



REPORT TO COUNCIL

City of Sacramento

34

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

Public Hearing
December 04, 2007

Honorable Mayor and
Members of the City Council

Title: Northgate 880 / Panhandle (M05-031 / P05-077)

Location/Council District: South of Elkhorn Boulevard, north of Interstate 80, west of Northgate Boulevard and Sorento Road, and east of Gateway Park Boulevard and the Northpointe Park Planned Unit Development / Adjacent to Council District 1

Recommendation:

1) Close the public hearing and
a) Adopt 1) a **Resolution** certifying the Environmental Impact Report and adopting the Mitigation Monitoring Program; and 2) approving the Reorganization;

M05-031 - Northgate 880:

b) Adopt 1) a **Resolution** amending the General Plan Land Use Map; 2) a **Resolution** amending the text of the North Natomas Community Plan; 3) a **Resolution** amending the North Natomas Community Plan Land Use Map; 4) a **Ordinance** amending the Zoning Code (Sacramento City Code, Title 17); and 5) an **Ordinance** rezoning approximately 50 acres between Sotnip Road and Del Paso Road;

P05-077 - Panhandle:

c) Adopt 1) an **Ordinance** approving the Development Agreement between the City of Sacramento and Dunmore Land Company, LLC., the Richter-Kazer 1993 Irrevocable Trust, BD Properties, LLC, and Tasso Peter Cononelos; 2) an **Ordinance** approving the Development Agreement between the City of Sacramento and the Marie Krumenacher Trust, the Alice Krumenacher Trust, and Vaquero Land Holdings, LLC.; 3) a **Resolution** approving the Panhandle Finance Plan; 4) a **Resolution** approving the Inclusionary Housing Plan (Panhandle North - Vaquero); 5) a **Resolution** approving the Inclusionary Housing Plan (Panhandle Central and South - Dunmore); 6) a **Resolution** approving the Inclusionary Housing Plan (Grant Joint Union High School District); 7) a **Resolution** amending the General Plan Land Use Map; 8) a **Resolution** amending the text of the North Natomas Community Plan; 9) a **Resolution** amending the North Natomas Community Plan Land Use Map; 10) an **Ordinance** rezoning the area south of Elkhorn Boulevard, north of Del Paso Road, and west of Sorento Road; and 11) a **Resolution** establishing the Panhandle Planned Unit Development (PUD); and

d) Adopt a **Resolution** denying the Appeal of the Planning Commission's approval of various entitlements and to approve the Tentative Master Parcel Maps, Tentative Subdivision Maps, and Subdivision Modifications for the Panhandle project (P05-077);

2) Continue the public hearing on the Tax Exchange Agreement to January 29, 2008.

Contact: Scot Mende, New Growth Manager, 808-4756; Arwen Wacht, Associate Planner, 808-1964

Presenters: Scot Mende and Arwen Wacht

Department: Planning

Division: New Growth

Organization No: 4913

Description/Analysis

Committee/Commission Action: On June 28, 2007, the Planning Commission voted to approve the staff recommendation with various additions as discussed in the previous staff report to the City Council.

On June 5, 2007, the Law & Legislation Committee recommended approval of the proposed Special Planning District Ordinance for the Northgate 880 SPD.

On July 5, 2007, project was called up by Councilmember Tretheway. On July 6, 2007, a third party appeal was filed by Brigit S. Barnes & Associates, Inc., on behalf of Jim Gately (JB Properties). The appeal (see Attachment 3) speaks specifically to the environmental document and the overall project (not specifically the Tentative Maps and Subdivision Modifications).

On July 17, 2007, Planning staff presented a workshop on the Northgate 880 / Panhandle project to the City Council.

On July 24, 2007, the City Council participated in a bus tour of the Northