined by City's Environmental Planning Services to avoid or reduce the potentially significant effects to a less than significant level, and, therefore, there was no substantial evidence that the Project as revised and conditioned may have a significant effect on the environment. A Mitigated Negative Declaration (MND) for the Project was then completed, noticed and circulated in accordance with the requirements of the California Environmental Quality Act (CEQA), the State CEQA Guidelines and the Sacramento Local Environmental Procedures as follows:

1. On October 17, 2011, a Notice of Intent to Adopt the MND (NOI) dated October 17, 2011 was circulated for public comments for 30 days. The NOI was sent to those public agencies that have jurisdiction by law with respect to the proposed project and to other interested parties and agencies, including property owners within 500 feet of the boundaries of the proposed project. The comments of such persons and agencies were sought.
2. On October 17, 2011, the NOI was published in the Daily Recorder, a newspaper of general circulation, and the NOI was posted in the office of the Sacramento County Clerk.

- Section 2. The City Council has reviewed and considered the information contained in the MND, including the initial study, the revisions and conditions incorporated into the Project, and the comments received during the public review process and the hearing on the Project. The City Council has determined that the MND constitutes an adequate, accurate, objective and complete review of the environmental effects of the proposed project.
- Section 3. Based on its review of the MND and on the basis of the whole record, the City Council finds that the MND reflects the City Council's independent judgment and analysis and that there is no substantial evidence that the Project will have a significant effect on the environment.
- Section 4. The City Council adopts the MND for the Project.
- Section 5. Pursuant to CEQA section 21081.6 and CEQA Guidelines section 15074, and in support of its approval of the Project, the City Council adopts a Mitigation Reporting Program to require all reasonably feasible mitigation measures, including mitigation measures from the Master EIR as appropriate, be implemented by means of Project conditions, agreements, or other measures, as set forth in the Mitigation Monitoring Program.
- Section 6. Upon approval of the Project, the City's Environmental Planning Services shall file or cause to be filed a Notice of Determination with the Sacramento County Clerk and, if the project requires a discretionary approval from any state agency, with the State Office of Planning and Research, pursuant to section 21152(a) of the Public Resources Code and section 15075 of the State EIR Guidelines adopted pursuant thereto.
- Section 10. Pursuant to Guidelines section 15091(e), the documents and other materials that constitute the record of proceedings upon which the City Council has based its decision are located in and may be obtained from, the Office of the City Clerk at 915 I Street, Sacramento, California. The City Clerk is the custodian of records for all matters before the City Council.

Table of Contents:

- Exhibit A: Mitigation Negative Declaration
Exhibit B: Comment Letter
Exhibit C: Mitigation Reporting Program

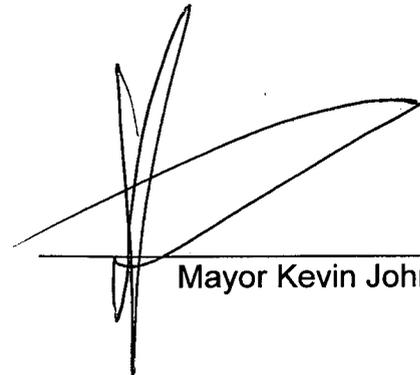
Adopted by the City of Sacramento City Council on March 6, 2012 by the following vote:

Ayes: Councilmembers Ashby, Cohn, D Fong, R Fong, McCarty, Pannell, Schenirer, Sheedy, and Mayor Johnson.

Noes: None.

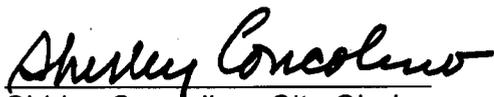
Abstain: None.

Absent: None.



Mayor Kevin Johnson

Attest:


Shirley Concolino, City Clerk



COMMUNITY DEVELOPMENT
DEPARTMENT

ENVIRONMENTAL PLANNING
SERVICES

CITY OF SACRAMENTO
CALIFORNIA

300 Richards Boulevard
Third Floor
Sacramento, CA 95811

MITIGATED NEGATIVE DECLARATION

The City of Sacramento, California, a municipal corporation, does hereby prepare, declare, and publish this Mitigated Negative Declaration for the following described project:

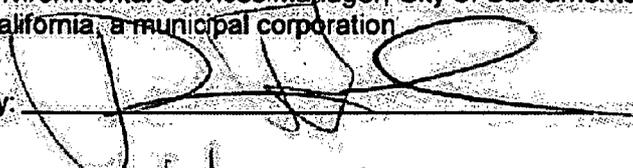
East Drainage Canal Bike Trail (K19006000) - This project is located in the North Natomas area between the end of the end of the existing East Drainage Canal Bike Trail (near the intersection of Truxel Road and Natomas Crossing Drive) and Airport Road. A portion of the proposed bike trail would be constructed on land that is currently vacant. The other portion of the proposed bike trail would utilize the existing concrete maintenance road at Sump No. 16, which is adjacent to Tanzanite Park. The objective of this project is to provide a Class I bike facility that will improve the connectivity of the bikeways in the North Natomas area, in accordance with the 2010 Bikeway Master Plan. The proposed improvements consist of constructing approximately 4,475 feet of asphalt concrete (AC) bike trail. In addition to the new bike trail segments, signing and striping would be installed, as well as modifying the gate at the maintenance road access at Airport Road to improve accessibility.

The Lead Agency is the City of Sacramento. The City of Sacramento, Community Development Department, has reviewed the proposed project and, on the basis of the whole record before it, has determined that there is no substantial evidence that the project, with mitigation measures as identified in the attached Initial Study, will have a significant effect on the environment. This Mitigated Negative Declaration reflects the lead agency's independent judgment and analysis. An Environmental Impact Report is not required.

This Mitigated Negative Declaration has been prepared pursuant to the California Environmental Quality Act (Public Resources Code Sections 21000 et seq.), CEQA Guidelines (Title 14, Sections 15000 et seq. of the California Code of Regulations), the Sacramento Local Environmental Regulations (Resolution 91-892), and the Sacramento City Code.

A copy of this document and all supportive documentation may be reviewed or obtained at the City of Sacramento, Community Development Department, 300 Richards Boulevard, 3rd Floor, Sacramento, CA 95811 from 9:00 a.m. to 4:00 p.m. (or 8:00 a.m. to 5:00 p.m. with prior arrangement).

Environmental Services Manager, City of Sacramento,
California, a municipal corporation

By: 

Date: October 11, 2010

EAST DRAINAGE CANAL BIKE TRAIL (K19006000)

INITIAL STUDY/ MITIGATED NEGATIVE DECLARATION FOR ANTICIPATED SUBSEQUENT PROJECTS UNDER THE 2030 GENERAL PLAN MASTER EIR

This Initial Study has been prepared by the City of Sacramento, Community Development Department, 300 Richards Boulevard, Third Floor, Sacramento, CA 95811, pursuant to the California Environmental Quality Act (Public Resources Code Sections 21000 *et seq.*), CEQA Guidelines (Title 14, Section 15000 *et seq.* of the California Code of Regulations) and the Sacramento Local Environmental Regulations (Resolution 91-892) adopted by the City of Sacramento.

ORGANIZATION OF THE INITIAL STUDY

This Initial Study is organized into the following sections:

SECTION I - BACKGROUND: Provides summary background information about the project name, location, sponsor, and the date this Initial Study was completed.

SECTION II - PROJECT DESCRIPTION: Includes a detailed description of the proposed project.

SECTION III - ENVIRONMENTAL CHECKLIST AND DISCUSSION: Reviews proposed project and states whether the project would have additional significant environmental effects (project-specific effects) that were not evaluated in the Master EIR for the 2030 General Plan.

SECTION IV - ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED: Identifies which environmental factors were determined to have additional significant environmental effects.

SECTION V - DETERMINATION: States whether environmental effects associated with development of the proposed project are significant, and what, if any, added environmental documentation may be required.

REFERENCES CITED: Identifies source materials that have been consulted in the preparation of the Initial Study.

SECTION I - BACKGROUND

Project Name and File Number: East Drainage Canal Bike Trail (K19006000)

Project Location: North Natomas Community Plan Area, between the end of the existing East Drainage Canal bike trail (near the intersection of Truxel Road and Natomas Crossing Drive) and Airport Road.

Project Applicant: Cecilyn Foote, Associate Civil Engineer
Department of Transportation
City of Sacramento
915 I Street, 2nd Floor
Sacramento, CA 95813
(916) 808-6843

Environmental Planner: Dana Allen, Associate Planner
Community Development Department
300 Richards Blvd., 3rd Floor
Sacramento, CA 95811
(916) 808-2762

Date Initial Study Completed: October 11, 2011

This Initial Study was prepared in accordance with the California Environmental Quality Act (CEQA) (Public Resources Code Sections 1500 *et seq.*). The Lead Agency is the City of Sacramento.

The City of Sacramento, Community Development Department, has reviewed the proposed project and, on the basis of the whole record before it, has determined that the proposed project is an anticipated subsequent project identified and described in the 2030 General Plan Master EIR and is consistent with the land use designation and the permissible densities and intensities of use for the project site as set forth in the 2030 General Plan. See CEQA Guidelines Section 15176 (b) and (d).

The City has prepared the attached Initial Study to (a) review the discussions of cumulative impacts, growth inducing impacts, and irreversible significant effects in the 2030 General Plan Master EIR to determine their adequacy for the project (see CEQA Guidelines Section 15178(b),(c)) and (b) identify any potential new or additional project-specific significant environmental effects that were not analyzed in the Master EIR and any mitigation measures or alternatives that may avoid or mitigate the identified effects to a level of insignificance, if any.

As part of the Master EIR process, the City is required to incorporate all feasible mitigation measures or feasible alternatives appropriate to the project as set forth in the Master EIR

(CEQA Guidelines Section 15177(d)). The Master EIR mitigation measures that are identified as appropriate are set forth in the applicable technical sections below.

This analysis incorporates by reference the general discussion portions of the 2030 General Plan Master EIR. (CEQA Guidelines Section 15150(a)). The 2030 General Plan and Master EIR are available for public review at the City of Sacramento, Community Development Department, 300 Richards Boulevard, Third Floor, Sacramento, CA 95811, and on the City's web site at:

www.cityofsacramento.org/sacgp.org.

The City is soliciting views of interested persons and agencies on the content of the environmental information presented in this document. Due to the time limits mandated by state law, your response must be sent at the earliest possible date, but no later than the 30-day review period ending November 15, 2011.

Please send written responses to:

Dana Allen, Associate Planner
Community Development Department
City of Sacramento
300 Richards Blvd, 3rd Floor
Sacramento, CA 95811
dallen@cityofsacramento.org

SECTION II - PROJECT DESCRIPTION

PROJECT LOCATION

This project is located in the North Natomas area between the end of the end of the existing East Drainage Canal Bike Trail (near the intersection of Truxel Road and Natomas Crossing Drive) and Airport Road (see Exhibit 1 - Location Map). A portion of the proposed bike trail would be constructed on land that is currently vacant. The other portion of the proposed bike trail would utilize the existing concrete maintenance road at Sump No. 16, which is adjacent to Tanzanite Park (See Attachment 2 – Site Map and Attachment 3 – Cross Sections).

PROJECT DESCRIPTION

The objective of this project is to provide a Class I bike facility that will improve the connectivity of the bikeways in the North Natomas area, in accordance with the 2010 Bikeway Master Plan. The proposed improvements consist of constructing approximately 4,475 feet of asphalt concrete (AC) bike trail. The bike trail would be 12' wide with 2' shoulders on each side, consisting of 6" AC over 12" aggregate base (AB) with geotextile fabric, requiring excavation of about 18". The shoulders would be 12" AB.

The remainder of the bike trail would be a shared use with Department of Utilities' existing concrete maintenance road (adjacent to Tanzanite Park) between Sump No. 16 and Airport Road. The existing road is 12' wide. Approximately 300 feet of the concrete road would be repaired. The project proposes a section of 6" concrete over 12" AB with either welded wire fabric or rebar to prevent cracking in the future.

In addition to the new bike trail segments, signing and striping would be installed, as well as modifying the gate at the maintenance road access at Airport Road to improve accessibility. Access to the bike trail would be provided from existing bike trail segments and city rights-of-way. No work would be required in the roadway to construct the proposed improvements. Construction is anticipated to be completed by summer 2012.

Attachments

Attachment 1 – Road Construction Emissions Report

Attachment 2 – Biological Resources Report

EXHIBIT 1

Location Map for

East Drainage Canal Bike Trail
(PN: K19006000)

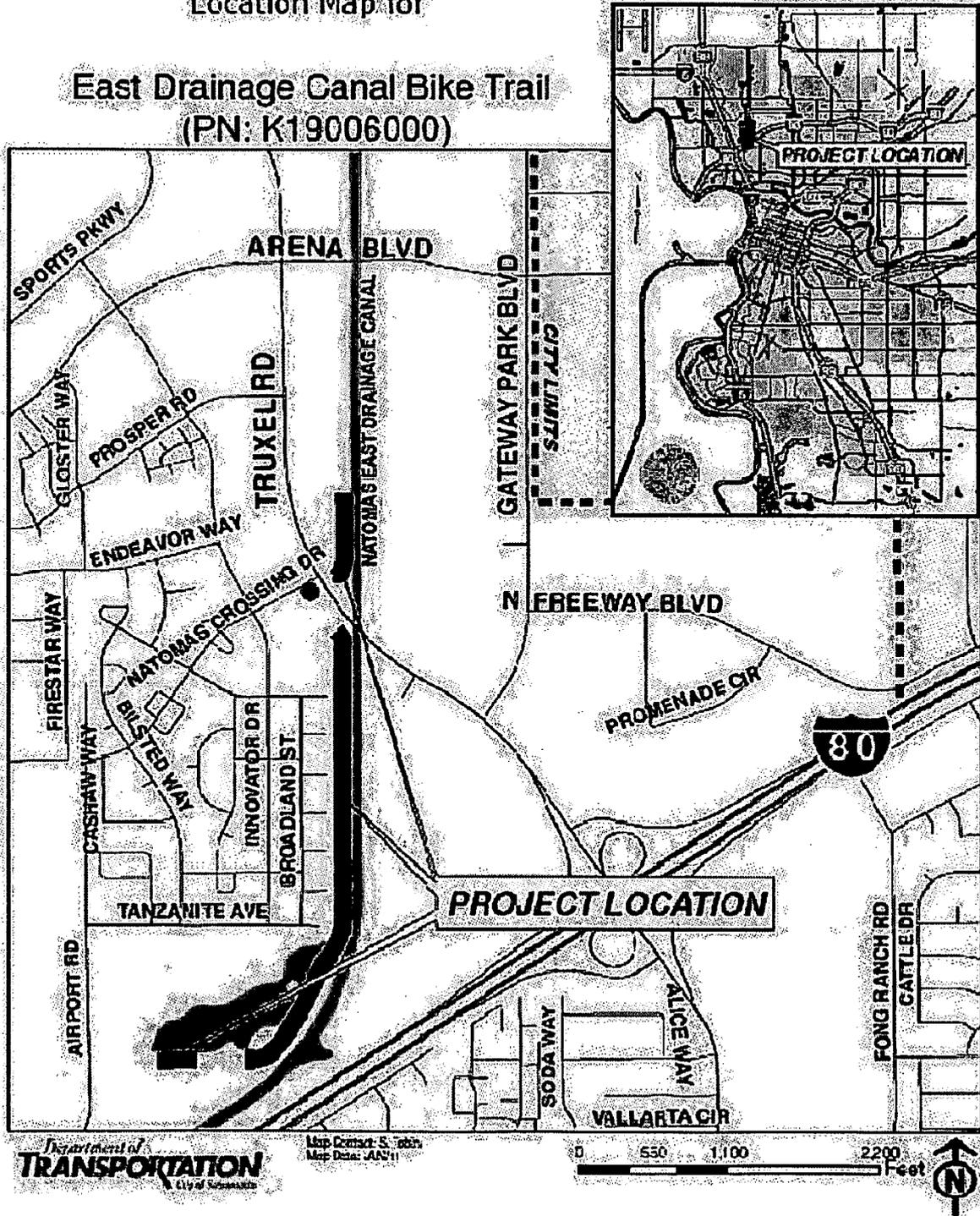
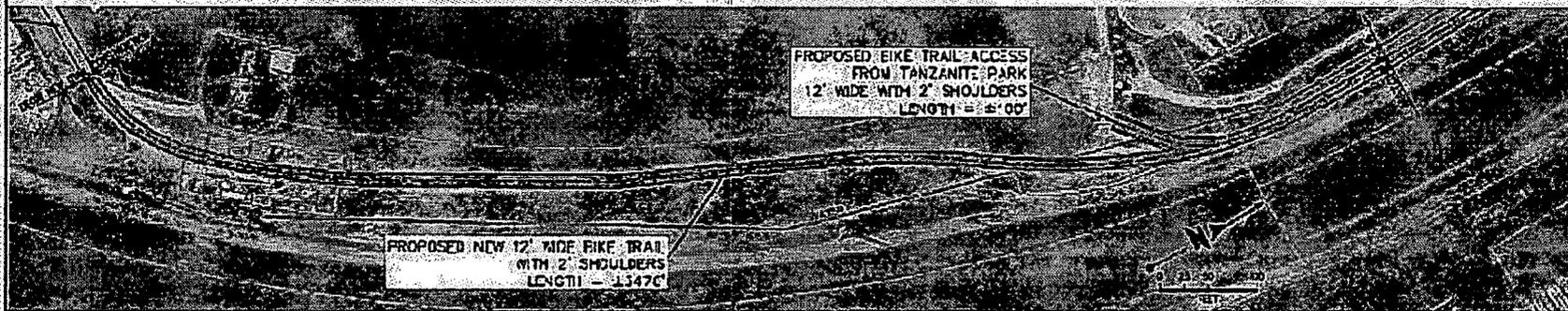
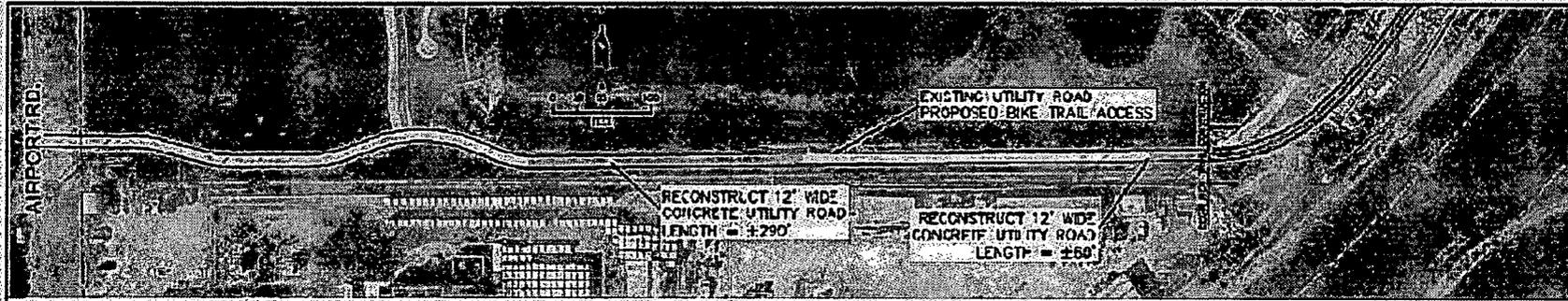
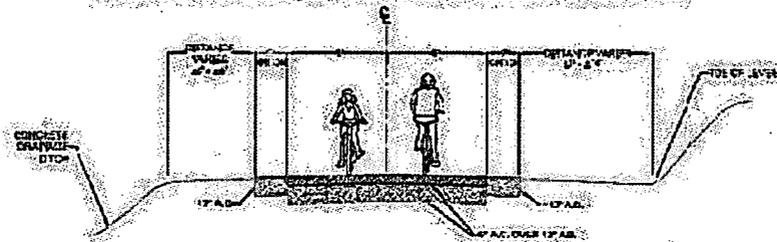


EXHIBIT 2



TYPICAL CROSS SECTION - NEAR CONCRETE DRAINAGE DITCH



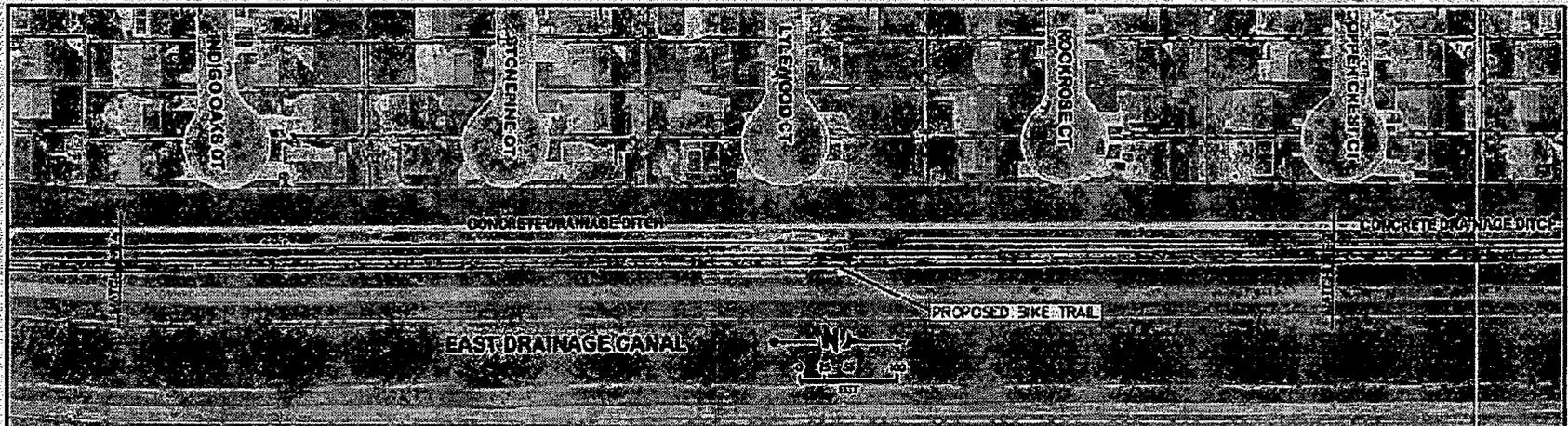
CITY OF SACRAMENTO, DEPARTMENT OF TRANSPORTATION
 DRAWN BY: S. FEIN | PROJECT NUMBER: C-ENR-17
 DATE: JAN 2011 | DATE: JAN 2011 | SCALE: AS SHOWN

EAST DRAINAGE CANAL BIKE TRAIL
 BY TANZANITE PARK
 CONCEPTUAL - NOT FOR CONSTRUCTION



DATE	1
REV	2
REV	3

East Drainage Canal Bike Trail
 Initial Study/Mitigated Negative Declaration
 City of Sacramento

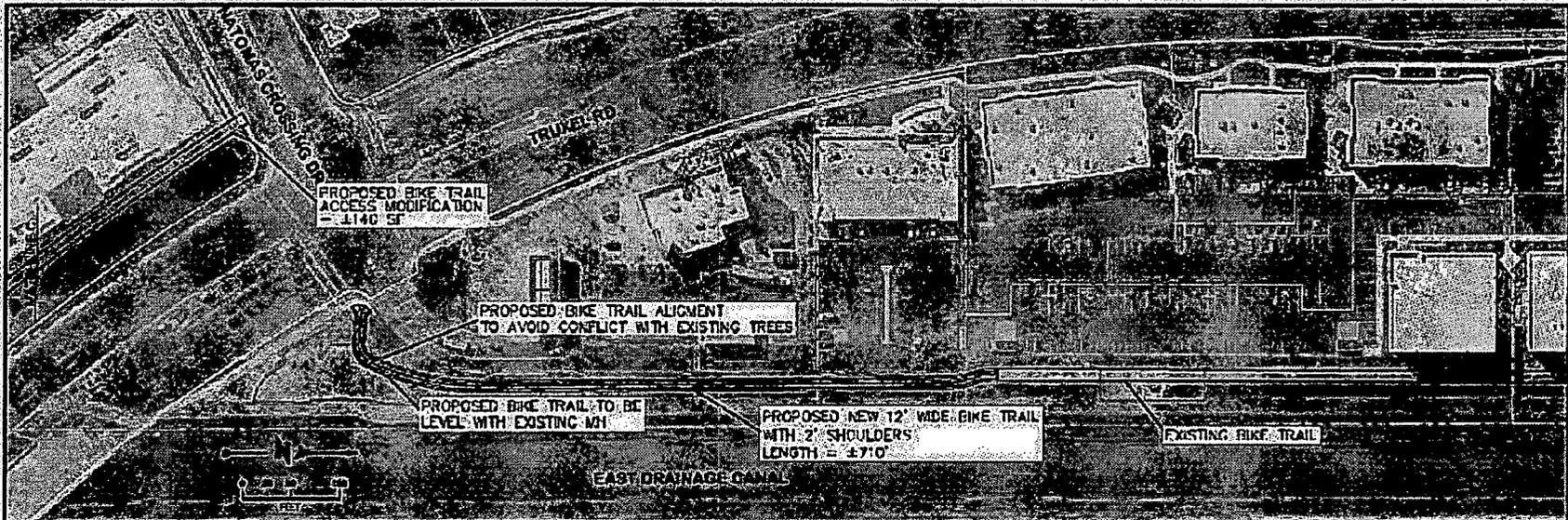


CITY OF SACRAMENTO, DEPARTMENT OF TRANSPORTATION
 DRAWN BY: S. DUBIN, PROJECT MANAGER: C. EGJE
 DATE: JAN/2011, DATE: JAN/2011, NAME: BARRALES

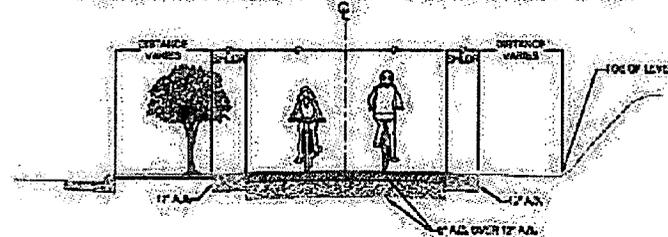
EAST DRAINAGE CANAL BIKE TRAIL
 FROM TANZANITE PARK TO NEAR NATOMAS CROSSING DRIVE
 CONCEPTUAL - NOT FOR CONSTRUCTION



PH	2
	3



TYPICAL CROSS SECTION - AT NATOMAS CROSSING DRIVE



CITY OF SACRAMENTO, DEPARTMENT OF TRANSPORTATION		
DESIGN BY: S. TORN	PROJECT NUMBER: C-FIRST	
DATE: JAN/2011	DATE: JAN/2011	SCALE: BARSCALE

EAST DRAINAGE CANAL BIKE TRAIL
 BY TRUXEL ROAD AND NATOMAS CROSSING DRIVE
 CONCEPTUAL - NOT FOR CONSTRUCTION



HEET	3
OF	3

SECTION III – ENVIRONMENTAL CHECKLIST AND DISCUSSION

LAND USE, POPULATION AND HOUSING, AGRICULTURAL RESOURCES AND ENERGY

Introduction

The California Environmental Quality Act (CEQA) requires the Lead Agency to examine the effects of a project on the physical conditions that exist within the area that would be affected by the project. CEQA also requires a discussion of any inconsistency between the proposed project and applicable general plans and regional plans.

An inconsistency between the proposed project and an adopted plan for land use development in a community would not constitute a physical change in the environment. When a project diverges from an adopted plan, however, it may affect planning in the community regarding infrastructure and services, and the new demands generated by the project may result in later physical changes in response to the project.

In the same manner, the fact that a project brings new people or demand for housing to a community does not, by itself, change the physical conditions. An increase in population may, however, generate changes in retail demand or demand for governmental services, and the demand for housing may generate new activity in residential development. Physical environmental impacts that could result from implementing the proposed project are discussed in the appropriate technical sections.

This section of the initial study identifies the applicable land use designations, plans and policies, and permissible densities and intensities of use, and discusses any inconsistencies between these plans and the proposed project. This section also discusses agricultural resources and the effect of the project on these resources.

Discussion

Land Use

The project site has been designated as Parks and Recreation in the 2030 General Plan, and is zoned Flood for the section north of Tanzanite Ave., and zoned Agriculture in the Tanzanite Park section.

The project site is located in an urbanized portion of the community. The bike trail has been designated as proposed Class 1 bike trail in the 2010 Bikeway Master Plan. It is located in the North Natomas Community Plan Area (See Bikeway Master Plan excerpt below). Portions of the bike trail have been developed already. Construction of the bike trail as proposed would not alter the existing landscape, because it would be placed on top of an existing service road.

East Drainage Canal Bike Trail
Initial Study/Mitigated Negative Declaration
City of Sacramento

including pedestrian ways, public transportation, roadways, bikeways, rail, waterways, and aviation and reduces air pollution and greenhouse gas emissions.)

Issues:	Effect will be studied in the EIR	Effect can be mitigated to less than significant	No additional significant environmental effect
1. AIR QUALITY <i>Would the proposal:</i> A) Result in construction emissions of NO _x above 85 pounds per day?			X
B) Result in operational emissions of NO _x or ROG above 65 pounds per day?			X
C) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?		X	
D) Result in PM ₁₀ concentrations equal to or greater than five percent of the State ambient air quality standard (i.e., 50 micrograms/cubic meter for 24 hours) in areas where there is evidence of existing or projected violations of this standard?		X	
E) Result in CO concentrations that exceed the 1-hour state ambient air quality standard (i.e., 20.0 ppm) or the 8-hour state ambient standard (i.e., 9.0 ppm)?			X
F) Result in exposure of sensitive receptors to substantial pollutant concentrations?			X
G) Result in TAC exposures create a risk of 10 in 1 million for stationary sources, or substantially increase the risk of exposure to TACs from mobile sources?			X
H) Impede the City or state efforts to meet AB32 standards for the reduction of greenhouse gas emissions?			X

ENVIRONMENTAL AND REGULATORY SETTING

In December 2006 the Environmental Protection Agency (EPA) revised the national ambient air quality standard for fine particle pollution to provide increased protection of public health and welfare. The revised standard is 35 micrograms per cubic meter ($\mu\text{g}/\text{m}^3$) for particles less than or equal to 2.5 micrometers in diameter ($\text{PM}_{2.5}$), averaged over 24 hours. In December 2008 the EPA Administrator identified nonattainment areas, and in October 2009 confirmed the designations. Sacramento County is included on this list, along with portions of surrounding counties that contribute to the nonattainment conditions.

GENERAL PLAN POLICIES CONSIDERED MITIGATION

The following General Plan policy, identified as a mitigation measure for this project, would avoid or lessen environmental impacts as identified in the Master EIR and is considered a mitigation measure for the following project-level and cumulative impacts:

Mitigation Measure AQ-1. General Plan Policy ER 6.1.8 - Development Near TAC Sources:

The City shall ensure that new development with sensitive uses located adjacent to toxic air contaminant sources, as identified by the California Air Resources Board (CARB), reduces potential health risks. In its review of these projects, the City shall consider current guidance provided by and consult with the CARB and the Sacramento Metropolitan Air Quality Management District.

STANDARDS OF SIGNIFICANCE

For purposes of this Initial Study, air quality impacts may be considered significant if construction and/or implementation of the Proposed Project would result in the following impacts that remain significant after implementation of General Plan policies or mitigation from the General Plan MEIR:

- construction emissions of NO_x above 85 pounds per day;
- operational emissions of NO_x or ROG above 65 pounds per day;
- violation of any air quality standard or contribute substantially to an existing or projected air quality violation;
- PM_{10} concentrations equal to or greater than five percent of the State ambient air quality standard (i.e., 50 micrograms/cubic meter for 24 hours) in areas where there is evidence of existing or projected violations of this standard. However, if project emissions of NO_x and ROG are below the emission thresholds given above, then the project would not result in violations of the PM_{10} ambient air quality standards;
- CO concentrations that exceed the 1-hour state ambient air quality standard (i.e., 20.0 ppm) or the 8-hour state ambient standard (i.e., 9.0 ppm); or
- exposure of sensitive receptors to substantial pollutant concentrations.

Ambient air quality standards have not been established for toxic air contaminants (TAC). TAC exposure is deemed to be significant if:

- TAC exposures create a risk of 10 in 1 million for stationary sources, or substantially increase the risk of exposure to TACs from mobile sources.

SUMMARY OF ANALYSIS UNDER THE 2030 GENERAL PLAN MASTER EIR, INCLUDING CUMULATIVE IMPACTS, GROWTH INDUCING IMPACTS, AND IRREVERSIBLE SIGNIFICANT EFFECTS

The Master EIR addressed the potential effects of the 2030 General Plan on ambient air quality and the potential for exposure of people, especially sensitive receptors such as children or the elderly, to unhealthful pollutant concentrations. See Master EIR, Chapter 6.1.

Policies in the 2030 General Plan in Environmental Resources were identified as mitigating potential effects of development that could occur under the 2030 General Plan. For example, Policy ER 6.1.1 calls for the City to work with the California Air Resources Board and the Sacramento Metropolitan Air Quality Management District (SMAQMD) to meet state and federal air quality standards; Policy ER 6.1.12 requires the City to review proposed development projects to ensure that the projects incorporate feasible measures that reduce construction and operational emissions; Policy ER 6.1.11 calls for coordination of City efforts with SMAQMD; and Policy ER 6.1.15 requires the City to give preference to contractors using reduced-emission equipment.

The Master EIR identified exposure to sources of toxic air contaminants (TAC) as a potential effect. Policies in the 2030 general Plan would reduce the effect to a less-than-significant level. The policies include ER 6.1.5, requiring consideration of current guidance provided by the Air Resources Board and SMAQMD; requiring development adjacent to stationary or mobile TAC sources to be designed with consideration of such exposure in design, landscaping and filters; as well as Policies ER 6.11.1 and ER 6.11.15, referred to above.

The Master EIR found that greenhouse gas emissions that would be generated by development consistent with the 2030 General Plan would be a significant and unavoidable cumulative impact. The discussion of greenhouse gas emissions and climate change in the 2030 General Plan Master EIR are incorporated by reference in this Initial Study. (CEQA Guidelines Section 15150).

The Master EIR identified numerous policies included in the 2030 General Plan that addressed greenhouse gas emissions and climate change. See Draft MEIR, Chapter 8, and pages 8-49 et seq. The Master EIR is available for review at the offices of Development Services Department, 300 Richards Boulevard, 3rd Floor, Sacramento, CA during normal business hours, and is also available online at

<http://www.cityofsacramento.org/dsd/planning/environmental-review/eirs/>.

Policies identified in the 2030 General Plan include directives relating to sustainable development patterns and practices, and increasing the viability of pedestrian, bicycle and public transit modes. A complete list of policies addressing climate change is included in the Master EIR in Table 8-5, pages 8-50 et seq; the Final MEIR included additional discussion of greenhouse gas emissions and climate change in response to written comments. See changes to Chapter 8 at Final MEIR pages 2-19 et seq. See also Letter 2 and response.

ANSWERS TO CHECKLIST QUESTIONS

QUESTIONS A AND B

Air emissions during construction would occur due to activities consisting of grading and excavation and the actual construction of the trail. Construction activities may cause the air quality to temporarily degrade during construction due to emissions from construction equipment and ground disturbing activities. Emissions in the grading and excavation phase of construction are primarily associated with exhaust of equipment and the dust that is generated through grading activities. Estimated construction emissions resulting from development of the 4,475 feet of AC bike trail and 300 feet of concrete bike trail were calculated using the Road Construction Emissions Model, Version 6.3.2 program, and following the guidelines of the Sacramento Metropolitan Air Quality Management District (SMAQMD). It is estimated that construction activities of the entire site would generate up to approximately 37.7 pounds of NO_x per day (see Attachment 1 – Road Construction Emissions Model).

The proposed project would not result in construction or operation emissions over the NO_x thresholds.

QUESTIONS C AND D

Sacramento County is considered a nonattainment area for fine particle pollution. The SMAQMD has indicated that projects that implement Basic Construction Emissions Control Practices and disturb less than 15 acres per day would not exceed the concentration based threshold of significance for PM₁₀ and, therefore PM_{2.5}. The subject site is well below the 15 acre criteria; however, the Basic Construction Emission Control Practices are included below as mitigation measures to be implemented during project construction to ensure that PM₁₀ and PM_{2.5} emissions would not be significant.

QUESTIONS E - H

The use of the bike trail is not intended for vehicles and promotes the use of alternatives modes of transportation. Due to the nature of this project, no impact is expected from CO or TAC. Nor

would the bike trail expose sensitive receptors to substantial pollutant concentrations. Use of the bike trail would support the City and state's efforts to meet AB32 standards.

MITIGATION MEASURES

- AQ-2. Water all exposed surfaces two times daily. Exposed surfaces include, but are not limited to soil piles, graded areas, unpaved parking areas, staging areas, and access roads.
- AQ-3. Cover or maintain at least two feet of free board space on haul trucks transporting soil, sand, or other loose material on the site. Any haul trucks that would be traveling along freeways or major roadways should be covered.
- AQ-4. Use wet power vacuum street sweepers to remove any visible track out mud or dirt onto adjacent public roads at least once a day. Use of dry power sweeping is prohibited.
- AQ-5. Limit vehicle speeds on unpaved roads to 15 miles per hour (mph).
- AQ-6. All roadways, driveways, sidewalks, parking lots to be paved should be completed as soon as possible. In addition, building pads should be laid as soon as possible after grading unless seeding or soil binders are used.
- AQ-7. Minimize idling time either by shutting equipment off when not in use or reducing the time of idling to 5 minutes [required by California Code of Regulations, Title 13, sections 2449(d)(3) and 2485]. Provide clear signage that posts this requirement for workers at the entrances to the site.
- AQ-8. Maintain all construction equipment in proper working condition according to manufacturer's specifications. The equipment must be checked by a certified mechanic and determine to be running in proper condition before it is operated.

Findings

All additional significant environmental effects of the project relating to Air Quality can be mitigated to a less-than-significant level.

	Effect will be studied in the EIR	Effect can be mitigated to less than significant	No additional significant environmental effect
Issues:			
2. BIOLOGICAL RESOURCES Would the proposal:			
A) Create a potential health hazard, or use, production or disposal of materials that would pose a hazard to plant or animal populations in the area affected			X
B) Result in substantial degradation of the quality of the environment, reduction of the habitat, reduction of population below self-sustaining levels of threatened or endangered species of plant or animal		X	
C) Affect other species of special concern to agencies or natural resource organizations (such as regulatory waters and wetlands)?			X

ENVIRONMENTAL SETTING

The proposed project is located within the Natomas Basin, a low-lying region in the Sacramento Valley, located east of the Sacramento River and north of the American River. The Natomas Basin contains incorporated and unincorporated areas within the jurisdictions of the City of Sacramento, Sacramento County, and Sutter County. Historically the basin was primarily in agricultural production. The existing water conveyance systems within the Natomas Basin were created for water conveyance and drainage. They provide nesting, feeding, and migration corridor habitat for a variety of species in the basin.

The Natomas Basin contains a variety of habitat types, open water aquatic habitat (including ditches and drains), emergent marsh, riparian forest, riparian scrub-shrub, grassland, vernal pools, and agriculture. A number of special-status species (wildlife and plant), as determined by the California Department of Fish and Game (CDFG) or the U.S. Fish and Wildlife Service (USFWS), inhabit or forage within the Natomas Basin.

The Natomas Basin Habitat Conservation Plan (NBHCP)

The 1994 North Natomas Community Plan required the development and implementation of a Habitat Conservation Plan as mitigation for development in North Natomas. In 1997, the NBHCP was approved by the City of Sacramento, USFWS, and CDFG.

The NBHCP is a conservation plan supporting application for incidental take permits (ITP's) under Section 10(a)(1)(B) of the Endangered Species Act and under Section 2081 of the California Fish and Game Code. The purpose of the NBHCP is to promote biological conservation while allowing urban development and continuation of agriculture within the Natomas Basin. The NBHCP establishes a multi-species conservation program to mitigate the expected loss of habitat values and incidental take of protected species that would result from urban development, operation of irrigation and drainage systems, and rice farming. The goal of the NBHCP is to preserve, restore,

and enhance habitat values found in the Natomas Basin.

GENERAL PLAN POLICIES CONSIDERED MITIGATION

The following General Plan policies, identified as mitigation measures for this project, would avoid or lessen environmental impacts as identified in the Master EIR and are considered mitigation measures for the following project-level and cumulative impacts.

BIO-1- General Plan Policy ER 2.1.10 - Habitat Assessments: The City shall consider the potential impact on sensitive plants and for each project requiring discretionary approval and shall require preconstruction surveys and/or habitat assessments for sensitive plant and wildlife species. If the preconstruction survey and/or habitat assessment determines that suitable habitat for sensitive plant and/or wildlife species is present, then either (1) protocol-level or industry recognized (if no protocol has been established) surveys shall be conducted; or (2) presence of the species shall be assumed to occur in suitable habitat on the project site. Survey Reports shall be prepared and submitted to the City and the CDFG or USFWS (depending on the species) for further consultation and development of avoidance and/or mitigation measures consistent with state and federal law.

BIO-2. General Plan Policy ER 2.1.5 - Riparian Habitat Integrity: The City shall preserve the ecological integrity of creek corridors, canals, and drainage ditches that support riparian resources by preserving native plants and, to the extent feasible, removing invasive, non-native plants. If not feasible, adverse impacts on riparian habitat shall be mitigated by the preservation and/or restoration of this habitat at a 1:1 ratio, in perpetuity.

BIO-3. General Plan Policy ER 2.1.6 – Wetland Protection: The City shall preserve and protect wetland resources including creeks, rivers, ponds, marshes, vernal pools, and other seasonal wetland, to the extent feasible. If not feasible, the mitigation of all adverse impacts on wetland resources shall be required in compliance with State and Federal regulations protecting wetland resources, and if applicable, threatened or endangered species. Additionally, the City may require either on- or off-site permanent preservation of an equivalent amount of wetland habitat to ensure no-net-loss of value and/or function.

STANDARDS OF SIGNIFICANCE

For purposes of this environmental document, an impact would be significant if any of the following conditions or potential thereof, would result with implementation of the proposed project:

- Creation of a potential health hazard, or use, production or disposal of materials that would pose a hazard to plant or animal populations in the area affected;
- Substantial degradation of the quality of the environment, reduction of the habitat, reduction of population below self-sustaining levels of threatened or endangered species of plant or animal; or
- Affect other species of special concern to agencies or natural resource organizations (such as regulatory waters and wetlands).

For the purposes of this document, "special-status" has been defined to include those species,

which are:

- Listed as endangered or threatened under the federal Endangered Species Act (or formally proposed for, or candidates for, listing);
- Listed as endangered or threatened under the California Endangered Species Act (or proposed for listing);
- Designated as endangered or rare, pursuant to California Fish and Game Code (Section 1901);
- Designated as fully protected, pursuant to California Fish and Game Code (Section 3511, 4700, or 5050);
- Designated as species of concern by U.S. Fish and Wildlife Service (USFWS), or as species of special concern to California Department of Fish and Game (CDFG);
- Plants or animals that meet the definition of rare or endangered under the California Environmental Quality Act (CEQA).

SUMMARY OF ANALYSIS UNDER THE 2030 GENERAL PLAN MASTER EIR, INCLUDING CUMULATIVE IMPACTS, GROWTH INDUCING IMPACTS, AND IRREVERSIBLE SIGNIFICANT EFFECTS

Chapter 6.3 of the Master EIR evaluated the effects of the 2030 General Plan on biological resources within the general plan policy area. The Master EIR identified potential impacts in terms of degradation of the quality of the environment or reduction of habitat or population below self-sustaining levels of special-status birds, through the loss of both nesting and foraging habitat.

Policies in the 2030 General Plan were identified as mitigating the effects of development that could occur under the provisions of the 2030 General Plan. Policy 2.1.5 calls for the City to preserve the ecological integrity of creek corridors and other riparian resources; Policy ER 2.1.10 requires the City to consider the potential impact on sensitive plants for each project and to require pre-construction surveys when appropriate; and Policy 2.1.11 requires the City to coordinate its actions with those of the California Department Fish and Game, U.S. Fish and Wildlife Service, and other agencies in the protection of resources.

The Master EIR concluded that the cumulative effects of development that could occur under the 2030 General Plan would be significant and unavoidable as they related to effects on special-status plant species (Impact 6.3-2), reduction of habitat for special-status invertebrates (Impact 6.3-3), loss of habitat for special-status birds (Impact 6.3-4), loss of habitat for special-status amphibians and reptiles (Impact 6.3-5), loss of habitat for special-status mammals (Impact 6.5-6), special-status fish (Impact 6.3-7) and, in general, loss of riparian habitat, wetlands and sensitive natural communities such as elderberry savannah (Impacts 6.3-8 through 10).

MITIGATION MEASURES FROM 2030 GENERAL PLAN MASTER EIR THAT APPLY TO THE PROJECT

BIO-4. General Plan Policy ER 2.1.10 - Habitat Assessments: The City shall consider the potential impact on sensitive plants and for each project requiring discretionary approval and shall require preconstruction surveys and/or habitat assessments for sensitive plant and wildlife species. If the preconstruction survey and/or habitat assessment determines that suitable habitat for sensitive plant and/or wildlife species is present, then either (1) protocol-level or industry recognized (if no protocol has been established) surveys shall be conducted; or (2) presence of the species shall be assumed to occur in suitable habitat on the project site. Survey

Reports shall be prepared and submitted to the City and the CDFG or USFWS (depending on the species) for further consultation and development of avoidance and/or mitigation measures consistent with state and federal law.

ANSWERS TO CHECKLIST QUESTIONS

Question A

No hazards or hazardous materials would be generated as part of the construction or operation of the proposed project. No hazardous materials are used at the site. The City of Sacramento has obtained a National Pollutant Discharge Elimination System (NPDES) permit from the State Water Resources Control Board under the requirements of the Environmental Protection Agency and Section 402 of the Clean Water Act. The goal of the permit is to reduce pollutants found in urban storm runoff. The general permit requires the permittee to employ "Best Management Practices" (BMPs) before, during, and after construction. The primary objective of the BMPs is to reduce non-point source pollution into waterways. These practices include structural and source control measures for residential and commercial areas, and BMPs for construction sites. BMPs implement mechanisms to minimize erosion and sedimentation, and prevent pollutants such as oil and grease from entering the storm water drains. BMPs are approved by Department of Utilities prior to construction. BMPs will be employed during construction in order to avoid hazardous materials from entering the drainage canal. Any impact is less than significant.

Questions B, C

May & Associates prepared a Biological Resources Report of the project site, dated August 2011. See Attachment 2 (the report). The discussion below is based on the report and its recommendations.

Prior to conducting the biological assessment, May & Associates conducted a literature search and a California Native Diversity Data Base (CNDDDB) records search (CNDDDB 2011). May & Associates created a USFWS species list (USFWS 2011) to determine what special-status plant and wildlife species could occur in the study area and should be addressed. As a result of the literature search and pre-survey investigation, a list of special-status plant and wildlife species with potential to occur at the proposed East Drainage Canal Bike Trail Project area was prepared. This list was used to focus site assessments on those species with the greatest potential to be affected by the proposed project. The following NBHCP-protected wildlife species were determined to have potential to occur in the study area: Swainson's hawk, white-tailed kite, burrowing owl, tricolored blackbird, loggerhead shrike, giant garter snake, and California tiger salamander. No NBHCP-covered plants or other special-status plant species were considered to have potential to occur at the study area. (Refer to Biological Report Table 1.5a for a complete list of plant and Table 1.5b for a list of wildlife species considered to have potential to occur in or near proposed study area.)

Habitats in the project vicinity are generally degraded and comprise a mix of ruderal upland, nonnative annual grassland (closely mowed), aquatic features and wetlands, existing unpaved trail, park lawn, and other developed features. Adjacent to uplands are the East Drainage Canal on the east and south sides of the existing unpaved trail, and the pond at Tanzanite Park on the north side of the western end of the proposed trail. This mix of communities provides potential habitat for a number of common wildlife species.

Common wildlife that could occur at the project site include Sierran treefrog (*Pseudacris sierra*—formerly *Pseudacris*=*Hyla regilla*), bullfrog (*Rana*=*Lithobates catesbiana*), western fence lizard (*Sceloporus occidentalis*), gopher snake (*Pituophis catenifer*), lesser goldfinch (*Spinus psaltria*), spotted towhee (*Pipilo maculatus*), red-winged blackbird (*Agelaius phoeniceus*), mourning dove (*Zenaida macroura*), house mouse (*Mus musculus*), California vole (*Microtus californicus*), and coyote (*Canis latrans*). Domestic house cats (*Felis catus*) and domestic dogs (*Canis familiaris*) are undoubtedly common visitors, and both are considered non-native predators of local wildlife.

Special Status Wildlife

For the purposes of this assessment, special status has been defined to include those species that are: listed as endangered or threatened under the FESA (or formally proposed for, or candidates for, listing); listed as endangered or threatened under the CESA (or proposed for listing); designated as endangered or rare, pursuant to California Fish and Game Code (§1901); designated as fully protected, pursuant to California Fish and Game Code (§3511, §4700, or §5050); designated as species of concern to the CDFG; or defined as rare or endangered under CEQA.

Table 1.5 provides a brief summary of relevant information on each of the special-status species known or potentially occurring in the project area based on the nine-quad CNDDDB search, the USFWS species list, and the NBHCP. Most species in the table are either not present or not likely to be adversely affected by the proposed trail and are not discussed further in this report. Further discussion was deemed appropriate for giant garter snake, Swainson's hawk, white-tailed kite, tricolored blackbird, burrowing owl, loggerhead shrike, and California tiger salamander. Discussion is provided below and follows from information presented in the table; status, scientific name, and basic life history are found in Table 1.5 and are not repeated below.

Giant Garter Snake. There are 102 occurrence records for giant garter snakes in the nine-quad CNDDDB search conducted for this project, a number of them reported from the East Drainage Canal and its intersecting ditches and channels both within and outside of the project area (CNDDDB 2011). Near the project area, giant garter snakes could use the East Drainage Canal and the pond at Tanzanite Park. They could also be found in any of the uplands of the project area but would be expected to move quickly through any habitat, aquatic or upland, that did not provide cover as protection from predators. Dense cover is preferred by the species. Since much of the upland habitat within the project area provides either little or no vegetative cover, giant garter snakes are unlikely to use it. Due to the proximity of the site to known occurrences (CNDDDB 2011) and the presence of suitable aquatic habitat in the project vicinity, this species is presumed present and potentially affected by construction and use of the bicycle trail.

Swainson's hawk. Swainson's hawk records are also numerous, with 123 records in the nine-quad search area (CNDDDB 2011). One record is for a 2003 nest about one-quarter mile away (record 1257 southwest of Tanzanite Park), but the rest are for nests at least one-half mile away

from the project area. The nearest potential nest trees are, at the closest point, about 775 feet north of the extreme south end of the trail. No trees would be removed for the project. The project impact area provides foraging habitat of only limited value because it is small and narrow (sandwiched between intensive developments), intensively managed (essentially denuded by mowing at the time of the site visit), and provides only sparse habitat for prey. Although Swainson's hawks could forage over the project area opportunistically, loss of habitat there would not materially reduce foraging opportunities for this bird. Due to the proximity of the site to species occurrences (CNDDDB 2011) and the presence of suitable, if marginal, foraging habitat in the study area, Swainson's hawks are considered potentially present and nesting birds could be affected by construction.

White-tailed kite. White-tailed kites may nest in this part of the Central Valley, and potential nest trees are found within about 750 feet of the south end of the proposed trail; however, these birds are more likely to nest near agricultural areas and all CNDDDB records in the nine-quad search area are for nests more than a mile away, farther from urbanized areas and closer to agricultural foraging habitat more than a mile away. This bird is not covered under the NBHCP. No trees would be removed for the project. No species-specific avoidance measures are provided for this bird, with the exception of including the species in the general preconstruction nesting-bird survey.

Burrowing Owl. Burrowing owls often den in banks and levees of canals if suitable burrows and prey are present. Potentially suitable habitat occurs in patches along both banks of the adjacent East Drainage Canal and on the grassland slopes of the pond around Tanzanite Park. CNDDDB records indicate past burrowing owl use of the east and west banks of East Drainage Canal at the north of the project area in 2007 (record 797, CNDDDB 2011). Neither ground-squirrel activity nor suitable dens were evident in the project area during the site visit, and burrowing owls were not seen or heard; however, a formal survey was not conducted. Due to the proximity of the site to species occurrences and the presence of suitable habitat adjacent to the study area, burrowing owls are considered potentially present and could be affected by construction.

Tricolored blackbird. Tricolored blackbird nesting colonies (rather than foraging habitat) are of primary concern to CDFG. The project area provides only marginal and unlikely nesting habitat at the west end of the pond at Tanzanite Park (outside the project area); no suitable nesting habitat is present within the study area. These birds will forage in lawns if suitable insect prey is available, so they could forage opportunistically in areas adjacent to the study area in Tanzanite Park. Tricolored blackbirds were neither seen nor heard at the time of the site visit; however, a formal survey was not conducted. Based on the marginal habitat quality for the species, it is not expected to occur or be affected by the project.

Loggerhead Shrike. Loggerhead shrikes could nest in the trees and shrubs around the pond at Tanzanite Park (outside the study area) but the project area itself provides only foraging habitat for insects, lizards, and similar small prey. Most of the potential nest trees and shrubs are more than 100 feet from construction activities, but a few are closer. Loggerhead shrikes were neither seen nor heard during the site visit, but they are likely to occur in the vicinity.

California Tiger Salamander. There are no California tiger salamander (CTS) records in the nine-quad CNDDDB search area, and the NBHCP states that this species is not known to occur in the Natomas Basin. This species is nevertheless covered under the HCP as a species that could become established more widely in the future. If CTS were present in the area, the pond

at Tanzanite Park would be considered potential breeding habitat, with the large ruderal field to the west providing the most proximate suitable over summering upland. The project site itself provides little if any suitable upland because of the scarcity of small-mammal burrows. Because of its federally threatened status and coverage under the HCP, we include CTS in our consideration of impacts and avoidance measures but recognize that, given existing and expanding urbanization around the project area, CTS are unlikely to be present currently and unlikely to become established in the project vicinity.

Special-Status Plants

A total of seventeen special-status plant species were initially considered during this analysis as having potential to occur in the project area (Table 1.5), based on proximity to known occurrences in a 9-USGS-quadrangle search around the proposed project site (CNDDDB 2011). Of the seventeen plant species initially considered, the project site was found to support none of the targeted special-status plant species. No suitable habitat for the targeted species listed in Table 1.5 was located (i.e. the site lacks vernal pools and other seasonal wetlands, brackish and freshwater marsh, saltmarsh and other wetlands; cismontane woodlands, chenopod scrub, chaparral; heavy clay alkaline or saline soils or other areas favored by the targeted species). Because the project area supports relatively disturbed grassland and lacks suitable habitats favored by targeted special-status plant species, the overall potential of the site to support special-status plants is considered very low. No special-status plants were located onsite during the June 10, 2011 site assessment. Therefore, no impacts on special-status plants from project construction or operation area anticipated.

Potential Waters of the U.S.

No wetlands are located within the study area. Several water features, including the East Drainage Canal, the lake feature at Tanzanite Park, and roadside ditches were observed adjacent to the study area. While these areas were not surveyed as part of the project footprint, they were assessed for potential to support special-status wildlife species that could migrate into the project area.

Migratory Birds and Bird of Prey

Fish and Game Code 3503.5 protects all birds in the orders Falconiformes and Strigiformes (collectively known as birds of prey). The MBTA protects migratory birds and other birds of prey, such as the great egret (*Ardea alba*) and the American kestrel (*Falco sparverius*). Nesting season occurs from March 1 to September 15. A killdeer (*Charadrius vociferous*) nest and the nesting pair were observed within the nonnative grassland during the May 27, 2011 biological survey of the study area. Migratory birds and other birds of prey have the potential to nest in trees within the cottonwood forest and elderberry savanna, within the ornamental landscaping associated with the ruderal/developed areas, and on the ground within the nonnative grassland within the study area.

Habitat Types

Table 3 summarizes the acreages of habitat types impacted by the proposed project. Impacts to aquatic habitats are discussed further within the *Potential Waters of the U.S.* section below.

The USFWS and the CDFG consider elderberry savanna as a sensitive habitat type. The proposed project was designed to avoid impacts to this habitat type. The proposed project was designed to avoid impacts to the cottonwood forest. No other habitat types are considered sensitive as the ruderal/ developed areas do not provide quality habitat for native plants and wildlife, which the CDFG considers sensitive. Therefore, no mitigation is recommended. A map showing the impacted habitat areas is provided in Figure 10.

Potential Waters of the U.S.

The concrete-lined detention basin is not a potentially jurisdictional feature because it is a manmade feature used to hold water received from runoff from the surrounding managed, nonnative grassland and ruderal/developed areas following precipitation events, lacks vegetation and soils, and is an isolated feature that lacks connectivity to a potential waters of the U.S. The ephemeral drainage ditch located along the southeastern edge of the project site may be considered a potential wetland or other waters of the U.S. and may be subject to USACE jurisdiction. The proposed project was designed to avoid impacts to the ephemeral drainage ditch. Therefore, no mitigation is recommended. Should the project be re-designed to impact or alter this drainage, a Section 404 CWA permit application, including formal delineation of waters of the U.S., would be required to be submitted to the USACE.

To help reduce potential for impacts on special-status wildlife species, a combination of preconstruction activities, construction-related avoidance, and post-construction use actions were recommended (in accordance with standard procedures specified in the NBHCP). Once implemented, these actions will reduce project impacts to a less-than-significant level.

MITIGATION MEASURES

BIO-5. All construction activities that involve ground disturbance shall be restricted to the period of May 1 through September 30. This is the active period for giant garter snakes and they are expected to avoid danger during this time.

BIO-6. A preconstruction survey shall be completed by a qualified biologist approved by the USFWS no more than 24 hours prior to the onset of construction (site preparation, grading). Another such survey shall be completed if construction stops for a period of two or more weeks.

BIO-7. Clearing shall be confined to the minimum area necessary to facilitate construction. All giant garter snake habitat outside of construction areas shall be flagged as an environmentally sensitive area. These areas shall be avoided by all construction personnel.

BIO-8. Construction personnel shall receive USFWS-approved environmental awareness training instructing workers on how to identify giant garter snakes and their habitats, and what to do if a giant garter snake is encountered during construction activities. During this training an onsite biological monitor shall be designated. While not specified in the NBHCP, FWS requires the biological monitor to be present during all construction activities (K. Berry pers. comm.) to ensure that that no GGS are harmed by foot, vehicle, and equipment activities. The biological monitor shall be responsible for preparing the compliance monitoring report specified in section 4.10 below, pursuant to NBHCP sections E.1.b. and c, Chapters V1.E.1.b and V1.E.1c.

BIO-9. If a live giant garter snake is found during construction activities, the USFWS and the biological monitor shall immediately be notified. The biological monitor, or his/her assignee, shall stop construction and follow guidance specified in NBHCP section V.A.5.a.(7).

BIO-10. Upon locating dead, injured, or sick federally listed wildlife, the permittees or their designated agents must notify within one working day the Service's Division of Law Enforcement (2800 Cottage Way, Sacramento CA 95825) or the Sacramento Fish and Wildlife Office (2800 Cottage Way, Room W-2605, Sacramento, CA 95825, telephone 916 414-6600). Written notification to both offices must be made within three calendar days and must include the date, time, and location of the finding of a specimen and any other pertinent information.

BIO-11. Fill or construction debris may be used by giant garter snakes as over-wintering sites. Upon completion of construction activities, all temporary fill and/or construction debris shall be removed from the site. If this material is situated near undisturbed giant garter snake habitat and is to be removed between October 1 and April 30, it shall be inspected by a qualified biologist to assure that giant garter snakes are not using it as hibernaculae.

BIO-12. No plastic, monofilament, jute, or similar erosion-control matting that could entangle snakes will be placed on a project site when working within 200 feet of aquatic or rice habitat. Possible substitutions include coconut coir matting, tackified hydroseeding compounds, or other material approved by wildlife agencies.

BIO-13. While not specified in the NBHCP, we recommend posting educational signs along the trail about giant garter snakes to educate the public about the species' possible presence and encourage avoidance of bicycle or pedestrian encounters. Additionally, speed limits could be recommended.

BIO-14. Prior to the construction, a preconstruction survey shall be completed to determine whether any active Swainson's hawk nest sites occur within 0.5 mile of the construction site. These surveys shall be conducted according to the Swainson's Hawk Technical Advisory Committee's (May 31, 2000) methodology, or updated methodologies, as approved by the CDFG, using experienced Swainson's hawk surveyors.

BIO-15. If breeding Swainson's hawks (i.e., birds exhibiting nest-building or nesting behavior) are identified, no new disturbances (e.g., heavy equipment operation associated with construction) will occur within 0.5 mile between March 15 and September 15, or until a CDFG-approved biologist has determined that young have fledged or that the nest is no longer occupied. If the active nest site is located within 0.25 mile of existing urban development, the no-new-disturbance zone can be limited to 0.25 mile.

BIO-16. Where disturbance of a Swainson's hawk nest cannot be avoided, such disturbance shall be temporarily avoided (i.e., construction activities deferred until after the nesting season) and then, if unavoidable, the nest tree may be destroyed during the non-nesting season. For purposes of this provision the Swainson's hawk nesting season is defined as March 15 to September 15. If a nest tree (any tree that has an active nest in the year the impact is to occur) must be removed, tree removal shall only occur between September 15 and February 1.

BIO-17. If a Swainson's hawk nest tree is to be removed and fledglings are present, the tree may not be removed until September 15 or until the California Department of Fish and Game has determined that the young have fledged and are no longer dependent upon the nest tree.

BIO-18. If construction or other project-related activities that may cause nest abandonment or forced fledging are proposed within the 0.25–0.5-mile buffer zone, intensive monitoring (funded by the project sponsor) by a CDFG-approved raptor biologist will be required. Exact implementation of this measure will be based on specific information at the project site.

BIO-19. A CDFG-approved biologist shall perform a preconstruction survey of the site for burrowing owls. The results of the preconstruction survey shall be submitted to the land-use agency with jurisdiction over the site prior to construction and a mitigation program shall be developed if necessary.

BIO-20. Occupied burrows shall not be disturbed during the nesting season (February 1 through August 31) unless an approved biologist verifies through non-invasive measures that either: a) the birds have not begun egg-laying and incubation; or b) that juveniles from the occupied burrows are foraging independently and are capable of independent survival.

BIO-21. If nest sites are found, CDFG shall be contacted regarding suitable mitigation measures, as specified in the NBHCP, which could include establishing a non-disturbance buffer zone or passive relocation. Follow specific guidance in the NBHCP.

BIO-22. Where avoidance is not possible, disturbance and/or destruction of burrows shall be offset through development of suitable habitat on TNBC upland reserves. Such habitat shall include creation of new burrows with adequate foraging area.

BIO-23. No specific guidance on the methods of the preconstruction survey are provided in the HCP; however, it is assumed for this project that the preconstruction survey will follow methods provided by either CDFG (CDFG 1995 or newer) or the Burrowing Owl Consortium (Burrowing Owl Consortium 1993).

BIO-24. A preconstruction survey shall be conducted for presence of breeding and nesting tricolored blackbirds. If surveys determine tricolored blackbirds are present, the following measures shall be implemented in accordance with the Migratory Bird Treaty Act to avoid disturbance to active (occupied) nesting colonies. A boundary shall be marked by brightly colored construction fencing that establishes a buffer zone of 500 feet from the active nest site. No construction-related disturbance shall occur within the 500-foot fenced area during the nesting season to July 1, or while birds are present. A qualified biologist must determine young have fledged and nest sites are no longer active before the nest site may be disturbed.

BIO-25. A preconstruction survey shall be conducted. If surveys identify an active loggerhead shrike nest that will be adversely affected, the developer shall install brightly colored construction fencing that establishes a boundary 100 feet from the active nest. No disturbance associated with construction shall occur within the 100-foot fenced area during the nesting season of March 1 through July 31. A qualified biologist must determine that young have fledged or that the nest is no longer occupied prior to disturbance of the nest site.

BIO-26. A preconstruction survey shall be required. If a survey determines the presence of California tiger salamander, the land-use agency shall consult with the USFWS to determine appropriate measures to avoid and minimize take of individuals.

BIO-27. No guidance is provided on the type of preconstruction survey or the qualifications of the surveyor, but for purposes of this project we recommend that an agency-approved biologist conduct a single visit to search for migrating adults on a rainy night in November or December of the winter before construction. Construction is currently scheduled for summer of 2012, so this survey should be conducted in November or December of 2011.

BIO-28. A preconstruction survey for nesting birds shall be performed by a qualified biologist prior to construction, within the project area and a 300-foot buffer area, not more than two weeks prior to construction and preferably less than one week, for all birds not named above. If active nests are found, a no-disturbance buffer zone of

100 to 300 feet shall be established around them according to an agency-approved biologist's assessment of the species' sensitivity to disturbance. Within this buffer zone, no construction activity will be allowed until August 31 or the biologist determines that the nest is no longer active.

BIO-29. In compliance with section V of the NBHCP, the nesting-bird survey should also include a search of suitable habitats within 0.25 miles for nesting white-faced ibis. No construction shall take place within 0.25 mile of nesting white-faced ibis between May 15 and August 31 or until the biologist has determined that the young have fledged.

FINDINGS

All additional significant environmental effects of the project relating to Biological Resources can be mitigated to a less-than-significant level.

Issues:	Effect will be studied in the EIR	Effect can be mitigated to less than significant	No additional significant environmental effect
3. CULTURAL RESOURCES			
Would the project:			
A) Cause a substantial adverse change in the significance of a historical or archaeological resource as defined in § 15064.5?		X	
B) Directly or indirectly destroy a unique paleontological resource?			X

ENVIRONMENTAL SETTING

The East Drainage Canal is included within the boundaries of the Reclamation District 1000 Rural Historic Landscape District (RD 1000 Rural Historic Landscape District). The RD 1000 Rural Historic Landscape District is significant at the state level for the period from 1911 to 1939. The establishment of the Reclamation District 1000 (RD 1000) as a part of a regional reclamation plan resulted in the social, economic, and physical transformation of the region, from the original flood plain to a distinctly different open rural landscape consisting of levees, canals, and roads intersecting to form large blocks of fields. RD 1000 was among the first and largest of the major reclamation districts in the state. The grid pattern created by the canals, roads, and fields, covering 87 square miles, are contributing characteristics of the RD 1000 Rural Historic Landscape District. The RD 1000 was determined eligible for the National Register of Historic Places in 1994 (Peak & Associates, 1997).

State Historic Preservation staff has recommended that the City educate the public about the RD 1000 Rural Historic District as the area develops as additional mitigation to address the alteration of the Rural Historic Landscape District. The City, in consultation with the State Historic Preservation staff has recommended an education kiosk program to be implemented at key public gathering areas within the RD 1000 Rural Historic Landscape District as mitigation for new projects. The education kiosks, placed in areas such as the North and South Natomas community centers, the North Natomas Regional Park, community parks, and other suitable locations, will explain the history of the RD 1000 and its importance to the current surrounding landscape.

Each development project within the RD 1000 Rural Historic Landscape District boundary will incrementally alter the RD 1000 Rural Historic Landscape District. However, the City is implementing the education kiosk program and the City adopted "CEQA Findings of Fact and Statement of Overriding Considerations for the North Natomas Comprehensive Drainage Plan, Levee Improvements, Canal Widening and Additional Pumping Capacity Project" (Resolution No. 97-251).

STANDARDS OF SIGNIFICANCE

For purposes of this Initial Study, cultural resource impacts may be considered significant if the proposed project would result in one or more of the following:

1. Cause a substantial change in the significance of a historical or archaeological resource as defined in CEQA Guidelines Section 15064.5 or
2. Directly or indirectly destroy a unique paleontological resource. Answers to Checklist Questions

SUMMARY OF ANALYSIS UNDER THE 2030 GENERAL PLAN MASTER EIR, INCLUDING CUMULATIVE IMPACTS, GROWTH INDUCING IMPACTS, AND IRREVERSIBLE SIGNIFICANT EFFECTS

The Master EIR evaluated the potential effects of development under the 2030 General Plan on prehistoric and historic resources. See Chapter 6.4. The Master EIR identified significant and unavoidable effects on historic resources and archaeological resources.

General plan policies identified as reducing such effects call for identification of resources on project sites (Policy HCR 2.1.1), implementation of applicable laws and regulations (Policy HCR 2.1.2 and HCR 2.1.15), early consultation with owners and land developers to minimize effects (Policy HCR 2.1.10 and encouragement of adaptive reuse of historic resources (Policy HCR 2.1.13). Demolition of historic resources is deemed a last resort. (Policy HCR 1.1.14)

MITIGATION MEASURES FROM 2030 GENERAL PLAN MASTER EIR THAT APPLY TO THE PROJECT

None.

ANSWERS TO CHECKLIST QUESTIONS

QUESTIONS A AND B

Due to intensive mechanized agriculture, grading, cutting, construction of the residential communities, and fill used for the construction of the existing roadbeds being using for the proposed project which have resulted in substantial surface and subsurface ground disturbance throughout the project area, it is unlikely that cultural resources would be encountered. The proposed improvements adjacent to the East Main Drainage Canal would not significantly modify the Rural Historic Landscape District. Therefore, it is not a suitable location for education about the Rural Historic Landscape District and information about the District is not planned for this bike trail. However, construction does involve some excavation for resurfacing the roadbed. These activities could expose previously unidentified resources. The City has committed to limit potential impacts to a less than significant level by incorporating specific measures.

MITIGATION MEASURES

CR-1. In the event that any prehistoric subsurface archeological features or deposits, including locally darkened soil ("midden"), that could conceal cultural deposits, animal bone, obsidian and/or mortars are discovered during construction-related earth-moving activities, all work within 50 meters of the resources shall be halted, and the City shall consult with a qualified archeologist to assess the significance of the find. Archeological test excavations shall be conducted by a qualified archeologist to aid in determining the nature and integrity of the find. If the find is determined to be significant by the qualified archeologist, representatives of the City and the qualified archeologist shall coordinate to determine the appropriate course of action. All significant cultural materials recovered shall be subject to scientific analysis and professional museum curation. In addition, a report shall be prepared by the qualified archeologist according to current professional standards.

CR-2. If a Native American site is discovered, the evaluation process shall include consultation with the appropriate Native American representatives.

If Native American archeological, ethnographic, or spiritual resources are involved, all identification and treatment shall be conducted by qualified archeologists, who are certified by the Society of Professional Archeologists (SOPA) and/or meet the federal standards as stated in the Code of Federal Regulations (36 CFR 61), and Native American representatives, who are approved by the local Native American community as scholars of the cultural traditions.

In the event that no such Native American is available, persons who represent tribal governments and/or organizations in the locale in which resources could be affected shall be consulted. If historic archeological sites are involved, all identified treatment is to be carried out by qualified historical archeologists, who shall meet either Register of Professional Archeologists (RPA), or 36 CFR 61 requirements.

CR-3. If a human bone or bone of unknown origin is found during construction, all work shall stop in the vicinity of the find, and the County Coroner shall be contacted immediately. If the remains are determined to be Native American, the coroner shall notify the Native American Heritage Commission, who shall notify the person most likely believed to be a descendant. The most likely descendant shall work with the contractor to develop a program for re-interment of the human remains and any associated artifacts. No additional work is to take place within the immediate vicinity of the find until the identified appropriate actions have taken place.

FINDINGS

All additional significant environmental effects of the project relating to Cultural Resources can be mitigated to a less-than-significant level.

Issues:	Effect will be studied in the EIR	Effect can be mitigated to less than significant	No additional significant environmental effect
<p>4. GEOLOGY AND SOILS</p> <p>Would the project allow a project to be built that will either introduce geologic or seismic hazards by allowing the construction of the project on such a site without protection against those hazards?</p>			X

STANDARDS OF SIGNIFICANCE

For the purposes of this Initial Study, an impact is considered significant if it allows a project to be built that will either introduce geologic or seismic hazards by allowing the construction of the project on such a site without protection against those hazards.

SUMMARY OF ANALYSIS UNDER THE 2030 GENERAL PLAN MASTER EIR, INCLUDING CUMULATIVE IMPACTS, GROWTH INDUCING IMPACTS, AND IRREVERSIBLE SIGNIFICANT EFFECTS

Chapter 6.5 of the Master EIR evaluated the potential effects related to seismic hazards, underlying soil characteristics, slope stability, erosion, existing mineral resources and paleontological resources in the general plan policy area. Implementation of identified policies in the 2030 General Plan reduced all effects to a less-than-significant level. Policies EC 1.1.1 through 1.1.3 require regular review of the City's seismic and geologic safety standards, geotechnical investigations for project sites and retrofit of critical facilities such as hospitals and schools.

MITIGATION MEASURES FROM 2030 GENERAL PLAN MASTER EIR THAT APPLY TO THE PROJECT

None.

ANSWERS TO CHECKLIST QUESTION

The proposed project would not result in the exposure of people to geologic or seismic hazards. The project would consist primarily of recreational uses adjacent to an existing drainage canal, residential neighborhoods, and a park. The project would not involve significant changes in topography. The project requires excavation of existing roadbed for the construction of 4,475 feet of asphalt concrete (AC) bike trail. It will be 12' wide with 2' shoulders on each side. The proposed bike trail section is 6" AC over 12" aggregate base (AB) with geotextile fabric, which requires excavation of about 18". The shoulders will be 12" AB.

Erosion may occur as a result of the grading. Soils are especially prone to erosion from storm runoff that occurs during or immediately after construction. All grading and erosion control would be conducted in compliance with the requirements of the Sacramento City Code to prevent

erosion of soils during construction (Ordinance 15.88.250). The proposed project does not involve groundwater pumping or dewatering. There are no recognized unique geologic features or physical features that would be impacted by the construction of the proposed park. Therefore, related impacts on area soils and earth conditions are anticipated to be less-than-significant.

MITIGATION MEASURES

No mitigation measures are required.

FINDINGS

The project would have no additional project-specific environmental effects relating to Geology and Soils.

Issues:	Effect will be studied in the EIR	Effect can be mitigated to less than significant	No additional significant environmental effect
5. HAZARDS			
Would the project:			
A) Expose people (e.g., residents, pedestrians, construction workers) to existing contaminated soil during construction activities?			X
B) Expose people (e.g., residents, pedestrians, construction workers) to asbestos-containing materials or other hazardous materials?			X
C) Expose people (e.g., residents, pedestrians, construction workers) to existing contaminated groundwater during dewatering activities?			X

ENVIRONMENTAL AND REGULATORY SETTING

Federal regulations and regulations adopted by the Sacramento Metropolitan Air Quality Management District (SMAQMD) apply to the identification and treatment of hazardous materials during demolition and construction activities. Failure to comply with these regulations respecting asbestos may result in a Notice of Violation being issued by the AQMD and civil penalties under state and/or federal law, in addition to possible action by U.S. EPA under federal law.

Federal law covers a number of different activities involving asbestos, including demolition and renovation of structures (40 CFR § 61.145).

SMAQMD Rule 902 and Commercial Structures

The work practices and administrative requirements of Rule 902 apply to all commercial renovations and demolitions where the amount of Regulated Asbestos-Containing Material (RACM) is greater than:

- 260 lineal feet of RACM on pipes, or
- 160 square feet of RACM on other facility components, or
- 35 cubic feet of RACM that could not be measured otherwise.

The administrative requirements of Rule 902 apply to any demolition of commercial structures, regardless of the amount of RACM.

Asbestos Surveys

To determine the amount of RACM in a structure, Rule 902 requires that a survey be conducted prior to demolition or renovation unless:

- the structure is otherwise exempt from the rule, or
- any material that has a propensity to contain asbestos (so-called "suspect material") is treated as if it is RACM.

Surveys must be done by a licensed asbestos consultant and require laboratory analysis. Asbestos consultants are listed in the phone book under "Asbestos Consultants." Large industrial facilities may use non-licensed employees if those employees are trained by the U.S. EPA. Questions regarding the use of non-licensed employees should be directed to the AQMD.

Removal Practices, Removal Plans/Notification and Disposal

If the survey shows that there are asbestos-containing materials present, the SMAQMD recommends leaving it in place.

If it is necessary to disturb the asbestos as part of a renovation, remodel, repair or demolition, Cal OSHA and the Contractors State License Board require a licensed asbestos abatement contractor be used to remove the asbestos-containing material.

There are specific disposal requirements in Rule 902 for friable asbestos-containing material, including disposal at a licensed landfill. If the material is non-friable asbestos, any landfill willing to accept asbestos-containing material may be used to dispose of the material.

STANDARDS OF SIGNIFICANCE

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

- expose people (e.g., residents, pedestrians, construction workers) to existing contaminated soil during construction activities;
- expose people (e.g., residents, pedestrians, construction workers) to asbestos-containing materials or other hazardous materials; or
- expose people (e.g., residents, pedestrians, construction workers) to existing contaminated groundwater during dewatering activities.

SUMMARY OF ANALYSIS UNDER THE 2030 GENERAL PLAN MASTER EIR, INCLUDING CUMULATIVE IMPACTS, GROWTH INDUCING IMPACTS, AND IRREVERSIBLE SIGNIFICANT EFFECTS

The Master EIR evaluated effects of development on hazardous materials, emergency response and aircraft crash hazards. See Chapter 6.6. Implementation of the General Plan may result in the exposure of people to hazards and hazardous materials during construction activities, and exposure of people to hazards and hazardous materials during the life of the General Plan. Impacts identified related to construction activities and operations were found to be less than significant. Policies included in the 2030 general Plan, including PHS 3.1.1 (investigation of sites

for contamination) and PHS 3.1.2 (preparation of hazardous materials actions plans when appropriate) were effective in reducing the identified impacts.

MITIGATION MEASURES FROM 2030 GENERAL PLAN MASTER EIR THAT APPLY TO THE PROJECT

None.

ANSWERS TO CHECKLIST QUESTIONS

QUESTIONS A THROUGH C

The majority of the project would be constructed on top of existing man-made facilities, excavating no deeper than approximately 6". Construction would require minimal grading and would consist primarily of resurfacing some of the existing roadbed and additional construction fill for the base of the paved trail. The proposed project would not generate the risk of an explosion or release of hazardous substances. No structures would be demolished during construction and therefore workers would not come in contact with hazardous substances from demolition of existing structures. Construction equipment would be properly maintained and a spill prevention plan will be implemented as part of the project to avoid accidental release of hazardous construction materials. With the incorporation of standard construction specifications for hazardous materials as part of the project description, potential impacts would be less than significant.

MITIGATION MEASURES

No mitigation measures required.

FINDINGS

The project would have no additional project-specific environmental effects relating to Hazards.

Issues:	Effect will be studied in the EIR	Effect can be mitigated to less than significant	No additional significant environmental effect
6. HYDROLOGY AND WATER QUALITY			
Would the project:			
A) Substantially degrade water quality and violate any water quality objectives set by the State Water Resources Control Board, due to increases in sediments and other contaminants generated by construction and/or development of the project?			X
B) Substantially increase the exposure of people and/or property to the risk of injury and damage in the event of a 100-year flood?			X

ENVIRONMENTAL SETTING

The majority of the North Natomas area has three large drainage canals owned by Reclamation District 1000 (RD-1000). These are the West Drain, along the western boundary of the plan area, including Fisherman's Lake; the East Drain, a north-south drain that parallels Truxel Road; and the Natomas East Main Drainage Canal (renamed "Steelhead Creek"), the eastern boundary of the plan area adjacent to the UP railroad right of way. Smaller drains connect to the three larger canals. The primary purpose of the RD-1000 canals is to convey agricultural runoff and stormwater runoff to the Sacramento River, Steelhead Creek, and the Cross Canal. The project site is located directly adjacent to the east by the East Drainage Canal.

The North Natomas Comprehensive Drainage Plan (CDP) serves a different purpose: it conveys urban runoff to the Sacramento River. The Drainage System is not a traditional conveyance system that seeks to move the runoff to the river as soon as possible. The system is designed to detain the surface runoff on the land in detention basins before releasing slowly and in a controlled manner to the Sacramento River. The drainage canals run parallel to but separate from the existing RD-1000 canals.

The detention basins and canal corridors are planned to be developed as conjunctive uses with parks, linear parkways, utility corridors, and other compatible land uses. Including the drainage canals and detention basins with the other conjunctive uses will help convert a potential physical barrier into an amenity that serves as a local linkage, an aesthetically pleasing viewshed, and/or passive/active recreational areas.

Flooding. In 2006, the Sacramento Area Flood Control Agency (SAFCA) conducted a study entitled "Natomas Levee Evaluation Study" to evaluate the levee system and determine the improvements needed to provide the basin with 200-year level of protection. SAFCA's study concluded that selected reaches of the levee system, certified for 100-year protection in 1998, failed to meet freeboard criteria based on new hydraulic modeling and failed to meet new Army Corps of Engineers (Corps) criteria for underseepage. In addition, several erosion sites have developed since the 1998 certification. In a letter dated July 20, 2006, the Corps informed

Federal Emergency Management Agency (FEMA) that they would no longer support their 1998 certification of the Natomas levees.

FEMA issued new Flood Insurance Rate Maps (FIRMs) to the City on December 8, 2008, which showed the Natomas Basin in an AE Zone. Prior to the new FIRMs, the Natomas Basin was in an X Zone. This AE Zone has a base flood elevation (BFE) of 33' above sea level based on the NGVD 1929 datum.

In an AE Zone, any new construction and/or substantial improvement to any structure shall have the lowest floor, including basement elevated a minimum of one (1) foot above the BFE. Non-residential structures have the option of flood proofing to one foot above the BFE in lieu of the elevation requirement.

SAFCA is currently implementing the "Natomas Levee Improvement Program" where they plan to provide 200-year level of flood protection for the Natomas Basin in Sacramento. Significant progress has been made on the NLIP in the last four years to fix the levees around the Natomas Basin. Work on about five miles of the Natomas Cross Canal and seven miles of the Sacramento River were completed in 2010. SAFCA is working on another six miles along the Sacramento just south of the airport, which would complete half the improvements needed to meet the Federal Standard for providing the Natomas Basin with at least a 100-year of flood protection and to meet the A99 zone requirement. Zone A99 in the Natomas can be achieved, which would lift any building restriction, once the additional six miles of levee work is complete, federal authorization is given for the project, and FEMA issues a Letter of Map Revision. This is anticipated in 2012 or 2013. It is anticipated that the Natomas Basin will be remapped to Zone X in approximately 2018.

GENERAL PLAN POLICIES CONSIDERED MITIGATION

The following General Plan policy, implemented as a mitigation measure for this project, would avoid or lessen environmental impacts as identified in the Master EIR and is considered a mitigation measure for the following project-level and cumulative impacts.

HYD-1. General Plan Policy ER 1.1.5 - No Net Increase: The City shall require all new development to contribute no net increase in stormwater runoff peak flows over existing conditions associated with a 100-year storm event.

STANDARDS OF SIGNIFICANCE

For purposes of this Initial Study, impacts to hydrology and water quality may be considered significant if construction and/or implementation of the Proposed Project would result in the following impacts that remain significant after implementation of General Plan policies or mitigation from the General Plan MEIR:

- substantially degrade water quality and violate any water quality objectives set by the State Water Resources Control Board, due to increases in sediments and other contaminants generated by construction and/or development of the Specific Plan or
- substantially increase the exposure of people and/or property to the risk of injury and damage in the event of a 100-year flood.

SUMMARY OF ANALYSIS UNDER THE 2030 GENERAL PLAN MASTER EIR, INCLUDING CUMULATIVE IMPACTS, GROWTH INDUCING IMPACTS, AND IRREVERSIBLE SIGNIFICANT EFFECTS

Chapter 6.7 of the Master EIR evaluates the potential effects of the 2030 General Plan as they relate to surface water, groundwater, flooding, stormwater and water quality. Potential effects include water quality degradation due to construction activities (Impacts 6.7-1, 6.7-2), and exposure of people to flood risks (Impacts 6.7-3, 6.7-4). Policies included in the 2030 General Plan, including a directive for regional cooperation (Policies ER 1.1.2, EC 2.1.1, EC 2.1.1), comprehensive flood management (Policy EC 2.1.14), and construction of adequate drainage facilities with new development (Policy U 4.1.1) were identified that reduced all impacts to a less-than-significant level.

MITIGATION MEASURES FROM 2030 GENERAL PLAN MASTER EIR THAT APPLY TO THE PROJECT

None.

ANSWERS TO CHECKLIST QUESTIONS

QUESTION A

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

The project would comply with the City of Sacramento Code, Ordinance 15.88.250, Erosion and Sediment Control. The City shall employ Best Management Practices (BMPs) before, during and after construction. Compliance with BMP provisions would assure that development and use of the site will result in a less-than-significant impact to surface waters and will not result in the alteration of surface water quality.

QUESTION B

The proposed project is located in the X flood zone. Because the proposed project does not involve the construction of structures, persons present on the site could readily avoid flood risk, and implementation of the project would not expose people and/or property to the risk of injury and damage in the event of a 100-year, or greater, flood. Therefore, the proposed project will have a less-than-significant impact for exposure of people to water.

MITIGATION MEASURES

No mitigation measures required.

FINDINGS

The project would have no additional project-specific environmental effects relating to Hydrology and Water Quality.

Issues:	Effect will be studied in the EIR	Effect can be mitigated to less than significant	No additional significant environmental effect
7. LIGHT AND GLARE Would the proposal:			
A) Create a source of glare that would cause a public hazard or annoyance?			X
B) Create a new source of light that would be cast onto oncoming traffic or residential uses?			X

ENVIRONMENTAL SETTING

The East Drainage Canal is a concrete lined drainage ditch. Single family residential homes, a park, and commercial businesses run parallel to the ditch. A utility road is adjacent to the canal, which serves a dual purpose with the bike trail.

STANDARDS OF SIGNIFICANCE

For purposes of this Initial Study, aesthetics impacts may be considered significant if the proposed project would result in one or more of the following:

Glare. Glare is considered to be significant if it would be cast in such a way as to cause public hazard or annoyance for a sustained period of time.

Light. Light is considered significant if it would be cast onto oncoming traffic or residential uses.

SUMMARY OF ANALYSIS UNDER THE 2030 GENERAL PLAN MASTER EIR, INCLUDING CUMULATIVE IMPACTS, GROWTH INDUCING IMPACTS, AND IRREVERSIBLE SIGNIFICANT EFFECTS

The Master EIR described the existing visual conditions in the general plan policy area, and the potential changes to those conditions that could result from development consistent with the 2030 general Plan. See Master EIR, Chapter 6.13, Urban design and Visual Resources.

The Master EIR identified potential impacts for glare (Impact 6.13-1). Mitigation Measure 6.13-1, set forth below, was identified to reduce the effect to a less-than-significant level.

Light cast onto oncoming traffic or residential uses was identified as a potential impact (Impact 6.13-2). The Master EIR identified Policy LU 6.1.14 (Compatibility with Adjoining Uses) and its requirement that lighting must be shielded and directed downward as reducing the potential effect to a less-than-significant level.

MITIGATION MEASURES FROM 2030 GENERAL PLAN MASTER EIR THAT APPLY TO PROJECT

Master EIR Mitigation Measure 6.13-1: *The City shall amend the Zoning Code to prohibit new development from:*

- 1) using reflective glass that exceeds 50 percent of any building surface and on the ground three floors;*
- 2) using mirrored glass;*
- 3) using black glass that exceeds 25 percent of any surface of a building; and,*
- 4) using metal building materials that exceed 50 percent of any street-facing surface of a primarily residential building.*

The Zoning Code has not yet been amended to include the restrictions identified in Mitigation Measure 6.13-1. The restrictions will be applied to the project, if applicable, to ensure that the potential impact identified in the Master EIR is less than significant.

ANSWERS TO CHECKLIST QUESTIONS

QUESTIONS A AND B

The proposed project is the construction of 4,475 linear feet of Class I bike trail. It does not include the installation of any reflective surfacing or lighting.

MITIGATION MEASURES

No mitigation measures required.

FINDINGS

The project would have no additional project-specific environmental effects relating to light and glare.

Issues:	Effect will be studied in the EIR	Effect can be mitigated to less than significant	No additional significant environmental effect
8. NOISE			
Would the project:			
A) Result in exterior noise levels in the project area that are above the upper value of the normally acceptable category for various land uses due to the project's noise level increases?			X
B) Result in residential interior noise levels of 45 dBA L _{dn} or greater caused by noise level increases due to the project?			X
C) Result in construction noise levels that exceed the standards in the City of Sacramento Noise Ordinance?			X
D) Permit existing and/or planned residential and commercial areas to be exposed to vibration-peak-particle velocities greater than 0.5 inches per second due to project construction?			X
E) Permit adjacent residential and commercial areas to be exposed to vibration peak particle velocities greater than 0.5 inches per second due to highway traffic and rail operations?			X
F) Permit historic buildings and archaeological sites to be exposed to vibration-peak-particle velocities greater than 0.2 inches per second due to project construction and highway traffic?			X

GENERAL PLAN POLICIES CONSIDERED MITIGATION

The following General Plan policies, implemented as mitigation measures for this project, would avoid or lessen environmental impacts as identified in the Master EIR and are considered mitigation measures for the following project-level and cumulative impacts.

NOI-1, Interior Vibration Standards: The City shall require construction projects anticipated to generate a significant amount of vibration to ensure acceptable interior vibration levels at nearby residential and commercial uses based on the current City or Federal Transit Administration (FTA) criteria.

NOI-2. Vibration Screening Distances: The City shall require new residential and commercial projects located adjacent to major freeways, hard rail lines, or light rail lines to follow the Federal Transit Administration (FTA) screening distance criteria.

NOI-3. Vibration: The City shall require an assessment of the damage potential of vibration-induced construction activities, highways, and rail lines in close proximity to historic buildings and archeological sites and require all feasible mitigation measures be implemented to ensure no damage would occur.

STANDARDS OF SIGNIFICANCE

For purposes of this Initial Study, impacts due to noise may be considered significant if construction and/or implementation of the Proposed Project would result in the following impacts that remain significant after implementation of General Plan policies or mitigation from the General Plan MEIR:

- result in exterior noise levels in the project area that are above the upper value of the normally acceptable category for various land uses due to the project's noise level increases;
- result in residential interior noise levels of 45 dBA L_{dn} or greater caused by noise level increases due to the project;
- result in construction noise levels that exceed the standards in the City of Sacramento Noise Ordinance;
- permit existing and/or planned residential and commercial areas to be exposed to vibration-peak-particle velocities greater than 0.5 inches per second due to project construction;
- permit adjacent residential and commercial areas to be exposed to vibration peak particle velocities greater than 0.5 inches per second due to highway traffic and rail operations; or
- permit historic buildings and archeological sites to be exposed to vibration-peak-particle velocities greater than 0.2 inches per second due to project construction and highway traffic.

SUMMARY OF ANALYSIS UNDER THE 2030 GENERAL PLAN MASTER EIR, INCLUDING CUMULATIVE IMPACTS, GROWTH INDUCING IMPACTS, AND IRREVERSIBLE SIGNIFICANT EFFECTS

The Master EIR evaluated the potential for development under the 2030 General Plan to increase noise levels in the community. New noise sources include vehicular traffic, aircraft, railways, light rail and stationary sources. The general plan policies establish exterior (Policy EC 3.1.1) and interior (EC 3.1.3) noise standards. A variety of policies provide standards for the types of development envisioned in the general plan. See Policy EC 3.1.8, which requires new mixed-use, commercial and industrial development to mitigate the effects of noise from operations on adjoining sensitive land use, and Policy 3.1.9, which calls for the City to limit hours of operations for parks and active recreation areas to minimize disturbance to nearby residences. Notwithstanding application of the general plan policies, noise impacts for exterior noise levels (Impact 6.8-1) and interior noise levels (Impact 6.8-2), and vibration impacts (Impact 6.8-4) were found to be significant and unavoidable.

MITIGATION MEASURES FROM 2030 GENERAL PLAN MASTER EIR THAT APPLY TO THE PROJECT

None.

ANSWERS TO CHECKLIST QUESTIONS

QUESTIONS A THROUGH F

Temporary increases in noise levels would occur during construction of the proposed project. Construction activities would require equipment for grading and paving for the bike trail and construction of associated facilities. Construction noise can range from 65 dB to nearly 90 dB depending on the type of equipment used and the type of activity. Construction noise would be intermittent. Construction noise is exempt from the City of Sacramento Noise Ordinance between the hours of 7:00 a.m. and 6:00 p.m., Monday through Saturday, and between 9:00 a.m. and 6:00 p.m. on Sundays. It is not anticipated that the construction equipment and activities would result vibration-peak-particle velocities greater than 0.5 inches per second due to project construction.

Recreational uses of the project site would be limited to primarily non-motorized activities and low-intensity passive recreation, which results in little increase in existing noise levels. The maximum normally acceptable exterior noise level allowed for recreation land use is 70 dB. It is not anticipated that the noise levels due to the project will increase significantly or result in interior noise levels over 45 Ldn for the adjacent residential land use.

MITIGATION MEASURES

No mitigation measures are required.

Findings

The project would have no additional project-specific environmental effects relating to Noise.

Issues:	Effect will be studied in the EIR	Effect can be mitigated to less than significant	No additional significant environmental effect
<p>9. PUBLIC SERVICES</p> <p>Would the project result in the need for new or altered services related to fire protection, police protection, school facilities, roadway maintenance, or other governmental services beyond what was anticipated in the 2030 General Plan?</p>			X

ENVIRONMENTAL SETTING

The City of Sacramento Department of Utilities currently maintains a substantial portion of the East Drainage Canal. In addition, the Reclamation District 1000 maintains portions of the canal and associated facilities. The City's Department of Transportation would install the bike trail and associated facilities, and the Department of Parks and Recreation would maintain the bike trail. The City's Police Department would respond to emergency situations, complaints, and criminal activities along the bike trail. The Fire Department would respond to fire events, medical services, and hazardous material spills.

STANDARDS OF SIGNIFICANCE

For the purposes of this Initial Study, an impact would be considered significant if the project resulted in the need for new or altered services related to fire protection, police protection, school facilities, roadway maintenance, or other governmental services beyond what was anticipated in the 2030 General Plan.

SUMMARY OF ANALYSIS UNDER THE 2030 GENERAL PLAN MASTER EIR, INCLUDING CUMULATIVE IMPACTS, GROWTH INDUCING IMPACTS, AND IRREVERSIBLE SIGNIFICANT EFFECTS

The Master EIR evaluated the potential effects of the 2030 General Plan on various public services. These include parks (Chapter 6.9) and police, fire protection, schools, libraries and emergency services (Chapter 6.10).

The general plan provides that adequate staffing levels for police and fire are important for the long-term health, safety and well-being of the community (Goal PHS 1.1, PHS 2.1). The Master EIR concluded that effects would be less than significant.

General plan policies that call for the City to consider impacts of new development on schools (see, for example, Policy ERC 1.1.2 setting forth locational criteria, and Policy ERC 1.1.5 that encourages joint-use development of facilities) reduced impacts on schools to a less-than-significant level. Impacts on library facilities were also considered less than significant (Impact 6.10-8).

MITIGATION MEASURES FROM 2030 GENERAL PLAN MASTER EIR THAT APPLY TO THE PROJECT

None.

ANSWERS TO CHECKLIST QUESTION

The proposed project would require periodic maintenance including cleaning and repair of facilities and weed control. The Department of Parks and Recreation sets up regular maintenance programs for the bike trails in North Natomas and the Department of Utilities would continue to maintain the storm water facilities within the drainage canal. The proposed project would not require public services maintenance beyond what is normally required for a bike trail. The proposed project would not result in effects to existing schools or require new school facilities.

MITIGATION MEASURES

No mitigation measures required.

FINDINGS

The project would have no additional project-specific environmental effects relating to Public Services.

Issues:	Effect will be studied in the EIR	Effect can be mitigated to less than significant	No additional significant environmental effect
10. RECREATION Would the project:			
A) Cause or accelerate substantial physical deterioration of existing area parks or recreational facilities?			X
B) Create a need for construction or expansion of recreational facilities beyond what was anticipated in the 2030 General Plan?			X

ENVIRONMENTAL SETTING

The proposed project site is adjacent to residential, commercial and a utility corridor. The bike trail is identified in the City's 2010 Bikeway Master Plan as a proposed Class 1 bike trail.

STANDARDS OF SIGNIFICANCE

For purposes of this Initial Study, impacts to recreational resources are considered significant if the proposed project would do either of the following:

- cause or accelerate substantial physical deterioration of existing area parks or recreational facilities; or
- create a need for construction or expansion of recreational facilities beyond what was anticipated in the 2030 General Plan.

SUMMARY OF ANALYSIS UNDER THE 2030 GENERAL PLAN MASTER EIR, INCLUDING CUMULATIVE IMPACTS, GROWTH INDUCING IMPACTS, AND IRREVERSIBLE SIGNIFICANT EFFECTS

Chapter 6.9 of the Master EIR considered the effects of the 2030 General Plan on the City's existing parkland, urban forest, recreational facilities and recreational services. The general plan identified a goal of providing an integrated park and recreation system in the City (Goal ERC 2.1). New residential development will be required to dedicate land, pay in-lieu fees or otherwise contribute a fair share to the acquisition and development of parks and recreation facilities. (Policy ERC 2.2.4) Impacts were considered less than significant after application of the applicable policies. (Impacts 6.9-1 and 6.9-2)

MITIGATION MEASURES FROM 2030 GENERAL PLAN MASTER EIR THAT APPLY TO THE PROJECT

None required.

ANSWERS TO CHECKLIST QUESTIONS

QUESTIONS A AND B

The project would provide additional recreation amenities to the North Natomas area and create a link between communities to be used for recreation and alternative forms of transportation. The project is intended to help meet the demand for recreational facilities as identified in the 2030 General Plan.

MITIGATION MEASURES

No mitigation measures are required.

FINDINGS

The project would have no additional project-specific environmental effects relating to Recreation.

East Drainage Canal Bike Trail
Initial Study/Mitigated Negative Declaration
City of Sacramento

Issues:	Effect remains significant with all identified mitigation	Effect can be mitigated to less than significant	No additional significant environmental effect
11. TRANSPORTATION AND CIRCULATION			
Would the project:			
A) Roadway segments: degrade peak period Level of Service (LOS) from A,B,C or D (without the project) to E or F (with project) or the LOS (without project) is E or F, and project generated traffic increases the Volume to Capacity Ratio (V/C ratio) by 0.02 or more.			X
B) Intersections: degrade peak period level of service from A, B, C or D (without project) to E or F (with project) or the LOS (without project) is E or F, and project generated traffic increases the peak period average vehicle delay by five seconds or more?			X
C) Freeway facilities: off-ramps with vehicle queues that extend into the ramp's deceleration area or onto the freeway; project traffic increases that cause any ramp's merge/diverge level of service to be worse than the freeway's level of service; project traffic increases that cause the freeway level of service to deteriorate beyond level of service threshold defined in the Caltrans Route Concept Report for the facility; or the expected ramp queue is greater than the storage capacity?			X
D) Transit: adversely affect public transit operations or fail to adequately provide for access to public?			X
E) Bicycle facilities: adversely affect bicycle travel, bicycle paths or fail to adequately provide for access by bicycle?			X
F) Pedestrian: adversely affect pedestrian travel, pedestrian paths or fail to adequately provide for access by pedestrians?			X

ENVIRONMENTAL SETTING

The project is located in North Natomas off street between the end of the existing East Drainage Canal near the intersection of Truxel Road and Natomas Crossing Drive and Airport Drive.

STANDARDS OF SIGNIFICANCE

For purposes of this Initial Study, impacts resulting from changes in transportation or circulation may be considered significant if construction and/or implementation of the Proposed Project would result in the following impacts that remain significant after implementation of General Plan policies or mitigation from the General Plan MEIR:

Roadway Segments

- A) the traffic generated by a project degrades peak period Level of Service (LOS) from A, B, C or D (without the project) to E or F (with project) or
- B) the LOS (without project) is E or F, and project generated traffic increases the Volume to Capacity Ratio (V/C ratio) by 0.02 or more.

Intersections

- the traffic generated by a project degrades peak period level of service from A, B, C or D (without project) to E or F (with project) or
- the LOS (without project) is E or F, and project generated traffic increases the peak period average vehicle delay by five seconds or more.

Freeway Facilities

Caltrans considers the following to be significant impacts.

- off-ramps with vehicle queues that extend into the ramp's deceleration area or onto the freeway;
- project traffic increases that cause any ramp's merge/diverge level of service to be worse than the freeway's level of service;
- project traffic increases that cause the freeway level of service to deteriorate beyond level of service threshold defined in the Caltrans Route Concept Report for the facility; or
- the expected ramp queue is greater than the storage capacity.

Transit

- adversely affect public transit operations or
- fail to adequately provide for access to public transit.

Bicycle Facilities

- adversely affect bicycle travel, bicycle paths or
- fail to adequately provide for access by bicycle.

Pedestrian Circulation

- adversely affect pedestrian travel, pedestrian paths or
- fail to adequately provide for access by pedestrians.

SUMMARY OF ANALYSIS UNDER THE 2030 GENERAL PLAN MASTER EIR, INCLUDING CUMULATIVE IMPACTS, GROWTH INDUCING IMPACTS, AND IRREVERSIBLE SIGNIFICANT EFFECTS

Transportation and circulation were discussed in the Master EIR in Chapter 6.12. Various modes of travel were included in the analysis, including vehicular, transit, bicycle, pedestrian and aviation components. The analysis included consideration of roadway capacity and identification of levels of service, and effects of the 2030 General Plan on the public transportation system. Provisions of the 2030 General Plan that provide substantial guidance include Goal Mobility 1.1, calling for a transportation system that is effectively planned, managed, operated and maintained, promotion of multimodal choices (Policy M 1.2.1), identification of level of service standards (Policy M 1.2.2), development of a fair share funding system for Caltrans facilities (Policy M 1.5.6) and development of complete streets (Goal M 4.2).

While the general plan includes numerous policies that direct the development of the City's transportation system, the Master EIR concluded that the general plan development would result in significant and unavoidable effects. See Impacts 6.12-1, 6.12-8 (roadway segments in the City), Impacts 6.12-2, 6.12-9 (roadway segments in neighboring jurisdictions), and Impacts 6.12-3, 6.12-10 (freeway segments).

MITIGATION MEASURES FROM 2030 GENERAL PLAN MASTER EIR THAT APPLY TO THE PROJECT

None.

ANSWERS TO CHECKLIST QUESTIONS

Some traffic would be generated by construction vehicles during project construction. However, only minor short-term construction would occur. Since the majority of the construction work is located off-street, it would not affect area roadways, intersections, transit lines, or freeway facilities.

The project would have a beneficial impact on bicycle travel and pedestrian travel. The project is a planned Class 1 bike trail in the 2010 Bikeway Master Plan. The project supports alternative modes of transportation, which would also provide a beneficial impact on local roadways and freeways.

MITIGATION MEASURES

No mitigation measures are required.

FINDINGS

The project would have no additional project-specific environmental effects relating to Transportation and Circulation.

Issues:	Effect will be studied in the EIR	Effect can be mitigated to less than significant	No additional significant environmental effect
12. UTILITIES AND SERVICE SYSTEMS			
Would the project:			
A) Result in the determination that adequate capacity is not available to serve the project's demand in addition to existing commitments?			X
B) Require or result in either the construction of new utilities or the expansion of existing utilities, the construction of which could cause significant environmental impacts?			X

ENVIRONMENTAL SETTING

The Department of Utilities currently maintains a significant portion of the East Drainage Canal. In addition, the Reclamation District 1000 maintains portions of the canal and associated facilities.

STANDARDS OF SIGNIFICANCE

For the purposes of this Initial Study, an impact would be considered significant if the project resulted in the need for new or altered services related to fire protection, police protection, or school facilities beyond what was anticipated in the 2030 General Plan:

- result in the determination that adequate capacity is not available to serve the project's demand in addition to existing commitments or
- require or result in either the construction of new utilities or the expansion of existing utilities, the construction of which could cause significant environmental impacts.

SUMMARY OF ANALYSIS UNDER THE 2030 GENERAL PLAN MASTER EIR, INCLUDING CUMULATIVE IMPACTS, GROWTH INDUCING IMPACTS, AND IRREVERSIBLE SIGNIFICANT EFFECTS

The Master EIR evaluated the effects of development under the 2030 General Plan on water supply, sewer and storm drainage, solid waste, electricity, natural gas and telecommunications. See Chapter 6.11.

The Master EIR evaluated the impacts of increased demand for water that would occur with development under the 2030 General Plan. Policies in the general plan would reduce the impact generally to a less-than-significant level (see Impact 6.11-1) but the need for new water supply facilities results in a significant and unavoidable effect (Impact 6.11-2). The potential need for expansion of wastewater treatment facilities was identified as having a significant and unavoidable effect (Impacts 6.11-4, 6.11-5). Impacts on solid waste facilities were less than significant (Impacts 6.11-7, 6.11-8). Implementation of energy efficient standards as set forth in Titles 20 and 24 of the California Code of Regulations for residential and non-residential buildings, would reduce effects for energy to a less-than-significant level.

MITIGATION MEASURES FROM 2030 GENERAL PLAN MASTER EIR THAT APPLY TO THE PROJECT

None available.

ANSWERS TO CHECKLIST QUESTIONS

The construction of the bike trail would not affect the capacity of the utilities which serve the North Natomas area. The bike trail is located outside of the drainage canal and on existing service roads.

MITIGATION MEASURES

No mitigation measures are required.

FINDINGS

The project would have no additional project-specific environmental effects relating to Utilities and Service Systems.

MANDATORY FINDINGS OF SIGNIFICANCE

Issues:	Effect remains significant with all identified mitigation	Effect can be mitigated to less than significant	No additional significant environmental effect
13. MANDATORY FINDINGS OF SIGNIFICANCE			
A.) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?		X	
B.) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.)			X
C.) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?		X	

Answers to Checklist Questions

QUESTIONS A THROUGH C

With mitigation measures in Biological Resources and Cultural Resources, the proposed project does not have the potential to significantly degrade the quality of the environment, including effects on wildlife species and effects on periods of history.

The proposed project was anticipated as a component of the 2010 Bikeway Master Plan. The 2030 General Plan anticipated recreational uses within this corridor. When impacts are considered along with or in combination with other impacts, the project related impacts are less than significant.

SECTION IV - ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED

The environmental factors checked below would potentially be affected by this project.

- | | |
|--|--|
| <input checked="" type="checkbox"/> Light and Glare | <input type="checkbox"/> Hazards |
| <input checked="" type="checkbox"/> Air Quality | <input type="checkbox"/> Noise |
| <input checked="" type="checkbox"/> Biological Resources | <input type="checkbox"/> Public Services |
| <input checked="" type="checkbox"/> Cultural Resources | <input type="checkbox"/> Recreation |
| <input type="checkbox"/> Energy and Mineral Resources | <input type="checkbox"/> Transportation/Circulation |
| <input type="checkbox"/> Geology and Soils | <input type="checkbox"/> Utilities and Service Systems |
| <input type="checkbox"/> Hydrology and Water Quality | <input type="checkbox"/> |
| <input type="checkbox"/> | <input type="checkbox"/> |
| <input type="checkbox"/> None Identified | <input type="checkbox"/> |
| <input type="checkbox"/> | <input type="checkbox"/> |

SECTION V - DETERMINATION

On the basis of the initial study:

I find that (a) the proposed project is an anticipated subsequent project identified and described in the 2030 General Plan Master EIR; (b) the proposed project is consistent with the 2030 General Plan land use designation and the permissible densities and intensities of use for the project site; (c) that the discussions of cumulative impacts, growth inducing impacts, and irreversible significant effects in the Master EIR are adequate for the proposed project; and (d) the proposed project will have additional significant environmental effects not previously examined in the Master EIR. A Mitigated Negative Declaration will be prepared. Mitigation measures from the Master EIR will be applied to the project as appropriate, and additional feasible mitigation measures and alternatives will be incorporated to revise the proposed project before the negative declaration is circulated for public review, to avoid or mitigate the identified effects to a level of insignificance. (CEQA Guidelines Section 15178(b))



Signature

10/11/11

Date

DANA ALLEN

Printed Name

REFERENCES CITED

Sample references

Air Resources Board, GHG Emission Inventory Summary (1990-2004)
http://www.arb.ca.gov/app/ghg/ghg_sector_data.php

City of Sacramento, 2009. *2030 General Plan*.

City of Sacramento, 2008. *Sacramento 2030 General Plan Master Environmental Impact Report*

City of Sacramento, Department of Utilities. 2007. *Table 3-2 Stormwater Quality Control Measure Selection Matrix in the Stormwater Quality Design Manual*.

Institute for Transportation Engineers, Trip Generation 7th Edition

Sacramento Metropolitan Air Quality Management District (SMAQMD) 2004. *Guide to Air Quality Assessment in Sacramento County*.

Attachment 1

Road Construction Emissions Model, Version 6.3.2

Emission Estimates for -> East Drainage Canal Bike Trail											
Project Phases (English Units)	ROG (lbs/day)	CO (lbs/day)	NOx (lbs/day)	Total PM10 (lbs/day)	Exhaust PM10 (lbs/day)	Fugitive Dust PM10 (lbs/day)	Total PM2.5 (lbs/day)	Exhaust PM2.5 (lbs/day)	Fugitive Dust PM2.5 (lbs/day)	CO2 (lbs/day)	
Grubbing/Land Clearing	4.3	18.1	33.4	1.6	1.5	0.2	1.4	1.4	0.0	3,424.7	
Grading/Excavation	5.1	26.4	37.7	2.0	1.9	0.2	1.7	1.7	0.0	4,452.1	
Drainage/Utilities/Sub-Grade	4.2	17.0	29.3	1.7	1.6	0.2	1.5	1.5	0.0	3,195.6	
Paving	2.8	10.5	14.1	1.3	1.3	-	1.1	1.1	-	1,415.6	
Maximum (pounds/day)	5.1	26.4	37.7	2.0	1.9	0.2	1.7	1.7	0.0	4,452.1	
Total (tons/construction project)	0.2	0.9	1.4	0.1	0.1	0.0	0.1	0.1	0.0	154.1	

Notes: Project Start Year -> 2012
 Project Length (months) -> 4
 Total Project Area (acres) -> 2
 Maximum Area Disturbed/Day (acres) -> 0
 Total Soil Imported/Exported (yd³/day) -> 99

PM10 and PM2.5 estimates assume 50% control of fugitive dust from watering and associated dust control measures if a minimum number of water trucks are specified.

Total PM10 emissions shown in column F are the sum of exhaust and fugitive dust emissions shown in columns H and I. Total PM2.5 emissions shown in Column J are the sum of exhaust and fugitive dust emissions shown in columns K and L.

Emission Estimates for -> East Drainage Canal Bike Trail											
Project Phases (Metric Units)	ROG (kgs/day)	CO (kgs/day)	NOx (kgs/day)	Total PM10 (kgs/day)	Exhaust PM10 (kgs/day)	Fugitive Dust PM10 (kgs/day)	Total PM2.5 (kgs/day)	Exhaust PM2.5 (kgs/day)	Fugitive Dust PM2.5 (kgs/day)	CO2 (kgs/day)	
Grubbing/Land Clearing	2.0	8.2	15.2	0.7	0.7	0.1	0.6	0.6	0.0	1,556.7	
Grading/Excavation	2.3	12.0	17.2	0.9	0.9	0.1	0.8	0.8	0.0	2,023.7	
Drainage/Utilities/Sub-Grade	1.9	7.7	13.3	0.8	0.7	0.1	0.7	0.7	0.0	1,452.5	
Paving	1.3	4.8	6.4	0.6	0.6	-	0.5	0.5	-	643.5	
Maximum (kilograms/day)	2.3	12.0	17.2	0.9	0.9	0.1	0.8	0.8	0.0	2,023.7	
Total (megagrams/construction project)	0.2	0.8	1.2	0.1	0.1	0.0	0.1	0.1	0.0	139.8	

Notes: Project Start Year -> 2012
 Project Length (months) -> 4
 Total Project Area (hectares) -> 1
 Maximum Area Disturbed/Day (hectares) -> 0
 Total Soil Imported/Exported (meters³/day) -> 76

PM10 and PM2.5 estimates assume 50% control of fugitive dust from watering and associated dust control measures if a minimum number of water trucks are specified.

Total PM10 emissions shown in column F are the sum of exhaust and fugitive dust emissions shown in columns H and I. Total PM2.5 emissions shown in Column J are the sum of exhaust and fugitive dust emissions shown in columns K and L.

Attachment 2

**Biological Resources Report
City of Sacramento's
East Drainage Canal Bike Trail Project
(PN: K19006000)**



Prepared for:

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August 2011

Table of Contents

0.0 EXECUTIVE SUMMARY.....	4
1.0 INTRODUCTION.....	5
1.1 Project Description and Project Location.....	5
1.2 Survey Dates and Survey Personnel.....	5
1.3 Survey Methods.....	5
1.4 Literature Search and Pre-Survey Investigation.....	6
1.5 Special-Status Species Biological Resources Targeted During Project Field Surveys.....	7
2.0 BIOLOGICAL SETTING.....	20
2.1 Habitat Types.....	20
2.2 Wildlife Resources.....	21
2.3 Botanical Resources.....	23
3.0 REGULATORY SETTING.....	24
3.1 Federal Endangered Species Act.....	24
3.2 California Endangered Species Act.....	24
3.3 Natomas Basin Habitat Conservation Plan.....	25
3.4 Sacramento City Code.....	27
3.5 Jurisdictional Waters of the United States (Including Wetlands) and Section 404 of the Clean Water Act.....	27
3.6 Jurisdictional Waters of the State and the Porter-Cologne Water Quality Control Act.....	27
3.7 Section 1602 of the Fish and Game Code.....	27
3.8 Section 3503-3503.5 of the Fish and Game Code.....	28
3.9 Federal Migratory Bird Treaty Act.....	28
4.0 IMPACTS AND MITIGATION MEASURES.....	29
4.1 Method of Analysis.....	29
4.2 Threshold of Significance.....	29
4.3 Effects on Giant Garter Snake.....	30
4.4 Effects on Swainson's Hawks.....	33
4.5 Effects on Burrowing Owls.....	35
4.6 Effects on Tricolored Blackbirds.....	36
4.7 Effects on Loggerhead Shrike.....	37
4.8 Effects on California Tiger Salamander.....	38
4.9 Effects on Other Nesting Birds.....	39

4.10 Compliance and Construction Monitoring.....	40
4.11 Effects on Conservation Strategy of NBHCP.....	42
4.12 Effects on Attainment of NBHCP Goals and Objectives.....	42
5.0 DISCUSSION AND RECOMMENDATIONS.....	43
5.1 Agency Consultation.....	43
5.2 Preconstruction, Construction, and Post-construction Activities.....	43
5.3 Participation in NBHCP.....	43
6.0 REFERENCES.....	45
6.1 Printed and Online References.....	45
6.2 Personal Communications.....	46
Appendix A. Species Observed at the City of Sacramento's East Drainage Canal Bike Trail Study Area.....	47
Appendix B. Representative Site Photographs.....	50

0.0 EXECUTIVE SUMMARY

The City of Sacramento proposes to construct a bike path in the North Natomas area, located between the end of the existing East Drainage Canal bike trail (near the intersection of Truxel Road and Natomas Crossing Drive) and Airport Road (Figure 1). The objective of the project is to provide a Class 1 bike facility to improve connectivity of the bikeways in the North Natomas area, in accordance with the 2010 Bikeway Master Plan. Proposed improvements will include:

- constructing an off-street bike trail to the west of the East Drainage Canal levee;
- modifying the existing bike access at the southwest corner of Truxel Road at Natomas Crossing Drive;
- constructing a connection to Tanzanite Park;
- repairing an existing concrete maintenance road; and
- modifying the existing maintenance road access at Airport Road to accommodate the proposed bike trail.

This report was prepared to document biological site conditions, identify regulatory considerations regarding biological resource protection, and identify impacts and compensatory mitigation that could be required to offset project impacts.

The project is located within the City of Sacramento's fee area of the Natomas Basin Habitat Conservation Plan (NBHCP—City of Sacramento 2003), and therefore must comply with the terms and conditions of the NBHCP. The following NBHCP-protected wildlife species were determined to have potential to occur in the study area: Swainson's hawk, white-tailed kite, burrowing owl, tricolored blackbird, loggerhead shrike, giant garter snake, and California tiger salamander. No NBHCP-covered plants or other special-status plant species were considered to have potential to occur at the study area. To help reduce potential for impacts on special-status wildlife species, a combination of preconstruction activities, construction-related avoidance, and post-construction use actions were recommended (in accordance with standard procedures specified in the NBHCP). If implemented, these actions will reduce project impacts to a less-than-significant level.

The City of Sacramento intends to submit this report to the resource agencies as per the conditions of the NBHCP to complete informal consultation process with the US Fish and Wildlife Service (USFWS) and California Department of Fish and Game (CDFG), and to verify participation and coverage under the NBHCP.

1.0 INTRODUCTION

1.1 Project Description and Project Location

The City of Sacramento proposes to construct a bike path in the North Natomas area, located between the end of the existing East Drainage Canal Bike Trail (near the intersection of Truxel Road and Natomas Crossing Drive) and Airport Road (Figure 1). A portion of the proposed bike path will be constructed on land that is currently vacant. The remainder of the proposed bike path will utilize the existing concrete maintenance road at Sump No 16, adjacent to Tanzanite Park (Figure 2).

The objective of the project is to provide a Class 1 bike facility to improve connectivity of the bikeways in the North Natomas area, in accordance with the 2010 Bikeway Master Plan. Proposed improvements will include:

- constructing an off-street bike trail to the west of the East Drainage Canal levee;
- modifying the existing bike access at the southwest corner of Truxel Road at Natomas Crossing Drive;
- constructing a connection to Tanzanite Park;
- repairing an existing concrete maintenance road; and
- modifying the existing maintenance road access at Airport Road to accommodate the proposed bike trail.

1.2 Survey Dates and Survey Personnel

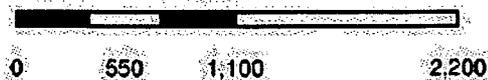
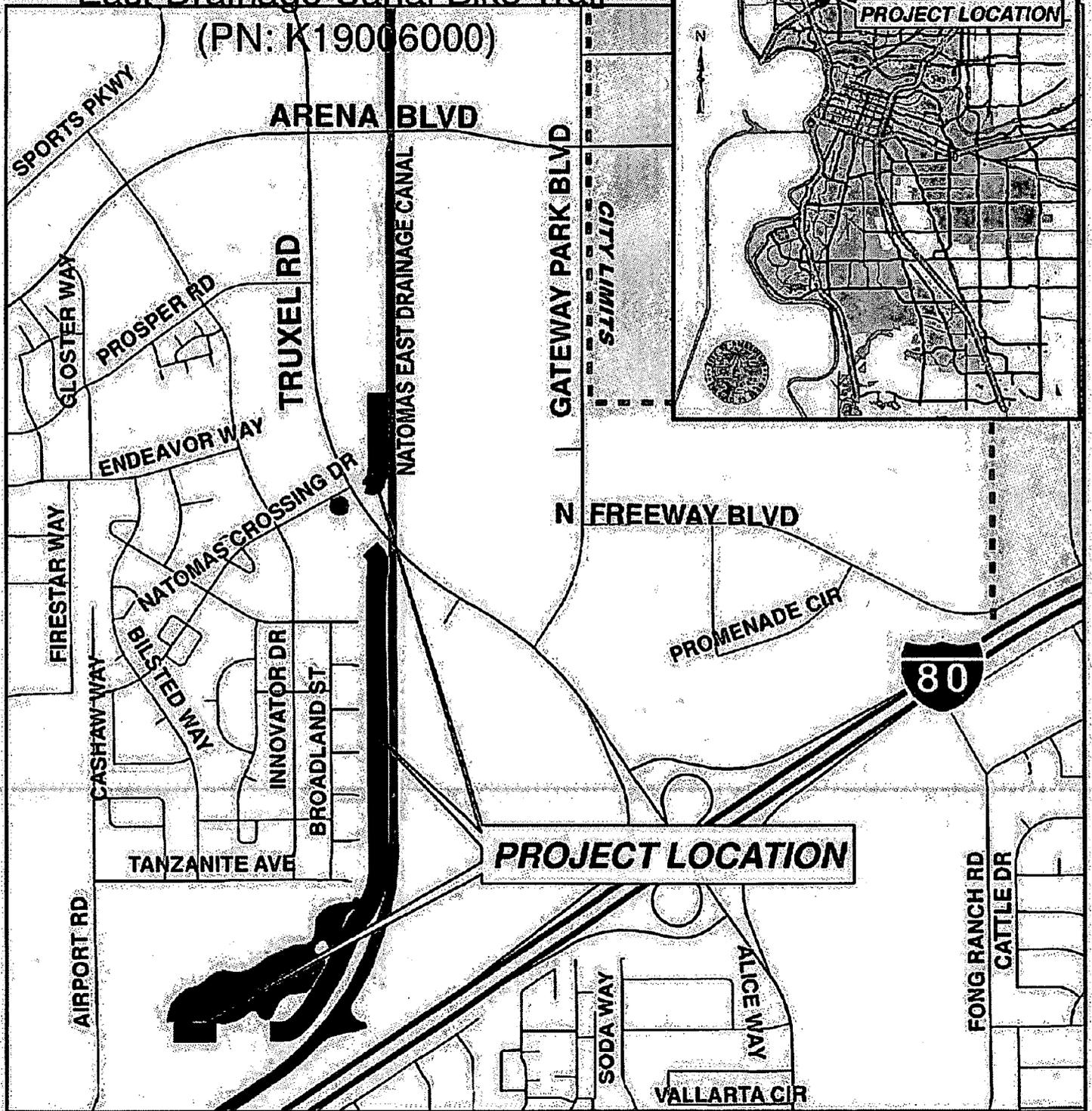
The entire project area was surveyed on foot by president and senior botanist Loran May of May & Associates, Inc. and principal and senior wildlife biologist Anne Wallace on June 10, 2011. The survey encompassed all planned bike trail improvements and a buffer of approximately 10 feet on either side of the trail. Wetlands that were present adjacent to, but outside the project area were visually scanned for wildlife and plant species, and assessed for general suitability to support special-status species, but were not surveyed because these areas will not be disturbed during project construction or subsequent use.

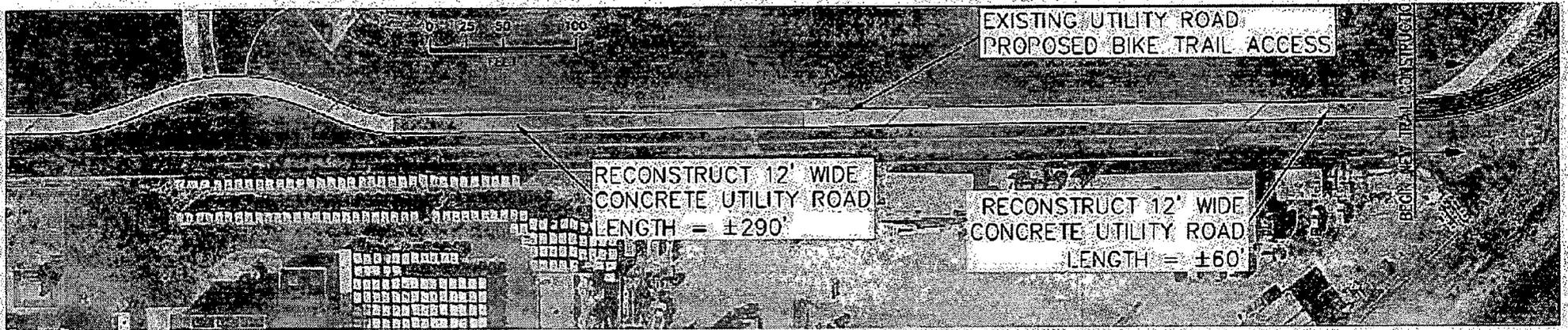
1.3 Survey Methods

The botanical survey was conducted using methodology established by the California Department of Fish and Game (CDFG), as specified in the "Guidelines for Assessing the Effects of Proposed Projects on Rare, Threatened, and Endangered Plants and Natural Communities." (CDFG, 2000). The entire survey area was assessed using a pedestrian meandering transect, with any areas supporting native or natural vegetation, or areas with potential to support special-status plant species thoroughly investigated. Habitat suitability for any targeted special-status plants that could not be identified during June 2011 was determined based on similarity of on-site habitats to those habitats associated with the targeted special-

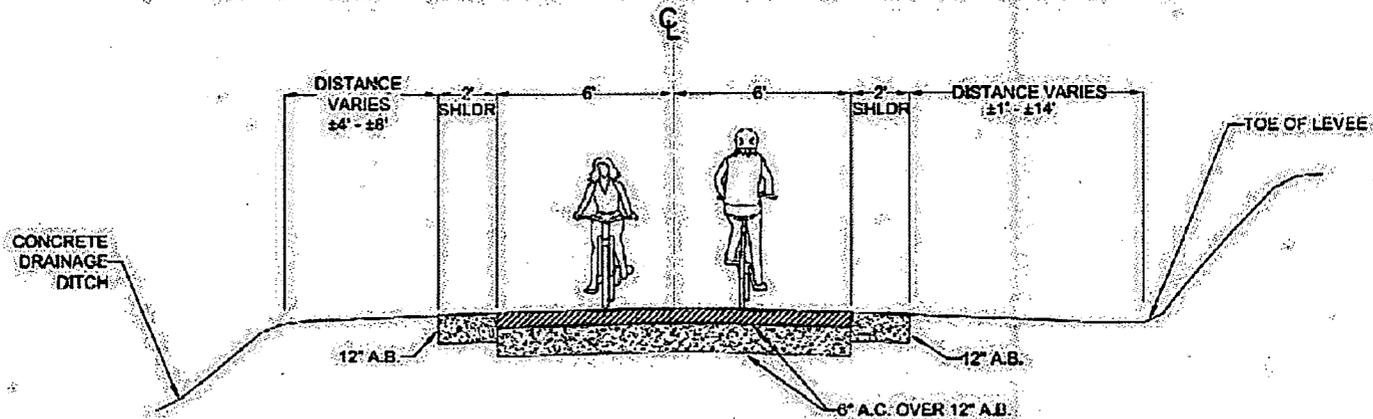
Location Map for

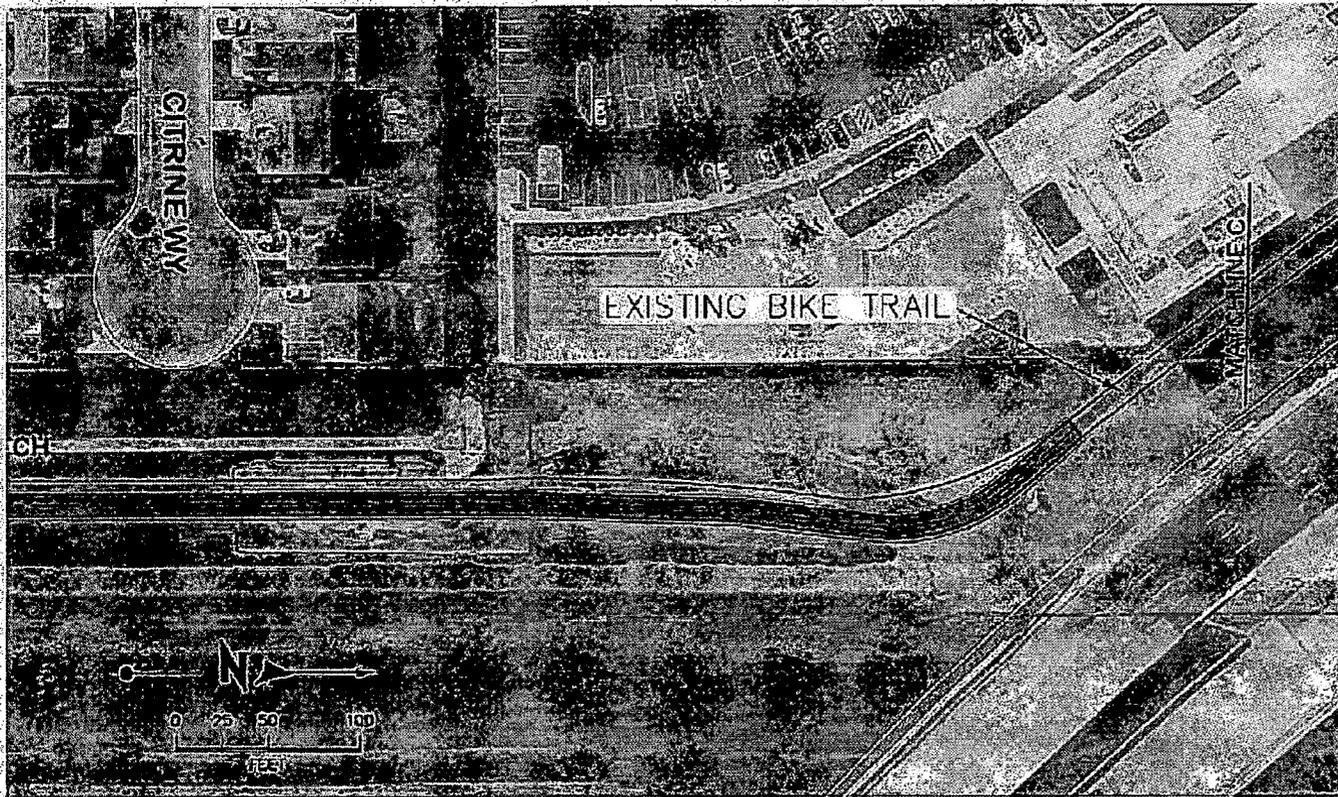
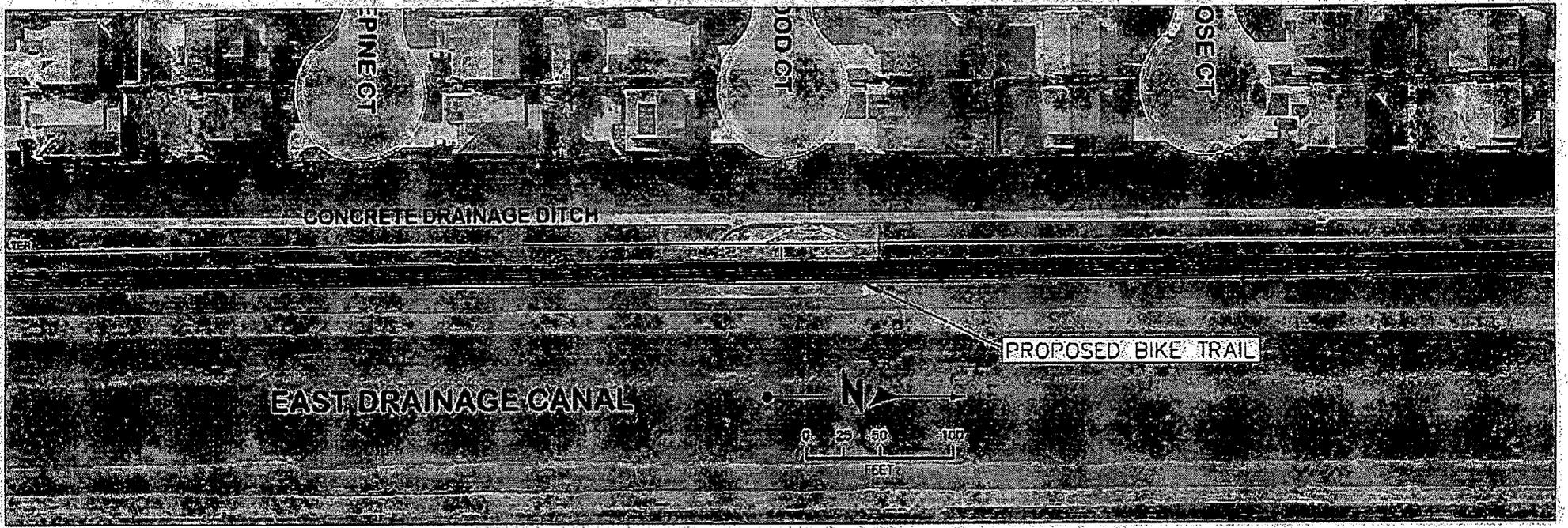
East Drainage Canal Bike Trail
(PN: K19006000)





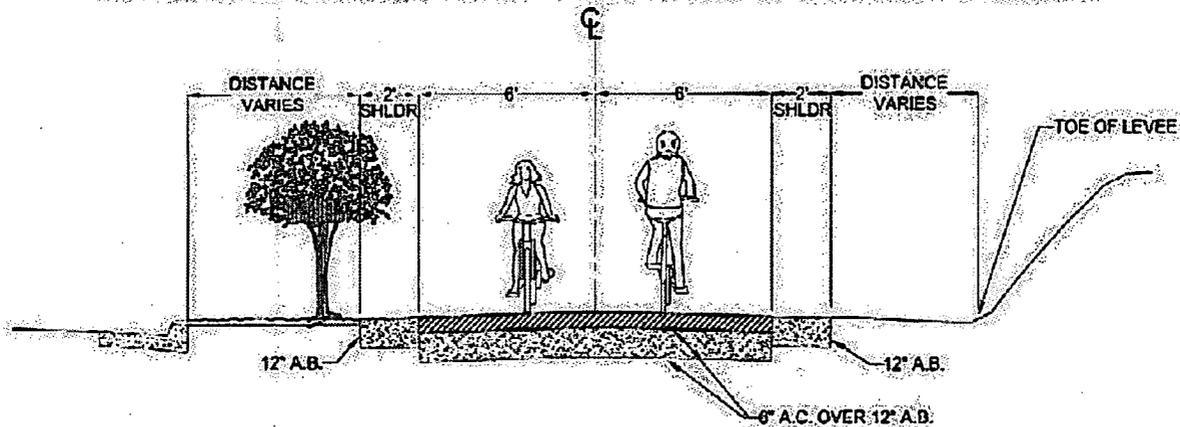
TYPICAL CROSS SECTION - NEAR CONCRETE DRAINAGE DITCH







TYPICAL CROSS SECTION - AT NATOMAS CROSSING DRIVE



status species. Plants observed during the survey were recorded (Appendix A). Photographs were taken to document overall site conditions (Appendix B).

The wildlife survey consisted of a pedestrian meandering transect through the project area in two directions. The purpose of the survey was to assess the potential for onsite and adjacent habitats to support the special-status wildlife potentially occurring in the Natomas Basin. All wildlife species observed were recorded (Appendix A).

1.4 Literature Search and Pre-Survey Investigation

Prior to conducting the biological site assessment, May & Associates conducted a literature search and California Native Diversity Data Base (CNDDDB) records search (CNDDDB 2011) and created a USFWS species list (USFWS 2011) to determine what special-status plant and wildlife species could occur in the study area and should be addressed. Refer to section 1.5 below for a list of special-status species that are known from the vicinity of the study area, that may occur there, or that may otherwise be affected by project activities.

1.4.1 Special-Status Plants

For the purposes of this document, a special-status plant species is defined as any plant species that is granted status by a federal, state, or local agency. Federally listed plant species are defined as those species granted status by the USFWS under the federal Endangered Species Act ESA and include threatened (FT), endangered (FE), proposed threatened or endangered (FPT, FPE), candidate (FC) or listed species proposed for delisting (FPD). State of California listed plant species, which are granted status by CDFG under the California Environmental Quality Act CESA, include rare (SR), threatened (ST), or endangered (SE) species, and plants listed as rare under the California Native Plant Protection Act (California Fish and Game Code, Section 1900 et seq.).

Under CEQA, special-status plants include species listed by the California Native Plant Society (CNPS) as rare, threatened, or endangered in California (CNPS Lists 1A, 1B and 2). Although the CNPS is not a regulatory agency and plants on these lists have no formal regulatory protection, plants appearing on List 1A, List 1B or List 2 are, in general, considered to meet CEQA's section 15380 criteria and substantial effects on these species can be considered significant. Additionally, plants listed by CNPS as plants about which more information is needed to determine their status and plants of limited distribution (lists 3 and 4, CNPS 2010), may also be considered to meet CEQA section 15380 criteria and may be included as special-status species on the basis of local significance or recent biological information.

Special-status plants identified during the pre-survey investigation as having potential to occur in or near the project area were targeted during the rare plant survey (described below). The following references were reviewed during the biological site assessment survey for the project.

Special-Status Plant Species Information:

- California Department of Fish and Game Natural Diversity Database Records Search for Sacramento County (CNDDDB 2011).
- California Native Plant Society's online RAREFIND database for Contra Costa County. (CNPS, 2009 accessed June 9, 2011).

Plant Identification:

- California Native Plant Society's Inventory of Rare and Endangered Plants of California (CNPS 2001).
- Illustrated Flora of the Pacific States (Abrams 1940).
- Jepson Online Interchange for California Floristics (Rosatti (ed.) 2009).
- Manual of the Grasses of the United States (Hitchcock and Chase 1971).
- Pacific States Wildflowers (Niehaus and Ripper 1987).
- The Jepson Manual, Higher Plants of California (Hickman 1993).

1.4.2 Special-Status Wildlife

For the purposes of this document, a special-status wildlife species, similar to a special-status plant species, is defined as any wildlife species that is granted status by a federal, state, or local agency. Federally listed species are those granted status by the USFWS under the federal ESA as threatened, endangered, proposed for listing as threatened or endangered, candidates for listing, proposed for delisting, or delisted¹. Wildlife listed under the CESA are granted status by CDFG may be threatened or endangered, proposed for listing as threatened or endangered, candidates for listing or delisting, or delisted. A number of species in California are also granted status by CDFG as species of special concern. Finally, some wildlife species considered in this document have no status other than being covered under the NBHCP.

Special-Status Wildlife Species Information:

- California Natural Diversity Database records search for an area centered on the project and encompassing nine USGS 7.5-minute quadrangles including Taylor Monument, Sacramento West, Sacramento East, Rio Linda, Pleasant Grove, Verona, Knights Landing, Gray's Bend, and Davis (CNDDDB 2011).
- US Fish and Wildlife Service list of federal endangered and threatened species that occur in or may be affected by projects in the Taylor Monument quad (USFWS 2011).

1.5 Special-Status Species Biological Resources Targeted During Project Field Surveys

¹ Species delisted under either the ESA or the CESA are monitored for an additional five years after delisting and are therefore included in the species list until those five years are up. Of note, a species delisted under one act may not be delisted under the other.

As a result of the literature search and pre-survey investigation, a list of special-status plant and wildlife species with potential to occur at the proposed East Drainage Canal Bike Trail Project area was prepared. This list was used to focus site assessments on those species with the greatest potential to be affected by the proposed project. Refer to Table 1.5a for a list of plant and Table 1.5b for a list of wildlife species considered to have potential to occur in or near proposed study area.

Table 1-5a Special-Status Plant Species Known Or Potentially Occurring In Or Near The East Drainage Canal Project Area¹

Common Name	Scientific Name	Status Federal/State/CNPS	Distribution	Habitat Requirements	Identification Period	Potential to Occur/Likelihood of Impact
Bogg's Lake hedge hyssop	<i>Gratiola heterosepala</i>	-/SE/1B	Central Valley and other scattered locations in northern California	Vernal pools	April-June	No. None located during field reconnaissance. Site lacks suitable vernal pool habitat
Delta tule pea	<i>Lathyrus jepsonii</i> var. <i>jepsonii</i>	-/1B	Sacramento/San Joaquin River delta, south San Francisco Bay area	Freshwater and brackish marsh	May-June	No. None located during field reconnaissance. Site lacks suitable marsh habitat
Delta woolly marbles	<i>Psilocarphus brevissimus</i> var. <i>multiflorus</i>	-/4	Central western California, from Sacramento County to Sonoma and Santa Clara counties	Vernal pools	April-June	No. None located during field reconnaissance. Site lacks suitable vernal pool habitat
Dwarf downingia	<i>Downingia pusillus</i>	-/2	Southern Sacramento Valley, northern San Joaquin Valley, and southern North Coast Ranges	Vernal pools in valley and foothill grasslands, below 1,500 feet	March-May	No. None located during field reconnaissance. Site lacks suitable vernal pool habitat
Greene's tuctoria	<i>Tuctoria greenei</i>	FE/SR/1B	Extant populations sparsely distributed throughout the Central Valley from Shasta County south to Merced County. Presumed extirpated in Stanislaus County	Vernal pools	May-July	No. None located during field reconnaissance. Site lacks suitable vernal pool habitat

Table 1.5a Continued

Common Name	Scientific Name	Status Federal/State/CNPS	Distribution	Habitat Requirements	Identification Period	Potential to Occur/Likelihood of Impact
Heckard's pepperweed	<i>Lepidium latipes</i> <i>var. heckardii</i>	-/1B	Glenn, Merced, Sacramento, Solano, and Yolo Counties	Valley and foothill grasslands, sometimes vernal pool edges. Prefers alkaline soils	March - May	No. None located during field reconnaissance. Site lacks alkaline soils and vernal pool habitat
Legenere	<i>Legenere limosa</i>	-/1B	Southern Sacramento Valley, south North Coast Ranges	Vernal pools	May-June	No. None located during field reconnaissance. Site lacks suitable vernal pool habitat
Mason's lilaeopsis	<i>Lilaeopsis masonii</i>	-/SR/1B	Sacramento/San Joaquin River delta	Tidal zone of freshwater and brackish marshes	June-August	No. None located during field reconnaissance. Site lacks suitable marsh habitat
Rose mallow, wooly rose mallow	<i>Hibiscus lasiocarpus</i> <i>var. occidentalis</i> (= <i>Hibiscus lasiocarpus</i>)	-/1B	Scattered small locations in central California, from Butte County to San Joaquin County	Freshwater marsh	August-September	No. None located during field reconnaissance. Site lacks suitable marsh habitat
Sanford's arrowhead	<i>Sagittaria sanfordii</i>	-/1B	Central Valley	Freshwater marsh, shallow streams, ditches	May-August	No. None located during field reconnaissance. Site lacks suitable marsh habitat
Soft bird's-beak	<i>Cordylanthus mollis</i> <i>ssp. mollis</i> (= <i>Chloropyron molle</i> <i>ssp. molle</i>)	PE/SR/1B	San Francisco Bay, Suisun Marsh	Salt marsh	July - November	No. None located during field reconnaissance. Site lacks suitable marsh habitat
Palmate bracted bird's-beak	<i>Cordylanthus palmatus</i> (= <i>Chloropyron palmatum</i>)	FE/SE/1B	Alameda, Yolo, Glenn, Colusa, Madeira and Fresno Counties, possibly also San Joaquin County	Chenopod scrub, valley and foothill grasslands, usually alkaline on Pescadero Silt Clay	May-Oct	No. None located during field reconnaissance. Site lacks suitable alkaline Pescadero clay habitat

Table 1.5a Continued

Common Name	Scientific Name	Status Federal/State/CNPS	Distribution	Habitat Requirements	Identification Period	Potential to Occur/Likelihood of Impact
Sacramento orcutt grass	<i>Orcuttia viscida</i>	PT/SE/1B	Sacramento County, mostly concentrated in a small area located east of Mather Field.	Relatively large, deep vernal pools Sacramento County.	May-July	No. None located during field reconnaissance. Site lacks suitable vernal pool habitat.
Colusa grass	<i>Neostapfia colusana</i>	FE/SE/1B	Merced, Solano, and Stanislaus Counties below 700 feet.	Relatively large, deep vernal pools Sacramento County.	May-July	No. None located during field reconnaissance. Site lacks suitable vernal pool habitat.
Stinkbells	<i>Fritillaria agrestis</i>	-/-/4	1.6 MI S OF RIO LINDA.	Cismontane woodlands, chaparral, valley and foothill grasslands; sometimes on serpentine soils; prefers clay soils.	February - April	No. None located during field reconnaissance. Site lacks suitable woodland or chaparral habitat.
Suisun marsh aster	<i>Symphotrichum lentum</i>	-/-/1B	Contra Costa, Napa, Sacramento, San Joaquin, Solano, and Yolo Counties	Brackish and freshwater marshes and swamps.	May-Nov	No. None located during field reconnaissance. Site lacks suitable marsh habitat.
Slender Orcutt grass	<i>Orcuttia tenuis</i>	PT/SE/1B	Northern Sacramento Valley, Pit River Valley; isolated populations in Lake and Sacramento counties.	Vernal pools	May-July	No. None located during field reconnaissance. Site lacks suitable vernal pool habitat.

Table 1.5a Continued

***Plant Status Explanations:**

Federal

- FE = listed as endangered under the federal Endangered Species Act.
- FT = listed as threatened under the federal Endangered Species Act.
- SC = species of concern; formerly Category 2 candidate for federal listing.
- PE = proposed for listing as endangered.
- PT = proposed for listing as threatened.
- = no listing status.

State

- SE = listed as endangered under the California Endangered Species Act.
- SR = listed as rare under the California Endangered Species Act. This category is no longer used for newly listed plants, but some plants previously listed as rare remain this designation.
- ST = listed as threatened under the California Endangered Species Act.
- GP = fully protected under the California Fish and Game Code.
- = no listing status.

California Native Plant Society

- 1B = List 1B species: rare, threatened or endangered in California and elsewhere.
- 2 = List 2 species: rare, threatened or endangered in California, more common elsewhere.
- 4 = List 4 species: plants of limited distribution; a watch list.

Table 1.5b. Special-Status Wildlife Species Known Or Potentially Occurring In Or Near The East Drainage Canal Project Area¹.

Scientific Name Common Name	Listing Status		NBHC ⁴	Habitat Type	Potential to Occur/Likelihood of Impact
	Fed ²	State ³	Y/N		
INVERTEBRATES					
<i>Branchinecta lynchi</i> Vernal pool fairy shrimp and critical habitat	FT	*	Y	Endemic to grasslands of Central Valley, central coast mountains, and south coast mountains, in small, relatively clear vernal pools.	No. No vernal pools in or near project impact area.
<i>Branchinecta mesovallensis</i> Midvalley fairy shrimp	*	*	Y	Inhabits vernal pools in the Sacramento Valley. Not known to occur in Natomas Basin as of 2003 (NBHC ⁴).	No. No vernal pools in or near project impact area.
<i>Desmocerus californicus dimorphus</i> Valley elderberry longhorn beetle and critical habitat	FT	*	Y	Generally found along waterways and in floodplains supporting remnant stands of riparian vegetation. Elderberries must be present as both larvae and adults feed on this plant.	No. No elderberries in or near project impact area.
<i>Lepidurus packardii</i> Vernal pool tadpole shrimp and critical habitat	FE	*	Y	Inhabits vernal pools and swales in the Sacramento Valley containing clear to highly turbid water.	No. No vernal pools or swales in or near project impact area.
FISHES					
<i>Acipenser medirostris</i> Green sturgeon and critical habitat	FT	*	N	Spawns in Sacramento River and its tributaries; San Francisco Bay provides rearing habitat for juveniles. Fish screens minimize or prevent species occurrence in Natomas Basin. Of concern for potential downstream impacts to water quality.	No. Species not likely to occur and no project-related impacts to East Drainage Canal.
<i>Hypomesus transpacificus</i> Delta smelt and critical habitat	FT	SE	N	Found mostly in the Sacramento-San Joaquin Delta in brackish waters. Fish screens minimize or prevent species occurrence in Natomas Basin. Of concern for potential downstream impacts to water quality.	No. Species not likely to occur and no project-related impacts to East Drainage Canal.

Table 1.5b. Special-Status Wildlife Species Known Or Potentially Occurring In Or Near The East Drainage Canal Project Area¹

Scientific Name Common Name	Listing Status		NBHCP ⁴ Y/N	Habitat Type	Potential to Occur/Likelihood of Impact
	Fed ²	State ³			
<i>Oncorhynchus mykiss</i> Steelhead-Central Valley DPS and critical habitat	FT	*	N	Anadromous form of rainbow trout found in Sacramento and San Joaquin rivers and their tributaries. Fish screens minimize or prevent species occurrence in Natomas Basin. Of concern for potential downstream impacts to water quality.	No. Species not likely to occur and no project-related impacts to East Drainage Canal.
<i>Oncorhynchus tshawytscha</i> Chinook salmon-Sacramento River winter-run ESU and critical habitat	FE	SE	N	This ESU migrates through estuaries and spawns in winter in cold, clean, fast-flowing rivers with gravel bottoms. Fish screens minimize or prevent species occurrence in Natomas Basin. Of concern for downstream impacts to water quality.	No. Species not likely to occur and no project-related impacts to East Drainage Canal.
<i>Oncorhynchus tshawytscha</i> Chinook salmon-Central Valley spring-run ESU and critical habitat	FT	ST	N	This ESU migrates through estuaries and spawns in spring in cold, clean, fast-flowing rivers with gravel bottoms. Fish screens minimize or prevent species occurrence in Natomas Basin. Of concern for potential downstream impacts to water quality.	No. Species not likely to occur and no project-related impacts to East Drainage Canal.
<i>Pogonichthys macrolepidotus</i> Sacramento splittail	*	CSC	N	Endemic to Central Valley. Once widely distributed, now confined mostly to Sacramento-San Joaquin Delta and lower reaches of some tributaries. Fish screens minimize or prevent species occurrence in Natomas Basin. Of concern for potential downstream impacts to water quality.	No. Species not likely to occur and no project-related impacts to East Drainage Canal.
AMPHIBIANS AND REPTILES					
<i>Ambystoma californiense</i> California tiger salamander	FT	SI	Y	Annual grasslands and grassy understory of valley-foothill hardwood habitats in central and northern CA. Need underground refuges, especially ground squirrel burrows, and vernal pools or other water sources for breeding. No records in nine-quad CNDDB search.	Low. Not known to occur in Natomas Basin; not expected to use any part of project area. See text for more detail.
<i>Rana aurora draytonii</i> California red-legged frog	FT	CSC	N	Highly aquatic; prefers permanent, quiet pools and streams with dense vegetation. May travel in a direct route between	No. Not likely to occur in Sacramento County.

Table 1.5b. Special-Status Wildlife Species Known Or Potentially Occurring In Or Near The East Drainage Canal Project Area¹.

Scientific Name Common Name	Listing Status		NBHCP ⁴ Y/N	Habitat Type	Potential to Occur/Likelihood of Impact
	Fed ²	State ³			
				habitats regardless of cover. No CNDDDB records on nine-quad database search. Sacramento Co not considered part of current range.	
<i>Spea hammondi</i> Western spadefoot	*	CSC	Y	Occurs primarily in grasslands with temporary pools but will occasionally use valley-foothill hardwood woodlands. Extremely vulnerable to introduced fishes, bullfrogs, and crayfishes. One 1993 record in nine-quad area, for a site >6 mi east of project area.	Low. Not known to occur in Natomas Basin; not expected to use any part of project area.
<i>Emys marmorata</i> Western pond turtle	*	CSC	Y	Permanent or nearly permanent lakes, ponds, marshes, rivers, streams, and irrigation ditches with aquatic vegetation below 6,000 ft. Need basking sites such as partially submerged logs, vegetation mats, or open mud banks, and suitable upland for egg-laying, such as sandy banks or grassy, open fields on non-shaded, south-facing slopes generally less than 25 percent slope. Habitats similar to those used by giant garter snake. Not seen during site visit.	Moderate. Could use either East Drainage Canal or pond at Tanzanite Park. Would be protected by measures implemented for giant garter snake.
<i>Thamnophis gigas</i> Giant garter snake	FT	ST	Y	Found in sloughs, canals, and other small waterways where there is a prey base of small fish and amphibians; requires grassy banks and emergent vegetation for basking, and areas of high ground protected from flooding during winter. Not seen during site visit.	Moderate. Could occur in East Drainage Canal and pond at Tanzanite Park. See text for more detail.
BIRDS					
<i>Agelaius tricolor</i> Tricolored blackbird (nesting)	*	CSC	Y	Nests in large colonies near open water in cattail, bulrush, willow, blackberry, wild rose, nettle, and thistle, with open foraging habitat nearby. Highly colonial. Most numerous in	Low. Nesting and foraging habitat marginal in and near project impact

Table 1.5b: Special-Status Wildlife Species Known Or Potentially Occurring In Or Near The East Drainage Canal Project Area¹.

Scientific Name Common Name	Listing Status		NBHCP ^a Y/N	Habitat Type	Potential to Occur/Likelihood of Impact
	Fed ^b	State ^c			
only)				Central Valley. Known from only one location in Natomas Basin several miles from project area.	area. Not seen or heard during site visit. See text for more detail.
<i>Athene cucularia</i> Burrowing owl (burrow sites and some wintering sites with or without burrows)	*	CSC	Y	Found in grasslands and along roads, canals, and edges of agricultural areas; rarely in vicinity of shrubs and trees; dens in underground burrows typically created by ground squirrels, but will also den in culverts and debris piles. CNDDDB records show use of canal within and near project area.	Moderate. Could den in banks of canal if suitable burrows and prey are present. See text for more detail.
<i>Branta hutchinsii leucopareia</i> Aleutian Canada (=cackling) goose	FD	*	Y	Winter visitor; forages and rests in Natomas Basin but does not breed. Could use agricultural fields, including rice, as well as grasslands. No known occurrences as of 2003 (NBHCP).	Low. Could use lawn habitats of Tanzanite Park during winter but would avoid disturbance associated with construction and use of trail.
<i>Buteo swainsoni</i> Swainson's hawk	*	ST	Y	Nests in riparian areas and isolated tree stands in open desert, grassland, and cropland. Forages in grasslands, pastures, and suitable grain or alfalfa fields. Relatively common in Natomas Basin.	Low for foraging/moderate for nesting within one-half mile. No trees will be removed. See text for more detail.
<i>Charadrius alexandrinus nivosus</i> Western snowy plover	FT	CSC	N	Nests colonially on open, undisturbed, sandy or gravelly shores near shallow-water feeding areas in estuaries. Forages for fish over open waters.	No. No suitable habitat in project impact area.
<i>Charadrius montanus</i> Mountain plover	FPT	CSC	N	Winter resident on open grasslands with short vegetation, plowed fields, and open sagebrush areas in Central Valley, generally below 1000 ft. Avoids high, dense cover.	Low. Habitat in project impact area not as described.

Table 1.5b. Special-Status Wildlife Species Known Or Potentially Occurring In Or Near The East Drainage Canal Project Area¹.

Scientific Name Common Name	Listing Status		NBIICP ⁴ Y/N	Habitat Type	Potential to Occur/Likelihood of Impact
	Fed ¹	State ²			
<i>Coccyzus americanus occidentalis</i> Western yellow-billed cuckoo	FC	SE	N	Found in large, dense riparian forests with a thick understory of willows for nesting.	No. Habitat in or near project impact area not as described.
<i>Elanus leucurus</i> White-tailed kite	*	CFP	N	Low rolling foothills/valley margins with scattered oaks; open grasslands, meadows, or marshes near isolated dense-topped trees for nesting and perching. Rarely found far from agricultural areas. Not seen or heard during site visit.	Low. Could forage nearby; not likely to nest in or near project impact area. See text for more detail.
<i>Lanius ludovicianus</i> Loggerhead shrike (nesting)	*	CSC	Y	Grasslands, fields, and broken woodlands. Nests in dense shrubs or small trees with thick foliage; sometimes isolated trees. Not seen or heard during site visit.	High. Could nest in trees/shrubs around Tanzanite pond. See text for more detail.
<i>Plegadis chihli</i> White-faced ibis (nesting colonies)	*	*	Y	Uses rice fields and other wet/flooded areas for foraging and nests colonially in extensive marsh areas. Not known to nest in the Natomas Basin as of 2003 (NBHCP).	No. Habitat in project impact area not as described.
<i>Progne subis</i> Purple martin	*	CSC	N	Summer resident of valley foothill and montane hardwood, conifer, and riparian habitats, sometimes in wooded residential areas. Nests in cavities, sometimes human structures, often near water.	No. Habitat in project impact area not as described.

Table 1.5b. Special-Status Wildlife Species Known Or Potentially Occurring In Or Near The East Drainage Canal Project Area¹.

Scientific Name Common Name	Listing Status		NBHCP ² Y/N	Habitat Type	Potential to Occur/Likelihood of Impact
	Fed ³	State ⁴			
<i>Riparia riparia</i> Bank swallow		ST	Y	Summer resident along creeks with vertical banks into which it digs nesting holes.	No. Habitat in project impact area not as described, although birds could forage over Natomas Basin. The project would not affect foraging swallows.
MAMMALS					
<i>Antrozous pallidus</i> Pallid bat		CSC	N	Prefers to roost in rock outcrops, cliffs, and crevices; occasionally hollow trees. Found in grasslands, shrublands, woodlands, and forests. Most common in open, dry habitats with rocky areas for roosting.	Low. Habitat in or near project impact area not as described.
<i>Lasiurus blossevillei</i> Western red bat		CSC	N	Scattered throughout much of CA at lower elevations. Found primarily in riparian and wooded habitats; much more common when cottonwoods and sycamore are present. Day roosts in trees within foliage. Females riparian-dependent. Prefer edges or habitat mosaics with trees for roosting and open areas for foraging.	Low. Habitat in or near project impact area not as described.
<i>Taxidea taxus</i> American badger		CSC	N	Found throughout most of California; most abundant in drier, open stages of most habitats; uses underground dens. Mostly nocturnal.	Low. Could use riparian areas to the west but not likely to den or forage within project area.

Wildlife Status Explanations:

Species in this table are all found on the CNDDDB or USFWS list generated for this project, and/or are covered by the Natoma Basin Habitat Conservation Plan (NBHCP)

2. Federal listing—status codes

FE = federally endangered

FT = federally threatened

FPT = proposed for federal listing as threatened

FC = candidate for federal listing as threatened or endangered

FD = federally delisted, delisted species are monitored for 5 years.

BEPA = Protected under the Bald Eagle Protection Act as a look-alike.

* = no federal status

3. State listing—status codes

SE = state endangered

ST = state threatened

SD = state delisted

CSC = California species of special concern

CFP = California fully protected. Fully protected species may not be taken or possessed at any time and no licenses or permits may be issued for their take except for collecting these species for necessary scientific research and relocation of the bird species for the protection of livestock.

* = No state status

4. Species covered under the Natoma Basin Habitat Conservation Plan

2.0 BIOLOGICAL SETTING

2.1 Habitat Types

The study area encompasses California annual grassland, landscaped/disturbed areas, and is located adjacent to wetlands, described in more detail below. The study area does not support trees or wetlands.

2.1.1 California Annual Grassland

California annual grassland, also known as non-native annual grassland, is the most common habitat type in the study area. Most of the observed California annual grassland is disturbed, most likely by levee, road, and park maintenance activities. This habitat type is dominated by non-native and naturalized grass species, such as soft chess (*Bromus hordeaceus*), rippgut brome (*Bromus diandrus*), Italian wildrye (*Lolium multiflorum*), hare barley (*Hordeum murinum* ssp. *ieporinum*), Mediterranean barley (*Hordeum marinum* ssp. *gussoneanum*), wild oat (*Avena fatua*), and mouse-tail grass (*Vulpia myuros*). Flowering plants observed in this habitat type included long-beaked filaree (*Erodium botrys*), cut-leaved geranium (*Geranium dissectum*), yellow star thistle (*Centaurea solstitialis*), curly dock (*Rumex crispus*), wild radish (*Raphanus raphanistrum*), wild mustard (*Brassica* spp.), prickly wild lettuce (*Lactuca serriola*), perennial pepperweed (*Lepidium latifolium*), prickly ox tongue (*Picris echioides*), bird's foot trefoil (*Lotus* sp.), burr clover (*Medicago polymorpha*), milk thistle (*Silybum marianum*), cheeseweed (*Malva parviflora*), common tar plant (*Holocarpha virgata*), and bindweed (*Convolvulus arvensis*). A list of species observed is included in Appendix B.

2.1.2 Landscaped/Disturbed Areas

Landscaped and disturbed areas were planted with landscaping cultivated species, were unvegetated (e.g. scraped and graveled areas), or were sparsely vegetated with California annual grassland species (described above).

2.1.3 Adjacent Wetland Areas

No wetlands were located within the study area. Several wetlands, including the Natomas Canal, the lake feature at Tanzanite Park, and roadside ditches were observed adjacent to the study area. While these areas were not surveyed as part of the project footprint, they were assessed for potential to support special-status wildlife species that could migrate into the project area.

2.2 Wildlife Resources

2.2.1 Common Wildlife Species

Habitats in the project vicinity are generally degraded and comprise a mix of ruderal upland, non-native annual grassland (closely mowed), aquatic features and wetlands, existing unpaved trail, park lawn, and other developed features. Adjacent to uplands are the East Drainage Canal on the east and south sides of the existing unpaved trail, and the pond at Tanzanite Park on the north side of the western end of the proposed trail. This mix of communities provides potential habitat for a number of common wildlife species.

Species seen or heard during the site visit are provided in Appendix A. Other common wildlife that could occur at the project site include Sierran treefrog (*Pseudacris sierra*—formerly *Pseudacris*=*Hyla regilla*), bullfrog (*Rana*=*Lithobates catesbiana*), western fence lizard (*Sceloporus occidentalis*), gopher snake (*Pituophis catenifer*), lesser goldfinch (*Spinus psaltria*), spotted towhee (*Pipilo maculatus*), red-winged blackbird (*Agelaius phoeniceus*), mourning dove (*Zenaida macroura*), house mouse (*Mus musculus*), California vole (*Microtus californicus*), and coyote (*Canis latrans*). Domestic house cats (*Felis catus*) and domestic dogs (*Canis familiaris*) are undoubtedly common visitors, and both are considered non-native predators of local wildlife.

2.2.2 Special-Status Wildlife Species

Table 1.5 provides a brief summary of relevant information on each of the special-status species known or potentially occurring in the project area based on the nine-quad CNDDDB search, the USFWS species list, and the NBHCP. Most species in the table are either not present or not likely to be adversely affected by the proposed trail and are not discussed further in this report. Further discussion was deemed appropriate for giant garter snake, Swainson's hawk, white-tailed kite, tricolored blackbird, burrowing owl, loggerhead shrike, and California tiger salamander. Discussion is provided below and follows from information presented in the table; status, scientific name, and basic life history are found in Table 1.5 and are not repeated below.

Giant Garter Snake: There are 102 occurrence records for giant garter snakes in the nine-quad CNDDDB search conducted for this project, a number of them reported from the East Drainage Canal and its intersecting ditches and channels both within and outside of the project area (CNDDDB 2011). Near the project area, giant garter snakes could use the East Drainage Canal and the pond at Tanzanite Park. They could also be found in any of the uplands of the project area but would be expected to move quickly through any habitat, aquatic or upland, that did not provide cover as protection from predators. Dense cover is preferred by the species. Since much of the upland habitat within the project area provides either little or no vegetative cover, giant garter snakes are unlikely to use it. Due to the proximity of the site to known occurrences (CNDDDB 2011) and the presence of

suitable aquatic habitat in the project vicinity, this species is presumed present and potentially affected by construction and use of the bicycle trail.

Swainson's hawk. Swainson's hawk records are also numerous, with 123 records in the nine-quad search area (CNDDDB 2011). One record is for a 2003 nest about one-quarter mile away (record 1257 southwest of Tanzanite Park), but the rest are for nests at least one-half mile away from the project area. The nearest potential nest trees are, at the closest point, about 775 feet north of the extreme south end of the trail. No trees would be removed for the project. The project impact area provides foraging habitat of only limited value because it is small and narrow (sandwiched between intensive developments), intensively managed (essentially denuded by mowing at the time of the site visit), and provides only sparse habitat for prey. Although Swainson's hawks could forage over the project area opportunistically, loss of habitat there would not materially reduce foraging opportunities for this bird. Due to the proximity of the site to species occurrences (CNDDDB 2011) and the presence of suitable, if marginal, foraging habitat in the study area, Swainson's hawks are considered potentially present and nesting birds could be affected by construction.

White-tailed kite. White-tailed kites may nest in this part of the Central Valley, and potential nest trees are found within about 750 feet of the south end of the proposed trail; however, these birds are more likely to nest near agricultural areas and all CNDDDB records in the nine-quad search area are for nests more than a mile away, farther from urbanized areas and closer to agricultural foraging habitat more than a mile away. This bird is not covered under the NBHCP. No trees would be removed for the project. No species-specific avoidance measures are provided for this bird, with the exception of including the species in the general preconstruction nesting-bird survey.

Burrowing Owl. Burrowing owls often den in banks and levees of canals if suitable burrows and prey are present. Potentially suitable habitat occurs in patches along both banks of the adjacent East Drainage Canal and on the grassland slopes of the pond around Tanzanite Park. CNDDDB records indicate past burrowing owl use of the east and west banks of East Drainage Canal at the north of the project area in 2007 (record 797, CNDDDB 2011). Neither ground-squirrel activity nor suitable dens were evident in the project area during the site visit, and burrowing owls were not seen or heard; however, a formal survey was not conducted. Due to the proximity of the site to species occurrences and the presence of suitable habitat adjacent to the study area, burrowing owls are considered potentially present and could be affected by construction.

Tricolored blackbird. Tricolored blackbird nesting colonies (rather than foraging habitat) are of primary concern to CDFG. The project area provides only marginal and unlikely nesting habitat at the west end of the pond at Tanzanite Park (outside the project area); no suitable nesting habitat is present within the study area. These birds will forage in lawns if suitable insect prey is available, so they could forage opportunistically in areas adjacent to the study area in Tanzanite Park. Tricolored blackbirds were neither seen nor

heard at the time of the site visit; however, a formal survey was not conducted. Based on the marginal habitat quality for the species, it is not expected to occur or be affected by the project.

Loggerhead Shrike. Loggerhead shrikes could nest in the trees and shrubs around the pond at Tanzanite Park (outside the study area) but the project area itself provides only foraging habitat for insects, lizards, and similar small prey. Most of the potential nest trees and shrubs are more than 100 feet from construction activities, but a few are closer. Loggerhead shrikes were neither seen nor heard during the site visit, but they are likely to occur in the vicinity.

California Tiger Salamander. There are no California tiger salamander (CTS) records in the nine-quad CNDDDB search area, and the NBHCP states that this species is not known to occur in the Natomas Basin. This species is nevertheless covered under the HCP as a species that could become established more widely in the future. If CTS were present in the area, the pond at Tanzanite Park would be considered potential breeding habitat, with the large ruderal field to the west providing the most proximate suitable over-summering upland. The project site itself provides little if any suitable upland because of the scarcity of small-mammal burrows. Because of its federally threatened status and coverage under the HCP, we include CTS in our consideration of impacts and avoidance measures but recognize that, given existing and expanding urbanization around the project area, CTS are unlikely to be present currently and unlikely to become established in the project vicinity.

2.3 Botanical Resources

2.3.1 Special-Status Plant Species

A total of seventeen special-status plant species were initially considered during this analysis as having potential to occur in the project area (Table 1.5), based on proximity to known occurrences in a 9-USGS-quadrangle search around the proposed project site (CNDDDB 2011).

Of the seventeen plant species initially considered, the project site was found to support none of the targeted special-status plant species. No suitable habitat for the targeted species listed in Table 1.5 was located (i.e. the site lacks vernal pools and other seasonal wetlands, brackish and freshwater marsh, saltmarsh and other wetlands, cismontane woodlands, chenopod scrub, chaparral; heavy clay alkaline or saline soils or other areas favored by the targeted species).

Because the project area supports relatively disturbed grassland and lacks suitable habitats favored by targeted special-status plant species, the overall potential of the site to support special-status plants is considered very low. No special-status plants were located onsite during the June 10, 2011 site assessment. Therefore, no impacts on special-status plants from project construction or operation area anticipated.

3.0 REGULATORY SETTING

Many biological resources in California are protected and/or regulated by federal and state laws and policies, including the Natomas Basin Habitat Conservation Plan (NBHCP or HCP) (City of Sacramento 2003). Prior to implementation, it would be necessary for the proposed project to be in compliance with these regulations, which are briefly described below.

3.1 Federal Endangered Species Act

Pursuant to the federal Endangered Species Act (ESA), the USFWS has regulatory authority over species federally listed as threatened or endangered. Under the ESA, a permit to "take" a listed species is required for any federal action that may harm an individual or population of that species. Take is defined under section 9 of ESA as "to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect, or to attempt to engage in any such conduct." Under federal regulation, take is further defined to include habitat modification or degradation where it could result in death or injury to listed wildlife by significantly impairing essential behavioral patterns, including breeding, feeding, or sheltering. Take, in this context, is often referred to as an adverse effect. Projects subject to the provisions of the ESA because of their potential to adversely affect federally listed species must receive an incidental take permit under ESA sections 7 or 10.

Section 10(a) of the ESA allows the USFWS to permit, or allow, the incidental take of listed species if such take is accompanied by a habitat conservation plan (HCP) that includes components to avoid, minimize, or mitigate impacts. The City of Sacramento already has a section 10 incidental take permit for projects falling within certain City boundaries through its participation in the NBHCP, including this proposed project.

3.2 California Endangered Species Act

Pursuant to the California Endangered Species Act (CESA), take of wildlife and plant species listed as threatened or endangered is prohibited without a permit from CDFG. Under CESA, take is defined as an activity that would directly or indirectly kill an individual of a species. The CESA definition of take does not include the terms "harm" or "harass" as does the ESA. As a result, the threshold for a take under CESA is generally considered higher than under ESA, i.e., habitat modification is not necessarily considered take under CESA. Projects subject to the provision of the CESA because of their potential to adversely affect state-listed species must receive take authorization through CESA section 2080. Under section 2081, CESA requires: (1) that take be incidental to an otherwise lawful activity; (2) that impacts have been minimized and fully mitigated, (3) that the permit is consistent with regulations adopted pursuant to sections 2112 and 2114 of the CESA Recovery Strategy Pilot Program, and (4) that the applicant has ensured adequate funding to implement minimization and mitigation measures and monitor these measures for compliance and effectiveness. The City of Sacramento's participation in the NBHCP authorizes take of state-listed species.

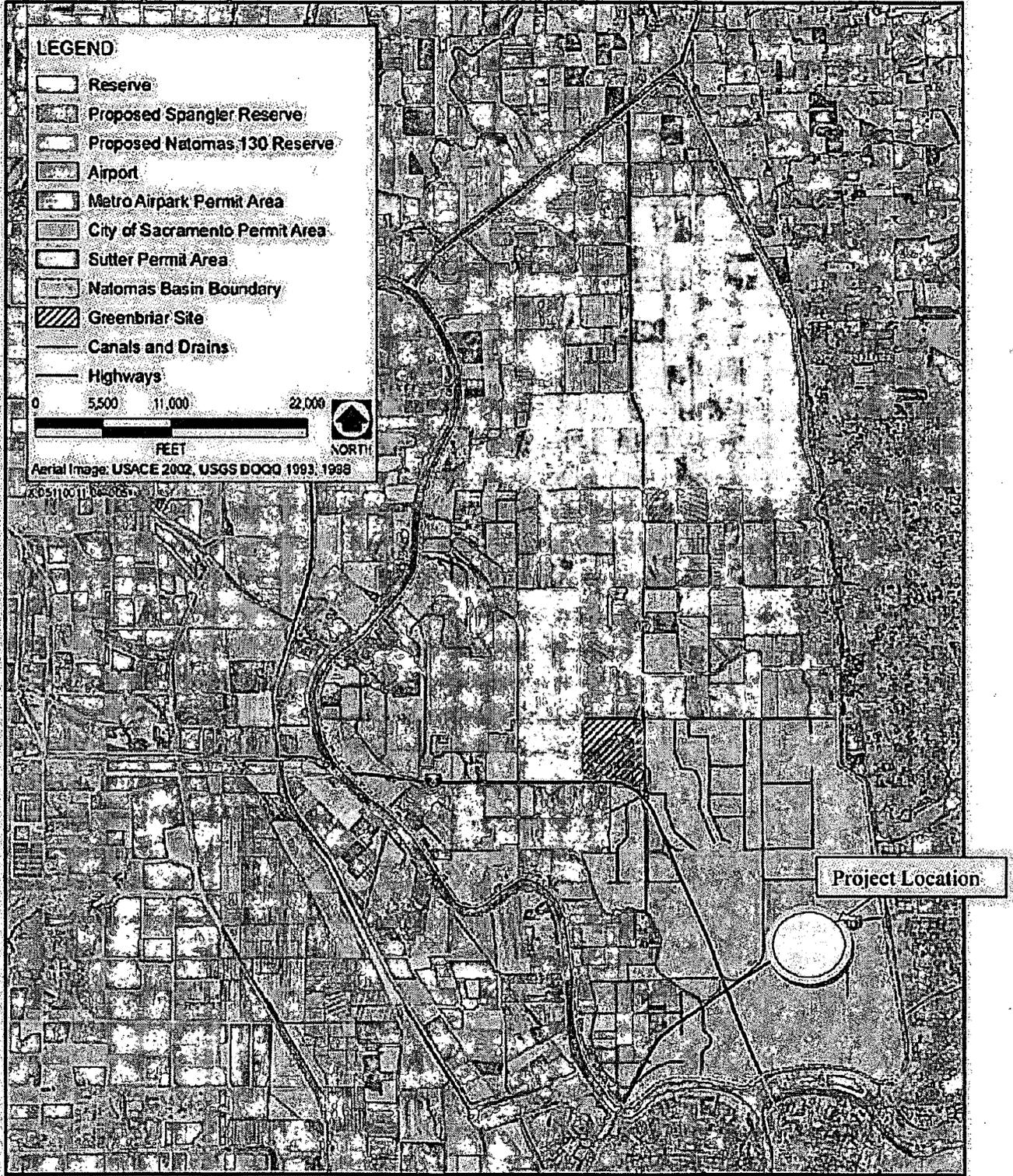
3.3 Natomas Basin Habitat Conservation Plan

The project site is within the City of Sacramento's permit area for the Natomas Basin Habitat Conservation Plan. See Figure 3-3 below.

The NBHCP is a regional conservation plan for minimizing and mitigating impacts to multiple species from urbanization in the Natomas Basin. The USFWS and CDFG have approved the NBHCP and have issued take permits to the City of Sacramento for take of federally and state-listed species that result from urban development in the Natomas Basin, provided that specific avoidance, minimization, and mitigation measures are implemented.

In addition to the giant garter snake and the Swainson's hawk, a number of other species are protected under the HCP, many of which are not protected under either the ESA or the CESA. Those potentially affected by the proposed project include burrowing owl, tricolored blackbird, loggerhead shrike, western pond turtle, and California tiger salamander.

Figure 3.3. Project Study Area and NBHCP Boundaries (Source: EDAW 2006)



Source: EDAW 2006

3.4 Sacramento City Code

Chapter 12.56 of Title 12 of the Sacramento City Code addresses the general protection of trees within the City boundaries. No trees would be affected by the proposed project.

3.5 Jurisdictional Waters of the United States (Including Wetlands) and Section 404 of the Clean Water Act

Waters of the United States are defined as waters where use, degradation, or destruction could affect interstate or foreign commerce, tributaries to any of these waters, and wetlands that meet any of these criteria or that are somehow connected to any of these waters or their tributaries. No wetlands fall within the project area, therefore no regulatory jurisdiction is anticipated.

Waters of the United States are subject to Section 404 of the Clean Water Act. The U.S Army Corps of Engineers (USACE) is the agency in charge of implementing regulations pursuant to Section 404 of the Clean Water Act. Section 404 establishes a requirement to obtain a permit prior to any activity that involves any discharge or fill material in waters of the United States. USACE defines wetlands as "those areas that are inundated or saturated by surface or groundwater at a frequency and duration sufficient to support, and under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions."

3.6 Jurisdictional Waters of the State and the Porter-Cologne Water Quality Control Act

Under the Porter-Cologne Water Quality Control Act, "waters of the state" fall under the jurisdiction of the Regional Water Quality Control Board (RWQCB). Under the act, RWQCB must prepare and periodically update water quality control basin plans. Each basin plan sets forth water quality standards for surface water and groundwater, as well as actions to control non-point and point sources of pollution to achieve and maintain these standards. Projects that affect wetlands or waters must meet waste discharge requirements of the RWQCB, which may be issued in addition to a water quality certification under Section 401 of the CWA; however, no wetlands fall within the project area.

3.7 Section 1602 of the Fish and Game Code

CDFG regulates activities in rivers, streams, and lakes in California, pursuant to Section 1602 of the California Fish and Game Code. Activities regulated by DFG include diversions, obstructions, or changes to the natural flow or bed, channel, or bank of any river, stream, or lake. Section 1602 states that it is unlawful for any person to substantially divert or obstruct the natural flow or substantially change the bed, channel, or bank of any river, stream, or lake designated by DFG, or use any material from the streambed, without first notifying DFG of such activity. DFG defines a stream as a body of water that flows at least periodically or intermittently through a bed or channel having banks and that supports fish or other aquatic life. No areas that support permanent or intermittent aquatic habitat are present at the

project site that may be subject to Section 1602 of the California Fish and Game Code.

3.8 Section 3503-3503.5 of the Fish and Game Code

Section 3503 of California Fish and Game Code states that it is unlawful to take, possess, or needlessly destroy the nest or eggs of any bird. Section 3503.5 of the Fish and Game Code specifically states that it is unlawful to take, possess, or destroy any raptors (e.g., hawks, owls, eagles, and falcons), including their nests or eggs.

The proposed project would not result in take, possession, or destruction of any adult birds or their nests or eggs. This code is interpreted to include disturbance through noise and human intrusion that could result in nest abandonment or premature fledging, so implementation typically takes the form of a preconstruction nesting-bird survey and protection of active nests with an appropriate no-disturbance buffer zone until chicks have fledged or the nest is no longer active.

3.9 Federal Migratory Bird Treaty Act

The Migratory Bird Treaty Act (MBTA) implements various treaties and conventions between the US and Canada, Japan, Mexico, and the former Soviet Union for the protection of migratory birds. Under the Act, taking, killing, or possessing migratory birds is unlawful. Unless permitted by regulations, the Act makes it unlawful to pursue, hunt, take, capture or kill; attempt to take, capture or kill; possess, offer to or sell, barter, purchase, deliver or cause to be shipped, exported, imported, transported, carried or received any migratory bird, part, nest, egg or product, manufactured or not. A migratory bird is any species or family of birds that lives, reproduces or migrates within or across international borders at some point during their annual life cycle. There are currently 1,007 migratory bird species covered under the MBTA, including some that are hunted as game birds. The MBTA is administered by the US Fish and Wildlife Service. This act is interpreted to include disturbance through noise and human intrusion that could result in nest abandonment or premature fledging, so implementation typically takes the form of a preconstruction nesting-bird survey and protection of active nests with an appropriate no-disturbance buffer zone until chicks have fledged or the nest is no longer active.

4.0 IMPACTS AND MITIGATION MEASURES

4.1 Method of Analysis

4.1.1 Analysis of Effects on the Natomas Basin Habitat Conservation Plan

The project was assessed for the project to conflict with the provisions of the NBHCP, and for project effects on each species covered by the NBHCP. The following attributes were selected to measure if the project would substantially affect covered species or attainment of NBHCP goals and objectives:

- Construction-related effects on survival and reproduction of NBHCP covered species,
- Effects of anticipated future use of the bike path (e.g. potential for human-wildlife conflicts),
- Quality of habitat /habitat suitability to support covered species, and
- Connectivity of site with NBHCP reserve lands and other open space areas (integrity of wildlife travel corridors).

The analyses of effects on covered species were also based on the distribution of these species in the Natomas Basin and on their ecology.

4.2 Threshold of Significance

For the purpose of this report, the following threshold of significance was developed. This threshold of significance is based Appendix G and Section 15065 of the State CEQA Guidelines.

The proposed project is considered to have a significant impact on biological resources if it would:

- Result in a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by DFG or USFWS.
- Result in a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional, plans, policies, or regulations or by DFG or USFWS.
- Result in a substantial adverse effect on federally protected wetlands as defined by Section 404 of the CWA (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means.
- Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites.
- Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance.
- Conflict with the provisions of an adopted Habitat Conservation Plan; Natural Community Conservation Plan; or other approved local, regional, or state habitat conservation plan.

- Substantially reduce the habitat of a fish or wildlife species; cause a fish or wildlife population to drop below self-sustaining levels; threaten to eliminate a plant or animal community; or substantially reduce the number or restrict the range of an endangered, rare or threatened species.

4.3 Effects on Giant Garter Snake

4.3.1 Summary of Anticipated Effect

Habitat Loss. Both the East Drainage Canal and the pond at Tanzanite Park (adjacent to the study area) provide suitable aquatic habitat for giant garter snakes (GGS).

Construction of the proposed project would take place entirely within uplands and would not affect either aquatic feature. This species could travel between these two aquatic features using the uplands of the project area; project uplands provide some cover in the form of intermittent and sometimes sparse ruderal vegetation, but the uplands are mostly unsuitable because they provide only minimal and discontinuous cover. Most of the uplands in and around the project area consist of existing surface streets, the existing unpaved trail, patches of ruderal vegetation, an area of disturbed (mowed) grassland south of Truxel Road and around the Tanzanite Park pond, and other paved and denuded areas. The post-construction condition of the trail would similarly lack continuous vegetative cover. No aquatic habitat would be lost or affected, and the small loss of upland habitat would not constitute a significant project effect because it provides only marginal cover at best. Appendix B provides photos showing existing conditions.

Habitat Connectivity. The proposed trail would have no impact on habitat connectivity.

Displacement or Loss of Individual Snakes. Provided that avoidance and minimization measures are followed (see below), no loss of individual snakes is expected during construction because the impact area mostly lacks the cover to harbor snakes, and construction will take place during the snake's active period. Displacement of the species is also unlikely during this phase because construction will take place within relatively unsuitable uplands. Post-construction use of the trail could result in loss of individual snakes through snake-bicycle collisions and potentially through harassment by snake capture; however, the post-construction condition would be similar to the existing condition in terms of habitat suitability and snakes would be unlikely to use the project area.

Human Encroachment/Use of Bike Path. The project area is currently available for bicycle and pedestrian use on an unpaved trail; mowers already access the area to maintain vegetation; the levee road is currently used by maintenance vehicles; and it is all sandwiched between a housing development (with attendant cats and dogs) and industrial and other developments on the east and west, the heavily traveled Truxel Road, the nearby Interstate 80, and Tanzanite Park. Human encroachment would likely increase,

but this increase would occur in an area already subject to regular human use. The project would not substantially diminish habitat value for the giant garter snake.

4.3.2 Proposed Avoidance and Minimization Measures

Section V.A.1 of the NBHCP (City of Sacramento 2003) specifies the following (summarized): Not less than 30 days or more than 6 months prior to commencement of construction activities, a preconstruction survey of the site shall be conducted to determine the status and presence of, and likely impacts to, all covered species on the site. The results of the preconstruction surveys along with recommended minimization measures shall be documented in a report and be submitted to the land-use agency, USFWS, CDFG, and The Natomas Basin Conservancy. Based upon the survey results, the land-use permittees will identify applicable avoidance and other conservation measures consistent with the NBHCP. The approved preconstruction survey report and list of conservation measures will be submitted by the applicant to the applicable land-use agency to demonstrate compliance with the NBHCP. A reconnaissance survey should be conducted prior to species-specific surveys to determine what habitats are present and what, if any, more-intensive survey activities should be conducted to accurately determine the status of the covered species on the site. (See the NBHCP for the full text of this section.)

For giant garter snakes, the site visit conducted on June 10, 2011 serves the purpose of the reconnaissance survey and the species-specific preconstruction survey because giant garter snakes are assumed to be present. This biological report fulfills the report requirement identified in V.A.1 of the NBHCP (above) by providing an assessment of habitat suitability and a list of avoidance and minimization measures to protect giant garter snakes.

The following avoidance and minimization measures are taken from section V of the NBHCP (City of Sacramento 2003). They are summarized below but should be implemented fully as presented in the NBHCP. Mitigation is not being recommended as it has already been provided through the City's participation in the NBHCP. Compliance and construction monitoring are also required, and this requirement is discussed in section 4.10 below.

The measures below are based upon the understanding that construction will take place entirely within upland habitats and will not directly or indirectly affect adjacent aquatic habitats. Best management practices shall be incorporated into the construction design to ensure no impacts to adjacent aquatic and wetland features.

- **GG-1:** All construction activities that involve ground disturbance shall be restricted to the period of May 1 through September 30. This is the active period for giant garter snakes and they are expected to avoid danger during this time.
- **GG-2:** A preconstruction survey shall be completed by a qualified biologist approved by the USFWS no more than 24 hours prior to the onset of construction (site preparation,

grading). Another such survey shall be completed if construction stops for a period of two or more weeks.

- **GG3-3:** Clearing shall be confined to the minimum area necessary to facilitate construction. All giant garter snake habitat outside of construction areas shall be flagged as an environmentally sensitive area. These areas shall be avoided by all construction personnel.
- **GG3-4:** Construction personnel shall receive USFWS-approved environmental awareness training instructing workers on how to identify giant garter snakes and their habitats, and what to do if a giant garter snake is encountered during construction activities. During this training an onsite biological monitor shall be designated. While not specified in the NBHCP, FWS requires the biological monitor to be present during all construction activities (K. Berry pers. comm.) to ensure that that no GGS are harmed by foot, vehicle, and equipment activities. The biological monitor shall be responsible for preparing the compliance monitoring report specified in section 4.10 below, pursuant to NBHCP sections E.1.b. and c, Chapters VI.E.1.b and VI.E.1.c.
- **GG3-5:** If a live giant garter snake is found during construction activities, the USFWS and the biological monitor shall immediately be notified. The biological monitor, or his/her assignee, shall stop construction and follow guidance specified in NBHCP section V.A.5.a.(7).
- **GG3-6:** Upon locating dead, injured, or sick federally listed wildlife, the permittees or their designated agents must notify within one working day the Service's Division of Law Enforcement (2800 Cottage Way, Sacramento CA 95825) or the Sacramento Fish and Wildlife Office (2800 Cottage Way, Room W-2605, Sacramento, CA 95825, telephone 916-414-6600). Written notification to both offices must be made within three calendar days and must include the date, time, and location of the finding of a specimen and any other pertinent information.
- **GG3-7:** Fill or construction debris may be used by giant garter snakes as over-wintering sites. Upon completion of construction activities, all temporary fill and/or construction debris shall be removed from the site. If this material is situated near undisturbed giant garter snake habitat and is to be removed between October 1 and April 30, it shall be inspected by a qualified biologist to assure that giant garter snakes are not using it as hibernaculae.
- **GG3-8:** No plastic, monofilament, jute, or similar erosion-control matting that could entangle snakes will be placed on a project site when working within 200 feet of aquatic or rice habitat. Possible substitutions include coconut coir matting, tackified hydroseeding compounds, or other material approved by wildlife agencies.

- **GG-9:** While not specified in the NBHCP, we recommend posting educational signs along the trail about giant garter snakes to educate the public about the species' possible presence and encourage avoidance of bicycle or pedestrian encounters. Additionally, speed limits could be recommended.

4.3.3 Anticipated Significance after Implementation of Measures.

After implementation of approved avoidance and minimization measures, the project would have a less-than-significant adverse effect on giant garter snakes.

4.4 Effects on Swainson's Hawks

4.4.1 Summary of Anticipated Effect

Habitat Loss. The project area does not provide suitable nesting habitat for Swainson's hawks and it provides only marginal foraging habitat. The project would not result in habitat loss for Swainson's hawks.

Habitat Connectivity. The project would have no impact on habitat connectivity for Swainson's hawks.

Human Encroachment/Use of Bike Path. Human encroachment into the project area would increase with the proposed trail, but it would not represent a substantial change to existing conditions and would not have an adverse effect on Swainson's hawks.

4.4.2 Proposed Avoidance and Minimization Measures

Section V.A.1 of the NBHCP (City of Sacramento 2003) specifies the following: Not less than 30 days or more than 6 months prior to commencement of construction activities, a preconstruction survey of the site shall be conducted to determine the status and presence of, and likely impacts to, all covered species on the site. The results of the preconstruction surveys along with recommended minimization measures shall be documented in a report and be submitted to the land-use agency, USFWS, CDFG, and The Natomas Basin Conservancy. Based upon the survey results, the land-use permittees will identify applicable avoidance and other conservation measures consistent with the NBHCP. The approved preconstruction survey documents and list of conservation measures will be submitted by the applicant to the applicable land-use agency to demonstrate compliance with the NBHCP. A reconnaissance survey should be conducted prior to species-specific surveys to determine what habitats are present and what, if any, more-intensive survey activities should be conducted to accurately determine the status of the covered species on the site. (See the NBHCP for the full text of this section.)

For Swainson's hawks, the site visit conducted on June 10, 2011 serves the purpose of the reconnaissance survey discussed above. The species-specific preconstruction survey is outlined below. This report fulfills the report requirement identified in V.A.1 of the NBHCP.

Section V.A.5.b.(1) (cumulative impacts) of the NBHCP states: The City of Sacramento has limited its permit area within the Swainson's Hawk Zone to the approximately 252 acres located within the North Natomas Community Plan that was designated for urban development in 1994 and, likewise, will not grant development approvals within the Swainson's Hawk Zone beyond this designated 252 acres. The project area is within the North Natomas Community Plan but it is not within the Swainson's Hawk Zone and is therefore not subject to this restriction.

The following avoidance and minimization measures are taken from section V of the NBHCP (City of Sacramento 2003). They are summarized below but should be implemented fully as presented in the NBHCP. Mitigation is not being recommended as it has already been provided through the City's participation in the NBHCP. Compliance and construction monitoring are also required, and this requirement is discussed in section 4.10 below.

The measures below are based on the understanding that no trees will be removed for this project.

- **SWHA-1:** Prior to the construction, a preconstruction survey shall be completed to determine whether any active Swainson's hawk nest sites occur within 0.5 mile of the construction site. These surveys shall be conducted according to the Swainson's Hawk Technical Advisory Committee's (May 31, 2000) methodology, or updated methodologies, as approved by the CDFG, using experienced Swainson's hawk surveyors.
- **SWHA-2:** If breeding Swainson's hawks (i.e., birds exhibiting nest-building or nesting behavior) are identified, no new disturbances (e.g., heavy equipment operation associated with construction) will occur within 0.5 mile between March 15 and September 15, or until a CDFG-approved biologist has determined that young have fledged or that the nest is no longer occupied. If the active nest site is located within 0.25 mile of existing urban development, the no-new-disturbance zone can be limited to 0.25 mile.
- **SWHA-3:** Where disturbance of a Swainson's hawk nest cannot be avoided, such disturbance shall be temporarily avoided (i.e., construction activities deferred until after the nesting season) and then, if unavoidable, the nest tree may be destroyed during the non-nesting season. For purposes of this provision the Swainson's hawk nesting season is defined as March 15 to September 15. If a nest tree (any tree that has an active nest in the year the impact is to occur) must be removed, tree removal shall only occur between September 15 and February 1.
- **SWHA-4:** If a Swainson's hawk nest tree is to be removed and fledglings are present, the tree may not be removed until September 15 or until the California Department of Fish

and Game has determined that the young have fledged and are no longer dependent upon the nest tree.

- **SWHA-5:** If construction or other project-related activities that may cause nest abandonment or forced fledging are proposed within the 0.25–0.5-mile buffer zone, intensive monitoring (funded by the project sponsor) by a CDFG-approved raptor biologist will be required. Exact implementation of this measure will be based on specific information at the project site.

4.4.3 Anticipated Significance after Implementation of Measures

After implementation of approved avoidance and minimization measures, the project would have a less-than-significant adverse effect on Swainson's hawks.

4.5 Effects on Burrowing Owls

4.5.1 Summary of Anticipated Effect

Habitat Loss. A CNDDDB record shows that nesting burrowing owls used the east and west levees of the East Drainage Canal adjacent to the north end of the project area in 2007. No burrowing owls were detected during the June 10, 2011 site visit, and suitable dens were not detected in the construction-impact area. However, construction of the project would remove some of this habitat from potential future use.

Habitat Connectivity. The project would have no effect on habitat connectivity for burrowing owls.

Human Encroachment/Use of Bike Path. Human encroachment and use of the proposed trail would likely discourage future use by burrowing owls, but most of the project area is adjacent to intensive human development and suitability for burrowing owls is already diminished by dogs, cats, skateboarders, and other human uses.

4.5.2 Proposed Avoidance and Minimization Measures

The following avoidance and minimization measures are taken from section V of the NBHCP (City of Sacramento 2003). They are summarized below but should be implemented fully as presented in the NBHCP. Mitigation is not being recommended as it has already been provided through the City's participation in the NBHCP. Compliance and construction monitoring are also required, and this requirement is discussed in section 4.10 below.

- **BUOW-1:** A CDFG-approved biologist shall perform a preconstruction survey of the site for burrowing owls. The results of the preconstruction survey shall be submitted to the land-use

agency with jurisdiction over the site prior to construction and a mitigation program shall be developed if necessary.

- **BUOW-2:** Occupied burrows shall not be disturbed during the nesting season (February 1 through August 31) unless an approved biologist verifies through non-invasive measures that either: a) the birds have not begun egg-laying and incubation; or b) that juveniles from the occupied burrows are foraging independently and are capable of independent survival.
- **BUOW-3:** If nest sites are found, CDFG shall be contacted regarding suitable mitigation measures, as specified in the NBHCP, which could include establishing a non-disturbance buffer zone or passive relocation. Follow specific guidance in the NBHCP.
- **BUOW-4:** Where avoidance is not possible, disturbance and/or destruction of burrows shall be offset through development of suitable habitat on TNBC upland reserves. Such habitat shall include creation of new burrows with adequate foraging area.
- **BUOW-5:** No specific guidance on the methods of the preconstruction survey are provided in the HCP; however, it is assumed for this project that the preconstruction survey will follow methods provided by either CDFG (CDFG 1995 or newer) or the Burrowing Owl Consortium (Burrowing Owl Consortium 1993).

4.5.3 Anticipated Significance after Implementation of Measures

After implementation of approved avoidance and minimization measures, the project would have a less-than-significant adverse effect on burrowing owls.

4.6 Effects on Tricolored Blackbirds

4.6.1 Summary of Anticipated Effect

Habitat Loss. The project area provides no suitable nesting or foraging habitat for tricolored blackbirds, so there would be no habitat loss.

Habitat Connectivity. The project would have no impact on habitat connectivity.

Human Encroachment/Use of Bike Path. Tricolored blackbirds could potentially nest near the construction area; therefore, construction-related disturbance would be the primary impact. Post-construction use of the trail would not have an adverse effect on

nesting because potential nesting habitat is more than 100 feet away and inside a chain-link fence. Nesting near the trail is unlikely in any event.

4.6.2 Proposed Avoidance and Minimization Measures

The following avoidance and minimization measures are taken from section V of the NBHCP (City of Sacramento 2003). They are summarized below but should be implemented fully as presented in the NBHCP. Mitigation is not being recommended as it has already been provided through the City's participation in the NBHCP. Compliance and construction monitoring are also required, and this requirement is discussed in section 4.10 below.

- **TRBL-1:** A preconstruction survey shall be conducted for presence of breeding and nesting tricolored blackbirds. If surveys determine tricolored blackbirds are present, the following measures shall be implemented in accordance with the Migratory Bird Treaty Act to avoid disturbance to active (occupied) nesting colonies. A boundary shall be marked by brightly colored construction fencing that establishes a buffer zone of 500 feet from the active nest site. No construction-related disturbance shall occur within the 500-foot fenced area during the nesting season to July 1, or while birds are present. A qualified biologist must determine young have fledged and nest sites are no longer active before the nest site may be disturbed.

4.6.3 Anticipated Significance after Implementation of Measures

After implementation of approved avoidance and minimization measures, the project would have a less-than-significant adverse effect on tricolored blackbirds.

4.7 Effects on Loggerhead Shrike

4.7.1 Summary of Anticipated Effect

Habitat Loss. The construction-impact area provides foraging habitat for loggerhead shrikes but it does not provide nesting habitat.

Habitat Connectivity. No loss of habitat connectivity for loggerhead shrikes would result from project implementation.

Human Encroachment/Use of Bike Path. Post-construction use of the proposed trail could temporarily displace foraging loggerhead shrikes, but would not be likely to adversely affect nesting.

4.7.2 Proposed Avoidance and Minimization Measures

The following avoidance and minimization measures are taken from section V of the NBHCP (City of Sacramento 2003). They are summarized below but should be implemented fully as

presented in the NBHCP. Mitigation is not being recommended as it has already been provided through the City's participation in the NBHCP. Compliance and construction monitoring are also required, and this requirement is discussed in section 4.10 below.

- **LSH-1:** A preconstruction survey shall be conducted. If surveys identify an active loggerhead shrike nest that will be adversely affected, the developer shall install brightly colored construction fencing that establishes a boundary 100 feet from the active nest. No disturbance associated with construction shall occur within the 100-foot fenced area during the nesting season of March 1 through July 31. A qualified biologist must determine that young have fledged or that the nest is no longer occupied prior to disturbance of the nest site.

4.7.3 Anticipated Significance after Implementation of Measures

After implementation of approved avoidance and minimization measures, the project would have a less-than-significant adverse effect on loggerhead shrikes.

4.8 Effects on California Tiger Salamander

4.8.1 Summary of Anticipated Effect

Habitat Loss. California tiger salamanders are not currently known to occur in the Natomas Basin, but are considered in the NBHCP as a species that could potentially use the basin in the future. The project area itself provides no suitable breeding habitat and little if any suitable upland, but CTS could potentially use the adjacent Tanzanite pond and could traverse the project area to find suitable uplands if they were to become established. CTS occurrence is highly unlikely, however, and the project would not result in habitat loss.

Habitat Connectivity. No loss of habitat connectivity would result from the project.

Human Encroachment/Use of Bike Path. Human encroachment and use of the proposed trail could adversely affect CTS moving between uplands and Tanzanite pond if they were present. In their absence, however, no impacts from use of the trail are expected.

4.8.2 Proposed Avoidance and Minimization Measures

The following avoidance and minimization measures are taken from section V of the NBHCP (City of Sacramento 2003). They are summarized below but should be implemented fully as presented in the NBHCP. Mitigation is not being recommended as it has already been provided through the City's participation in the NBHCP. Compliance and construction monitoring are also required, and this requirement is discussed in section 4.10 below.

- **CTS-1:** A preconstruction survey shall be required. If a survey determines the presence of California tiger salamander, the land-use agency shall consult with the USFWS to determine appropriate measures to avoid and minimize take of individuals.
- **CTS-2:** No guidance is provided on the type of preconstruction survey or the qualifications of the surveyor, but for purposes of this project we recommend that an agency-approved biologist conduct a single visit to search for migrating adults on a rainy night in November or December of the winter before construction. Construction is currently scheduled for summer of 2012, so this survey should be conducted in November or December of 2011.

4.8.3 Anticipated Significance after Implementation of Measures

After implementation of approved avoidance and minimization measures, the project would have a less-than-significant adverse effect on California tiger salamanders.

4.9 Effects on Other Nesting Birds

4.9.1 Summary of Anticipated Effect

Habitat Loss. The construction-impact area provides some marginal habitat for nesting birds in adjacent grasslands, however these areas are regularly disturbed (mowed) for fire management, and therefore are considered of moderate value to nesting birds.

Habitat Connectivity. No loss of habitat connectivity would result from project implementation.

Human Encroachment/Use of Bike Path. Post-construction use of the proposed trail could temporarily displace other bird species, but would not be likely to adversely affect nesting.

4.9.2 Proposed Avoidance and Minimization Measures

As discussed in section 3.0 above, migratory birds and raptors are protected by both the federal Migratory Bird Treaty Act and California Fish and Game Code. We provide the following avoidance and minimization measure to comply with these regulations. This measure is not specified in the NBHCP but complies with these two requirements.

- **NESTING BIRD-1:** A preconstruction survey for nesting birds shall be performed by a qualified biologist prior to construction, within the project area and a 300-foot buffer area, not more than two weeks prior to construction and preferably less than one week, for all birds not named above. If active nests are found, a no-disturbance buffer zone of

100 to 300 feet shall be established around them according to an agency-approved biologist's assessment of the species' sensitivity to disturbance. Within this buffer zone, no construction activity will be allowed until August 31 or the biologist determines that the nest is no longer active.

- **NESTING BIRD-2:** In compliance with section V of the NBHCP, the nesting-bird survey should also include a search of suitable habitats within 0.25 miles for nesting white-faced ibis. No construction shall take place within 0.25 mile of nesting white-faced ibis between May 15 and August 31 or until the biologist has determined that the young have fledged.

4.9.3 Anticipated Significance after Implementation of Measures

After implementation of approved avoidance and minimization measures, the project would have a less-than-significant adverse effect on nesting migratory birds, including raptors.

4.10 Compliance and Construction Monitoring

Pursuant to section E.1.b. and E.1.c. of the NBHCP (Chapters VI.E.1.b and VI.E.1.c) and summarized below (please refer to the NBHCP for the full requirements), compliance monitoring ensures that the City of Sacramento carries out the terms of the NBHCP, the implementing agreement, and the associated permits. The Natomas Basin Conservancy (TNBC) is the primary entity responsible for compiling, retaining, and making available to the wildlife agencies data on compliance with the provisions and obligations contained within the NBHCP and the associated implementing agreement. The City of Sacramento shall conduct compliance monitoring and report to TNBC on their compliance, including implementation of avoidance, minimization, and mitigation measures. Compliance monitoring will include the status of the implementation of the NBHCP terms and conditions (e.g., financial responsibilities and obligations, management responsibilities, and other aspects of the incidental take permits, HCP, and the implementing agreement). Compliance monitoring accounting to be completed by the City of Sacramento shall quantify:

(1) The amount and location, in written and GIS mapping formats, of all lands approved for authorized development by private parties for which mitigation fees were paid to TNBC in the preceding year including the following information:

- a. Acreage (annual incremental and cumulative)
- b. Location (e.g., within Swainson's hawk zone, within HCP area)
- c. Type (e.g., vegetation type, vernal pool, Swainson's hawk potential nest habitat).

(2) The amount and location of all lands approved for Authorized Development by public agencies (e.g. public works projects) for which Mitigation Fees were paid to TNBC in the preceding year.

(3) An accounting of the taking of any individual giant garter snakes, Swainson's hawks, or other Covered Species, if known, as a result of Covered Activities in the Permit Areas in the preceding year, including any specimens taken for scientific purposes.

(4) Implementation of Incidental Take avoidance measures:

- a. Preconstruction surveys and avoidance measures used both before and after ground-disturbing activities
- b. Success or failure in implementing take avoidance measures
- c. Recommendations for changing or improving take avoidance measures.

The City of Sacramento shall prepare and provide to the biologists completing preconstruction surveys and biological monitoring a preconstruction survey form as required in sections V.A.1 and VI.E.1 of the NBHCP. The following specific informational items are anticipated to be included within the preconstruction template form and shall serve as guidelines for pre-construction surveys for individual development projects completed prior to approval of the ultimate template form:

- a. Site description. Possible sub-items include: current and historical land uses/habitats; current and historical adjacent land uses/habitats; and any vernal pools and seasonal wetlands located on or adjacent (within 250 feet) to the project site.
- b. Recorded covered species occurrences. Consult CNDDDB, TNBC, records published in the NBHCP, etc. to document records of covered species on and near the project site.
- c. Prior biological analyses. Summarize findings of prior biological analyses conducted on site pursuant to specific development project CEQA evaluations.
- d. Results of botanical surveys. Possible sub-items include: dates botanical inventories were conducted; plant communities on site; whether habitat for any covered plant species occur on the site; and demonstration of compliance with any additional preconstruction surveys as required through prior review and/or environmental analysis conducted for the subject project.
- e. Results of reconnaissance surveys. Any species observed on site should be described and noted. Surveys should be appropriately timed so that they may detect covered species for which habitat is found on the subject site. Other examples of appropriate timing of covered species surveys include, but are not limited to: if any trees are on or in the vicinity of the project site, surveys must be timed to detect Swainson's hawk nesting; and if burrows are present, surveys need to be timed to detect burrowing owl nesting. In cases where the timing of surveys affects their outcome, the surveys may be conducted the year prior to construction activities; however, nesting birds must be surveyed in the year that construction activities occur, where potential nesting habitat exists on the project site.
- f. Conclusions of surveys and research. Report covered species that do occur or may potentially occur on site (potential occurrence should be based upon habitat on or adjacent to the site and proximity of known localities or occurrences of the species).
- g. Project activities that could affect covered species. Examples include, but are not limited to: dewatering; filling or relocating a canal; removal of a nest tree; work within 0.5 mile of a nest tree; removal of burrows used by owls; work near burrows; any work near other nesting bird

species; fill of wetlands, work near a wetland that could change the wetland's hydrology or water quality.

- h. Recommendations. The biologist should recommend appropriate avoidance and minimization measures based upon the habitats that occur on or adjacent to the project site, the species that may occur on or adjacent to the project site, and the types of activities that could affect covered species. *Based on the June 2011 site visit, recommendations are being provided in this report.*
- i. While not specified in the NBHCP, we recommend for purposes of this project that this compliance report include details of construction monitoring, including any special-status species seen, any permit violations encountered, and any take of special-status species.

4.11 Effects on Conservation Strategy of NBHCP

This project will have no adverse impacts on the conservation strategy of the NBHCP.

4.12 Effects on Attainment of NBHCP Goals and Objectives

This project will have no adverse impacts on attainment of NBHCP goals and objectives.

5.0 DISCUSSION AND RECOMMENDATIONS

5.1 Agency Consultation

Following completion of this report, the City of Sacramento will contact the USFWS, the CDFG, and The Natomas Basin Conservancy to initiate informal consultation on the project, as per the terms and conditions of the NBHCP (City of Sacramento 2003). Using the avoidance and minimization measures, the City should confirm the determination of impact significance for NBHCP listed species, and finalize the preconstruction activities and other mitigation measures discussed in this report. The City should finalize the measures based on agency input prior to implementation.

5.2 Preconstruction, Construction, and Post-construction Activities

Table 5.2 below summarizes the primary actions required for preconstruction, construction, and post-construction activities by date.

5.3 Participation in NBHCP

The City of Sacramento, through the agency consultation process, should participate in the NBHCP. Participation is anticipated to include implementing avoidance and minimization measures outlined in this report. Since the project falls within the City's permit area, therefore additional fees are not anticipated.

Table 5.2. Summary of Preconstruction Activities.

Activity	Timing	Purpose/details
Giant garter snake reconnaissance survey	Completed June 10, 2011	Species assumed present.
Preconstruction survey for California tiger salamander (CTS-1)	November or December 2011 (assumes construction summer 2012)	CTS are best detected visually on rainy nights in winter or by trapping. Follow measures CTS1-2 in section 4.0, pursuant to NBHCP.
Swainson's hawk nest survey (SWHA-1)	March 2012 (assumes construction summer 2012)	Follow measures SH1-5 in section 4.0 above; NBHCP requires following Swainson's Hawk TAC methodology, which starts in March.
Preconstruction survey for burrowing owl (BUOW-1)	April 2012 (assumes construction summer 2012)	Follow measures BO1-4 in section 4.0 above; use established survey protocol; begin early enough to allow time to develop and implement mitigation with CDFG if necessary.
Nesting-bird survey (NESTING BIRD-1)	Within 14 days of beginning of construction	Follow measures TB1, LS1, and NB1-2 to cover tricolored blackbirds, loggerhead shrikes, and all other birds protected by MBTA and Fish and Game Code, including a 0.25-mile radius for white-faced ibis.
Preconstruction GGS Survey (GGS-2)	Within 24 hours of beginning of construction	Follow Measure GGS-2; use established survey protocol; repeat surveys if there is a lag in construction activities of more than 2 weeks.
Identify and flag environmentally sensitive areas (ESAs)	Prior to construction	ESAs should be established by a qualified biologist for GGS habitat and active bird nests. Follow measures for GGS, burrowing owl, tricolored blackbird, loggerhead shrike, and nesting birds in section 4.0 above.
Conduct environmental awareness training for GGS (GGS-4)	Immediately prior to construction and any time new workers are hired	Construction personnel shall receive USFWS-approved environmental awareness training instructing workers on how to identify GGS and their habitats, and what to do if a GGS is encountered during construction activities.
Conduct GGS biological monitoring (GGS-4)	Throughout construction	A qualified GGS biological monitor shall be present on site for the duration of construction (K. Berry pers. comm.)
Prepare compliance monitoring report	After construction is completed	Prepare the compliance monitoring report as outlined in section 4.10 above and sections E.1.b. and E.1.c. in the NBHCP, Chapters 1V.E.1b and 1V.E.1c.

6.0 REFERENCES

6.1 Printed and Online References

- Abrams, Leroy. 1940. Illustrated flora of the Pacific States. Stanford University Press, Stanford, CA.
- Burrowing Owl Consortium. 1993. Burrowing owl survey protocol and mitigation guidelines. Prepared by The California Burrowing Owl Consortium, April.
- California Department of Fish and Game. 2000. Guidelines for assessing the effects of proposed projects on rare, threatened, and endangered plants and natural communities. Available online at: <http://www.dfg.ca.gov/biogeodata/cnddb/pdfs/guidepl1.pdf>
- California Department of Fish and Game (CDFG). 1994. Staff report regarding mitigation for impacts to Swainson's hawks (*Buteo swainsoni*) in the Central Valley of California. Sacramento, CA.
- California Department of Fish and Game. 1995. Staff report on burrowing owl mitigation. Prepared by California Department of Fish and Game.
- California Native Plant Society. 2009. Online RAREFIND database for Sacramento County, 7th edition, <http://cnps.web.aplus.net/cgi-bin/inv/inventory.cgi>. Accessed June 9, 2011.
- California Native Plant Society. 2001. Inventory of rare and endangered plants of California. Tibor, David P. Editor. CNPS Special Publication, 6th Edition. Sacramento, California.
- California Natural Diversity Database (CNDDDB). 2011. Records searches for the nine quads centered on the project area: Taylor Monument, Sacramento West, Sacramento East, Rio Linda, Pleasant Grove, Verona, Knights Landing, Gray's Bend, and Davis. California Department of Fish and Game, Sacramento, CA. Search conducted June 8, 2011.
- City of Sacramento. 2003. Final Natomas Basin Habitat Conservation Plan. Prepared by City of Sacramento, Sutter County, and Natomas Basin Conservancy for US Fish and Wildlife Service and California Department of Fish and Game. www.natomasbasin.org
- Hickman, J. C., (ed.). 1993. The Jepson manual - higher plants of California. University of California Press. Berkeley, CA Hitchcock, A.S. and Agnes Chase. 1971 (sec. edit.). Manual of the grasses of the United States. Dover Publications, Inc. New York, NY.
- Jepson Online Interchange for California Floristics. July 2006. Tom Rosatti, Editor. Accessed June 9, 2011. Available online at <http://ucjeps.berkeley.edu/interchange.html>.

Niehaus, Theodore F. and Charles L. Ripper. 1987. Pacific states wildflowers. Peterson Field Guides. Houghton Mifflin, New York, NY.

Swainson's Hawk Technical Advisory Committee. 2000. Recommended timing and methodology for Swainson's hawk nesting surveys in California's Central Valley.
http://www.dfg.ca.gov/wildlife/nongame/docs/swain_proto.pdf

US Fish and Wildlife Service (USFWS). 1999. Draft recovery plan for the giant garter snake (*Thamnophis gigas*). US Fish and Wildlife Service, Portland, OR. ix+192 pp.

US Fish and Wildlife Service (USFWS). 2011. Species list for Taylor Monument quad generated on Sacramento Fish and Wildlife Office website.
http://www.fws.gov/sacramento/es/spp_lists/QuickList.cfm?ID=459A

Zeiner, D.C., W.F. Laudenslayer, Jr., K.E. Mayer, and M. White. 1990. California's wildlife: Volume II Birds. California Department of Fish and Game, Sacramento, CA. 732 pp.

6.2 Personal Communications

Berry, Kellie. 2011. Wildlife biologist with US Fish and Wildlife Service. Personal telephone communication with Anne Wallace July 14.

Gardner, Todd. 2011. Wildlife biologist with California Department of Fish and Game. Personal telephone communication with Anne Wallace, July 7.

Jacks, Sandra. 2011. Wildlife biologist with California Department of Fish and Game. Personal email communication with Anne Wallace, July 13-14, 2011.

Roberts, John. 2011. Executive Director The Natomas Basin Conservancy. Email communications with Anne Wallace, several in late June and early July.

Appendix A. Species Observed at the City of Sacramento's East Drainage Canal Bike Trail Study Area

Table A.1 Wildlife Species Observed or Heard during the June 10, 2011 Site Visit.

Birds	
Common Name	Scientific Name
American coot	<i>Fulica americana</i>
American crow	<i>Corvus brachyrhynchos</i>
American kestrel	<i>Falco sparverius</i>
Barn swallow	<i>Hirundo rustica</i>
Black phoebe	<i>Sayornis nigricans</i>
Brewer's blackbird	<i>Euphagus cyanocephalus</i>
Cliff swallow	<i>Hirundo pyrrhonota</i>
European starling	<i>Sturnus vulgaris</i>
Great egret	<i>Ardea alba</i>
House finch	<i>Carpodacus mexicanus</i>
Mallard	<i>Anas platyrhynchos</i>
Mourning dove	<i>Zenaida macroura</i>
Northern mockingbird	<i>Mimus polyglottos</i>
Pied-billed grebe	<i>Podilymbus podiceps</i>
Turkey vulture	<i>Cathartes aura</i>
Western kingbird	<i>Tyrannus verticalis</i>
Western scrub-jay	<i>Aphelocoma californica</i>
Mammals	
Black-tailed hare	<i>Lepus californicus</i>

Table A.2 Plant Species Observed during the June 10, 2011 Site Visit.

SCIENTIFIC NAME	COMMON NAME
<i>Avena fatua</i>	Wild oats
<i>Brassica rapa</i>	Field mustard
<i>Bromus diandrus</i>	ripgut brome
<i>Bromus hordeaceus</i>	soft chess
<i>Chamomilla suaveolens</i>	Chamomile
<i>Centaurea calcitrapa</i>	Purple star thistle
<i>Centaurea solstitialis</i>	yellow star thistle
<i>Convolvulus arvensis</i>	Bindweed
<i>Cynodon dactylon</i>	Bermuda grass
<i>Epilobium sp. (brachycarpum?)</i>	Annual fireweed
<i>Erodium botrys</i>	Big fruited filaree, Stork's bill
<i>Euphorbia sp.</i>	Annual euphorbia
<i>Geranium dissectum</i>	Cut leaved-geranium
<i>Hemizonia sp.</i>	Tar plant
<i>Hirschfeldia incana</i>	Mediterranean mustard
<i>Hordeum brachyantherum</i>	meadow barley
<i>Hordeum depressum</i>	Dwarf barley
<i>Hordeum marinum ssp. gussoneanum</i>	Mediterranean barley
<i>Hordeum murinum subsp. leporinum</i>	Hare barley, foxtail barley
<i>Lactuca serriola</i>	prickly wild lettuce
<i>Lepidium latifolium</i>	Perennial pepperweed
<i>Lolium multiflorum</i>	Italian wildrye
<i>Lotus corniculatus</i>	Bird's foot trefoil
<i>Malva parviflora</i>	Cheeseweed
<i>Malvella leprosa</i>	Alkali mallow
<i>Marrubium vulgare</i>	Horehound
<i>Marricaria matricarioides</i>	pineapple weed
<i>Medicago polymorpha</i>	bur-clover
<i>Melilotus sp.</i>	Sweet clover
<i>Nasella pulchra</i>	purple needlegrass
<i>Phalaris aquatica</i>	Harding grass
<i>Picris echioides</i>	Prickly ox tongue
<i>Poa annua</i>	Annual bluegrass
<i>Polygonum arenastrum</i>	common knotweed
<i>Polypogon monspeliensis</i>	Rabbitsfoot grass
<i>Raphanus raphanistrum</i>	Wild radish

Table A.2 (Continued)	
SCIENTIFIC NAME	COMMON NAME
<i>Rumex crispus</i>	curly dock
<i>Rumex pulcher</i>	Fiddle dock
<i>Salsola sp.</i>	Russian thistle, tumbleweed
<i>Senecio vulgaris</i>	common groundsel
<i>Silybum marianum</i>	milk thistle
<i>Sonchus oleraceus</i>	Sow's thistle
<i>Sorghum halepense</i>	Johnson grass
<i>Trifolium hirtum</i>	rose clover
<i>Vicia sp. (sativa?)</i>	Spring vetch
<i>Vulpia microstachys sp.</i>	ciliate fescue

Appendix B. Representative Site Photographs

Appendix B. Representative Site Photographs



Photo 1. Photo depicting habitat types present including California annual grassland and ruderal/disturbed. Note existing levee road on left (outside project area) and existing dirt trail on right (approximate location of proposed bike path shown as red dashed line, blue dashed line indicates study area boundary)



Photo 2. Ruderal/disturbed (landscaped) areas in front of development/bike path parallels buildings. (approximate location of proposed bike path shown as red dashed line, blue dashed line indicates study area boundary)

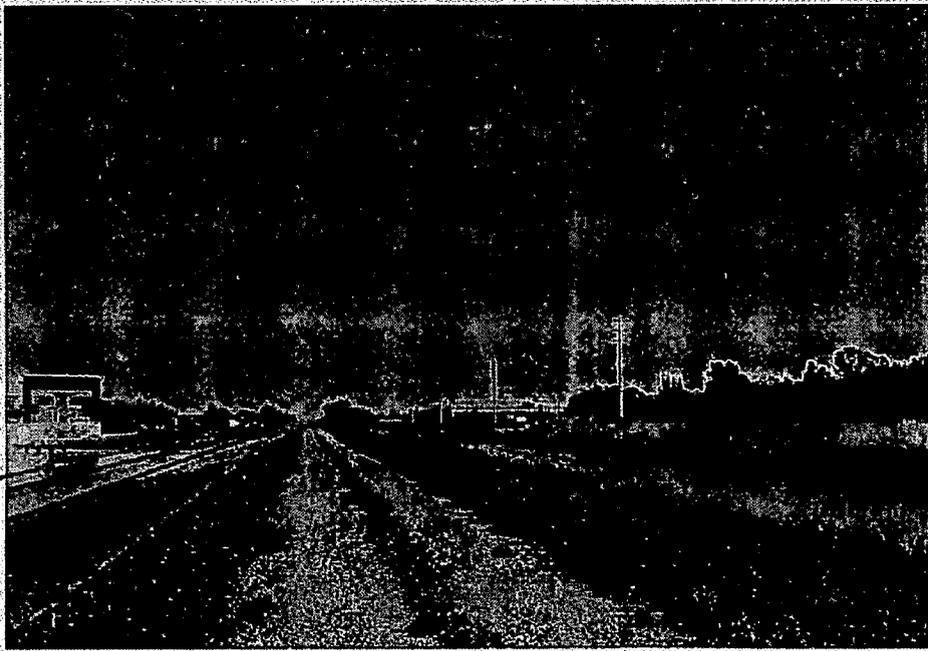


Photo 3: Photo depicting distance between study area and East Drainage Canal. (approximate location of proposed bike path shown as red dashed line, blue dashed-line indicates study area boundary)



Photo 4: Photo depicting conditions of bike pathway tie-in at Tanzanite Park. Note paved pathway and disturbed (mowed) grassland vegetation.



Photo 5. Photo depicting vegetation cover at north of bike pathway. (Approximate location of proposed bike path shown as red dashed line, blue dashed line indicates study area boundary)



Photo 6. Wetlands at nearby Tanzanite Park. Photo depicts condition of uplands surrounding this pond. Proposed bike path on far right, with East Drainage Canal beyond transmission lines. (Approximate location of proposed bike path shown as red dashed line)

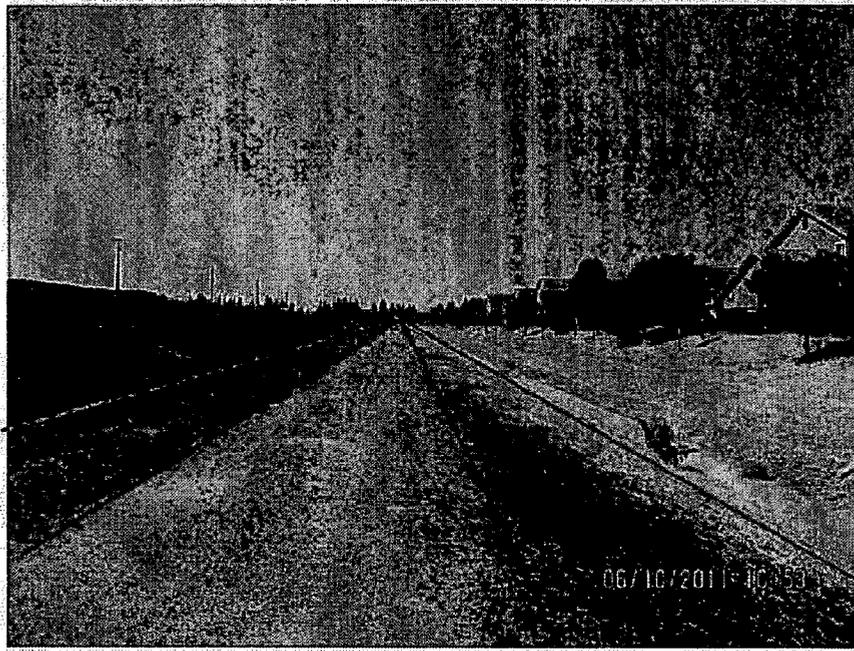


Photo 7. Photo depicts condition of upland cover within 200 feet of proposed bike pathway south of Truxel Road. Refer to Photo 1 for boundaries of proposed project. (Approximate location of proposed bike path shown as red dashed line, blue dashed line indicates study area boundary)



Edmund G. Brown Jr.
Governor

STATE OF CALIFORNIA
Governor's Office of Planning and Research
State Clearinghouse and Planning Unit



Ken Alex
Director

December 1, 2011

Dana Allen
City of Sacramento
300 Richards Boulevard
Sacramento, CA 95811

Subject: East Drainage Canal Bike Trail
SCH#: 2011102056

Dear Dana Allen:

The State Clearinghouse submitted the above named Negative Declaration to selected state agencies for review. On the enclosed Document Details Report please note that the Clearinghouse has listed the state agencies that reviewed your document. The review period closed on November 30, 2011, and the comments from the responding agency (ies) is (are) enclosed. If this comment package is not in order, please notify the State Clearinghouse immediately. Please refer to the project's ten-digit State Clearinghouse number in future correspondence so that we may respond promptly.

Please note that Section 21104(c) of the California Public Resources Code states that:

"A responsible or other public agency shall only make substantive comments regarding those activities involved in a project which are within an area of expertise of the agency or which are required to be carried out or approved by the agency. Those comments shall be supported by specific documentation."

These comments are forwarded for use in preparing your final environmental document. Should you need more information or clarification of the enclosed comments, we recommend that you contact the commenting agency directly.

This letter acknowledges that you have complied with the State Clearinghouse review requirements for draft environmental documents, pursuant to the California Environmental Quality Act. Please contact the State Clearinghouse at (916) 445-0613 if you have any questions regarding the environmental review process.

Sincerely,

Scott Morgan
Director, State Clearinghouse

Enclosures
cc: Resources Agency



Matthew Rodriguez
Secretary for
Environmental Protection

California Regional Water Quality Control Board
Central Valley Region
Katherine Hart, Chair

11020 Sun Center Drive, #200, Rancho Cordova, California 95670-6114
(916) 464-3291 • FAX (916) 464-4645
<http://www.waterboards.ca.gov/centralvalley>



Edmund G. Brown Jr.
Governor

18 November 2011

Dana Allen, Associate Planner
City of Sacramento
300 Richards Boulevard
Sacramento, CA 95811

CERTIFIED MAIL
7010 3090 0000 5045 1494

COMMENTS TO DRAFT NEGATIVE DECLARATION, EAST DRAINAGE CANAL BIKE TRAIL PROJECT, SCH NO. 2011102056, SACRAMENTO COUNTY

Pursuant to the State Clearinghouse's 28 October 2011 request, the Central Valley Regional Water Quality Control Board (Central Valley Water Board) has reviewed the *Draft Negative Declaration* for the East Drainage Canal Bike Trail Project, located in Sacramento County.

Our agency is delegated with the responsibility of protecting the quality of surface and groundwaters of the state; therefore our comments will address concerns surrounding those issues.

Construction Storm Water General Permit

Dischargers whose project disturb one or more acres of soil or where projects disturb less than one acre but are part of a larger common plan of development that in total disturbs one or more acres, are required to obtain coverage under the General Permit for Storm Water Discharges Associated with Construction Activities (Construction General Permit), Construction General Permit Order No. 2009-009-DWQ. Construction activity subject to this permit includes clearing, grading, grubbing, disturbances to the ground, such as stockpiling, or excavation, but does not include regular maintenance activities performed to restore the original line, grade, or capacity of the facility. The Construction General Permit requires the development and implementation of a Storm Water Pollution Prevention Plan (SWPPP).

For more information on the Construction General Permit, visit the State Water Resources Control Board website at:

http://www.waterboards.ca.gov/water_issues/programs/stormwater/constpermits.shtml

California Environmental Protection Agency

Phase I and II Municipal Separate Storm Sewer System (MS4) Permits¹

The Phase I and II MS4 permits require the Permittees reduce pollutants and runoff flows from new development and redevelopment using Best Management Practices (BMPs) to the maximum extent practicable (MEP). MS4 Permittees have their own development standards, also known as Low Impact Development (LID)/post-construction standards that include a hydromodification component. The MS4 permits also require specific design concepts for LID/post-construction BMPs in the early stages of a project during the entitlement and CEQA process and the development plan review process.

For more information on which Phase I MS4 Permit this project applies to, visit the Central Valley Water Board website at:

http://www.waterboards.ca.gov/centralvalley/water_issues/storm_water/municipal_permits/

Industrial Storm Water General Permit

Storm water discharges associated with industrial sites must comply with the regulations contained in the Industrial Storm Water General Permit Order No. 97-03-DWQ.

For more information on the Industrial Storm Water General Permit, visit the Central Valley Water Board website at:

http://www.waterboards.ca.gov/centralvalley/water_issues/storm_water/industrial_general_permits/index.shtml.

Clean Water Act Section 404 Permit

If the project will involve the discharge of dredged or fill material in navigable waters or wetlands, a permit pursuant to Section 404 of the Clean Water Act may be needed for the United States Army Corps of Engineers (USACOE). If a Section 404 permit is required by the USACOE, the Central Valley Water Board will review the permit application to ensure that discharge will not violate water quality standards. If the project requires surface water drainage realignment, the applicant is advised to contact the Department of Fish and Game for information on Streambed Alteration Permit requirements.

If you have any questions regarding the Clean Water Act Section 404 permits, please contact the Regulatory Division of the Sacramento District of USACOE at (916) 557-5250.

¹ Municipal Permits = The Phase I Municipal Separate Storm Water System (MS4) Permit covers medium sized Municipalities (serving between 100,000 and 250,000 people) and large sized municipalities (serving over 250,000 people). The Phase II MS4 provides coverage for small municipalities, including non-traditional Small MS4s, which include military bases, public campuses, prisons and hospitals.

Clean Water Act Section 401 Permit – Water Quality Certification

If an USACOE permit, or any other federal permit, is required for this project due to the disturbance of waters of the United States (such as streams and wetlands), then a Water Quality Certification must be obtained from the Central Valley Water Board prior to initiation of project activities. There are no waivers for 401 Water Quality Certifications.

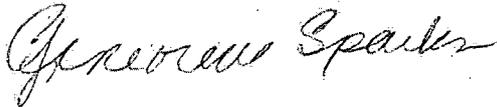
Waste Discharge Requirements

If USACOE determines that only non-jurisdictional waters of the State (i.e., "non-federal" waters of the State) are present in the proposed project area, the proposed project will require a Waste Discharge Requirement (WDR) permit to be issued by Central Valley Water Board. Under the California Porter-Cologne Water Quality Control Act, discharges to all waters of the State, including all wetlands and other waters of the State including, but not limited to, isolated wetlands, are subject to State regulation.

For more information on the Water Quality Certification and WDR processes, visit the Central Valley Water Board website at:

http://www.waterboards.ca.gov/centralvalley/water_issues/water_quality_certification/

If you have questions regarding these comments, please contact me at (916) 464-4745 or gsparks@waterboards.ca.gov.



Genevieve (Gen) Sparks
Environmental Scientist
401 Water Quality Certification Program

cc: State Clearinghouse Unit, Governor's Office of Planning and Research, Sacramento

East Drainage Canal Bike Trail Project Mitigation Reporting Program

In January 1989, Assembly Bill 3180 went into effect requiring the City to monitor all mitigation measures applicable to this project and included in the Mitigated Negative Declaration. For this project, mitigation reporting will be performed by the City of Sacramento Department of Transportation in accordance with the monitoring and reporting program developed by the City to implement AB 3180.

This Mitigation Reporting Program is being prepared for the Community Development Department, Environmental Planning Services, 300 Richards Boulevard, 3rd Floor, Sacramento, CA 95811, pursuant to the California Environmental Quality Guidelines, Section 21081.

Project Number: K19006000

Project Name: East Drainage Canal Bike Trail

Project Location: North Natomas Community Plan Area, between the end of the existing East Drainage Canal bike trail (near the intersection of Truxel Road and Natomas Crossing Drive) and Airport Road.

Project Description: The objective of this project is to provide a Class I bike facility that will improve the connectivity of the bikeways in the North Natomas area, in accordance with the 2010 Bikeway Master Plan. The proposed improvements consist of constructing approximately 4,475 feet of asphalt concrete (AC) bike trail. The bike trail would be 12' wide with 2' shoulders on each side, consisting of 6" AC over 12" aggregate base (AB) with geotextile fabric, requiring excavation of about 18". The shoulders would be 12" AB.

The remainder of the bike trail would be a shared use with Department of Utilities' existing concrete maintenance road (adjacent to Tanzanite Park) between Sump No. 16 and Airport Road. The existing road is 12' wide. Approximately 300 feet of the concrete road would be repaired. The project proposes a section of 6" concrete over 12" AB with either welded wire fabric or rebar to prevent cracking in the future.

In addition to the new bike trail segments, signing and striping would be installed, as well as modifying the gate at the maintenance road access at Airport Road to improve accessibility. Access to the bike trail would be provided from existing bike trail segments and city rights-of-way. No work would be required in the roadway to construct the proposed improvements. Construction is anticipated to be completed by summer 2012.

**MITIGATION REPORTING PROGRAM CHECKLIST FOR THE
 EAST DRAINAGE CANAL BIKE TRAIL PROJECT (K19006000)**

Mitigation Measure	Reporting Milestone	Reporting / Responsible Party	VERIFICATION OF COMPLIANCE	
			Initials	Date
<p>Air Quality</p> <p>Mitigation Measure AQ-1. General Plan Policy ER 6.1.8 - Development Near TAC Sources: The City shall ensure that new development with sensitive uses located adjacent to toxic air contaminant sources, as identified by the California Air Resources Board (CARB), reduces potential health risks. In its review of these projects, the City shall consider current guidance provided by and consult with the CARB and the Sacramento Metropolitan Air Quality Management District.</p> <p>AQ-2. Water all exposed surfaces two times daily. Exposed surfaces include, but are not limited to soil piles, graded areas, unpaved parking areas, staging areas, and access roads.</p> <p>AQ-3. Cover or maintain at least two feet of free board space on haul trucks transporting soil, sand, or other loose material on the site. Any haul trucks that would be traveling along freeways or major roadways should be covered.</p> <p>AQ-4. Use wet power vacuum street sweepers to remove any visible track out mud or dirt onto adjacent public roads at least once a day. Use of dry power sweeping is prohibited.</p> <p>AQ-5. Limit vehicle speeds on unpaved roads to 15 miles per hour (mph).</p> <p>AQ-6. All roadways, driveways, sidewalks, parking lots to be paved should be completed as soon as possible. In addition, building pads should be laid as soon as possible after grading unless seeding or soil binders are used.</p> <p>AQ-7. Minimize idling time either by shutting equipment off when not in use or reducing the time of idling to 5 minutes [required by California Code of Regulations, Title 13, sections 2449(d)(3) and 2485]. Provide clear signage that posts this requirement for workers at the entrances to the site.</p>	<p>During construction</p> <p>Mitigation measures shall be included in all construction documents for implementation during construction.</p>	<p>City of Sacramento Department of Transportation</p> <p>and</p> <p>Contractor</p>		

Mitigation Measure	Reporting Milestone	Reporting / Responsible Party	VERIFICATION OF COMPLIANCE	
			Initials	Date
AQ-8. Maintain all construction equipment in proper working condition according to manufacturer's specifications. The equipment must be checked by a certified mechanic and determine to be running in proper condition before it is operated.				
<p>Biological Resources</p> <p>BIO-1- General Plan Policy ER 2.1.10 - Habitat Assessments: The City shall consider the potential impact on sensitive plants and for each project requiring discretionary approval and shall require preconstruction surveys and/or habitat assessments for sensitive plant and wildlife species. If the preconstruction survey and/or habitat assessment determines that suitable habitat for sensitive plant and/or wildlife species is present, then either (1) protocol-level or industry recognized (if no protocol has been established) surveys shall be conducted; or (2) presence of the species shall be assumed to occur in suitable habitat on the project site. Survey Reports shall be prepared and submitted to the City and the CDFG or USFWS (depending on the species) for further consultation and development of avoidance and/or mitigation measures consistent with state and federal law.</p> <p>BIO-2. General Plan Policy ER 2.1.5 - Riparian Habitat Integrity: The City shall preserve the ecological integrity of creek corridors, canals, and drainage ditches that support riparian resources by preserving native plants and, to the extent feasible, removing invasive, non-native plants. If not feasible, adverse impacts on riparian habitat shall be mitigated by the preservation and/or restoration of this habitat at a 1:1 ratio, in perpetuity.</p> <p>BIO-3. General Plan Policy ER 2.1.6 – Wetland Protection: The City shall preserve and protect wetland resources including creeks, rivers, ponds, marshes, vernal pools, and other seasonal wetland, to the extent feasible. If not feasible, the mitigation of all adverse impacts on wetland resources shall be required in compliance with State and Federal regulations protecting wetland resources, and if applicable, threatened or endangered species. Additionally, the City may require either on- or off-site permanent preservation of an equivalent amount of wetland habitat to ensure no-net-loss of value</p>	<p>Prior to and during construction –</p> <p>Mitigation measures shall be included in all construction documents for implementation during construction.</p>	<p>City of Sacramento Department of Transportation</p> <p>and</p> <p>CDFG or USFWS</p>		

Mitigation Measure	Reporting Milestone	Reporting / Responsible Party	VERIFICATION OF COMPLIANCE	
			Initials	Date
<p>and/or function.</p> <p>BIO-4. General Plan Policy ER 2.1.10 - Habitat Assessments: The City shall consider the potential impact on sensitive plants and for each project requiring discretionary approval and shall require preconstruction surveys and/or habitat assessments for sensitive plant and wildlife species. If the preconstruction survey and/or habitat assessment determines that suitable habitat for sensitive plant and/or wildlife species is present, then either (1) protocol-level or industry recognized (if no protocol has been established) surveys shall be conducted; or (2) presence of the species shall be assumed to occur in suitable habitat on the project site. Survey Reports shall be prepared and submitted to the City and the CDFG or USFWS (depending on the species) for further consultation and development of avoidance and/or mitigation measures consistent with state and federal law.</p> <p>BIO-5. All construction activities that involve ground disturbance shall be restricted to the period of May 1 through September 30. This is the active period for giant garter snakes and they are expected to avoid danger during this time.</p> <p>BIO-6. A preconstruction survey shall be completed by a qualified biologist approved by the USFWS no more than 24 hours prior to the onset of construction (site preparation, grading). Another such survey shall be completed if construction stops for a period of two or more weeks.</p> <p>BIO-7. Clearing shall be confined to the minimum area necessary to facilitate construction. All giant garter snake habitat outside of construction areas shall be flagged as an environmentally sensitive area. These areas shall be avoided by all construction personnel.</p> <p>BIO-8. Construction personnel shall receive USFWS-approved environmental awareness training instructing workers on how to identify giant garter snakes and their habitats, and what to do if a giant garter snake is encountered during construction activities. During this training an onsite biological monitor shall be designated. While not specified in the NBHCP, FWS requires the biological monitor to be present during all</p>				

Mitigation Measure	Reporting Milestone	Reporting / Responsible Party	VERIFICATION OF COMPLIANCE	
			Initials	Date
<p>construction activities (K. Berry pers. comm.) to ensure that that no GGS are harmed by foot, vehicle, and equipment activities. The biological monitor shall be responsible for preparing the compliance monitoring report specified in section 4.10 below, pursuant to NBHCP sections E.1.b. and c, Chapters V1.E.1.b and V1.E.1c.</p> <p>BIO-9. If a live giant garter snake is found during construction activities, the USFWS and the biological monitor shall immediately be notified. The biological monitor, or his/her assignee, shall stop construction and follow guidance specified in NBHCP section V.A.5.a.(7).</p> <p>BIO-10. Upon locating dead, injured, or sick federally listed wildlife, the permittees or their designated agents must notify within one working day the Service's Division of Law Enforcement (2800 Cottage Way, Sacramento CA 95825) or the Sacramento Fish and Wildlife Office (2800 Cottage Way, Room W-2605, Sacramento, CA 95825, telephone 916 414-6600). Written notification to both offices must be made within three calendar days and must include the date, time, and location of the finding of a specimen and any other pertinent information.</p> <p>BIO-11. Fill or construction debris may be used by giant garter snakes as over-wintering sites. Upon completion of construction activities, all temporary fill and/or construction debris shall be removed from the site. If this material is situated near undisturbed giant garter snake habitat and is to be removed between October 1 and April 30, it shall be inspected by a qualified biologist to assure that giant garter snakes are not using it as hibernaculae.</p> <p>BIO-12. No plastic, monofilament, jute, or similar erosion-control matting that could entangle snakes will be placed on a project site when working within 200 feet of aquatic or rice habitat. Possible substitutions include coconut coir matting, tackified hydroseeding compounds, or other material approved by wildlife agencies.</p> <p>BIO-13. While not specified in the NBHCP, we recommend posting educational signs along the trail about giant garter snakes to educate the public about the species' possible presence and encourage avoidance of bicycle or pedestrian encounters. Additionally, speed limits could be recommended.</p>				

Mitigation Measure	Reporting Milestone	Reporting / Responsible Party	VERIFICATION OF COMPLIANCE	
			Initials	Date
<p>BIO-14. Prior to the construction, a preconstruction survey shall be completed to determine whether any active Swainson's hawk nest sites occur within 0.5 mile of the construction site. These surveys shall be conducted according to the Swainson's Hawk Technical Advisory Committee's (May 31, 2000) methodology, or updated methodologies, as approved by the CDFG, using experienced Swainson's hawk surveyors.</p>				
<p>BIO-15. If breeding Swainson's hawks (i.e., birds exhibiting nest-building or nesting behavior) are identified, no new disturbances (e.g., heavy equipment operation associated with construction) will occur within 0.5 mile between March 15 and September 15, or until a CDFG-approved biologist has determined that young have fledged or that the nest is no longer occupied. If the active nest site is located within 0.25 mile of existing urban development, the no-new-disturbance zone can be limited to 0.25 mile.</p>				
<p>BIO-16. Where disturbance of a Swainson's hawk nest cannot be avoided, such disturbance shall be temporarily avoided (i.e., construction activities deferred until after the nesting season) and then, if unavoidable, the nest tree may be destroyed during the non-nesting season. For purposes of this provision the Swainson's hawk nesting season is defined as March 15 to September 15. If a nest tree (any tree that has an active nest in the year the impact is to occur) must be removed, tree removal shall only occur between September 15 and February 1.</p>				
<p>BIO-17. If a Swainson's hawk nest tree is to be removed and fledglings are present, the tree may not be removed until September 15 or until the California Department of Fish and Game has determined that the young have fledged and are no longer dependent upon the nest tree.</p>				
<p>BIO-18. If construction or other project-related activities that may cause nest abandonment or forced fledging are proposed within the 0.25–0.5-mile buffer zone, intensive monitoring (funded by the project sponsor) by a CDFG-approved raptor biologist will be required. Exact implementation of this measure will be based on specific information at the project site.</p>				

Mitigation Measure	Reporting Milestone	Reporting / Responsible Party	VERIFICATION OF COMPLIANCE	
			Initials	Date
<p>BIO-19. A CDFG-approved biologist shall perform a preconstruction survey of the site for burrowing owls. The results of the preconstruction survey shall be submitted to the land-use agency with jurisdiction over the site prior to construction and a mitigation program shall be developed if necessary.</p> <p>BIO-20. Occupied burrows shall not be disturbed during the nesting season (February 1 through August 31) unless an approved biologist verifies through non-invasive measures that either: a) the birds have not begun egg-laying and incubation; or b) that juveniles from the occupied burrows are foraging independently and are capable of independent survival.</p> <p>BIO-21. If nest sites are found, CDFG shall be contacted regarding suitable mitigation measures, as specified in the NBHCP, which could include establishing a non-disturbance buffer zone or passive relocation. Follow specific guidance in the NBHCP.</p> <p>BIO-22. Where avoidance is not possible, disturbance and/or destruction of burrows shall be offset through development of suitable habitat on TNBC upland reserves. Such habitat shall include creation of new burrows with adequate foraging area.</p> <p>BIO-23. No specific guidance on the methods of the preconstruction survey are provided in the HCP; however, it is assumed for this project that the preconstruction survey will follow methods provided by either CDFG (CDFG 1995 or newer) or the Burrowing Owl Consortium (Burrowing Owl Consortium 1993).</p> <p>BIO-24. A preconstruction survey shall be conducted for presence of breeding and nesting tricolored blackbirds. If surveys determine tricolored blackbirds are present, the following measures shall be implemented in accordance with the Migratory Bird Treaty Act to avoid disturbance to active (occupied) nesting colonies. A boundary shall be marked by brightly colored construction fencing that establishes a buffer zone of 500 feet from the active nest site. No construction-related disturbance shall occur within the 500-foot fenced area during the nesting season to July 1, or while birds are present. A qualified biologist must determine young have fledged and nest sites are no longer active before the nest site may be disturbed.</p>				

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			Initials	Date
<p>BIO-25. A preconstruction survey shall be conducted. If surveys identify an active loggerhead shrike nest that will be adversely affected, the developer shall install brightly colored construction fencing that establishes a boundary 100 feet from the active nest. No disturbance associated with construction shall occur within the 100- foot fenced area during the nesting season of March 1 through July 31. A qualified biologist must determine that young have fledged or that the nest is no longer occupied prior to disturbance of the nest site.</p> <p>BIO-26. A preconstruction survey shall be required. If a survey determines the presence of California tiger salamander, the land-use agency shall consult with the USFWS to determine appropriate measures to avoid and minimize take of individuals.</p> <p>BIO-27. No guidance is provided on the type of preconstruction survey or the qualifications of the surveyor, but for purposes of this project we recommend that an agency-approved biologist conduct a single visit to search for migrating adults on a rainy night in November or December of the winter before construction. Construction is currently scheduled for summer of 2012, so this survey should be conducted in November or December of 2011.</p> <p>BIO-28. A preconstruction survey for nesting birds shall be performed by a qualified biologist prior to construction, within the project area and a 300-foot buffer area, not more than two weeks prior to construction and preferably less than one week, for all birds not named above. If active nests are found, a no-disturbance buffer zone of</p> <p>100 to 300 feet shall be established around them according to an agency-approved biologist's assessment of the species' sensitivity to disturbance. Within this buffer zone, no construction activity will be allowed until August 31 or the biologist determines that the nest is no longer active.</p> <p>BIO-29. In compliance with section V of the NBHCP, the nesting-bird survey should also include a search of suitable habitats within 0.25 miles for nesting white-faced ibis. No construction shall take place within 0.25 mile of nesting white-faced ibis between May 15 and August 31 or until the biologist has determined that the young have fledged.</p>				

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			Initials	Date
<p>Cultural Resources</p> <p>CR-1. In the event that any prehistoric subsurface archeological features or deposits, including locally darkened soil ("midden"), that could conceal cultural deposits, animal bone, obsidian and/or mortars are discovered during construction-related earth-moving activities, all work within 50 meters of the resources shall be halted, and the City shall consult with a qualified archeologist to assess the significance of the find. Archeological test excavations shall be conducted by a qualified archeologist to aid in determining the nature and integrity of the find. If the find is determined to be significant by the qualified archeologist, representatives of the City and the qualified archeologist shall coordinate to determine the appropriate course of action. All significant cultural materials recovered shall be subject to scientific analysis and professional museum curation. In addition, a report shall be prepared by the qualified archeologist according to current professional standards.</p> <p>CR-2. If a Native American site is discovered, the evaluation process shall include consultation with the appropriate Native American representatives.</p> <p>If Native American archeological, ethnographic, or spiritual resources are involved, all identification and treatment shall be conducted by qualified archeologists, who are certified by the Society of Professional Archeologists (SOPA) and/or meet the federal standards as stated in the Code of Federal Regulations (36 CFR 61), and Native American representatives, who are approved by the local Native American community as scholars of the cultural traditions.</p> <p>In the event that no such Native American is available, persons who represent tribal governments and/or organizations in the locale in which resources could be affected shall be consulted. If historic archeological sites are involved, all identified treatment is to be carried out by qualified historical archeologists, who shall meet either Register of Professional Archeologists (RPA), or 36 CFR 61 requirements.</p> <p>CR-3. If a human bone or bone of unknown origin is found during construction, all work</p>	<p>Prior to and during construction –</p> <p>Mitigation measures shall be included in all construction documents for implementation during construction.</p>	<p>City of Sacramento Department of Transportation</p> <p>and</p> <p>Contractor</p>		

Mitigation Measure	Reporting Milestone	Reporting / Responsible Party	VERIFICATION OF COMPLIANCE	
			Initials	Date
<p>shall stop in the vicinity of the find, and the County Coroner shall be contacted immediately. If the remains are determined to be Native American, the coroner shall notify the Native American Heritage Commission, who shall notify the person most likely believed to be a descendant. The most likely descendant shall work with the contractor to develop a program for re-internment of the human remains and any associated artifacts. No additional work is to take place within the immediate vicinity of the find until the identified appropriate actions have taken place.</p>				
<p>Light and Glare</p> <p>Master EIR Mitigation Measure 6.13-1: <i>The City shall amend the Zoning Code to prohibit new development from:</i></p> <ol style="list-style-type: none"> 1) <i>using reflective glass that exceeds 50 percent of any building surface and on the ground three floors;</i> 2) <i>using mirrored glass;</i> 3) <i>using black glass that exceeds 25 percent of any surface of a building; and,</i> 4) <i>using metal building materials that exceed 50 percent of any street-facing surface of a primarily residential building.</i> <p>The Zoning Code has not yet been amended to include the restrictions identified in Mitigation Measure 6.13-1. The restrictions will be applied to the project, if applicable, to ensure that the potential impact identified in the Master EIR is less than significant.</p>	<p>Prior to and during construction –</p> <p>Mitigation measures shall be included in all construction documents for implementation during construction.</p>	<p>City of Sacramento Department of Transportation</p> <p>and</p> <p>Contractor</p>		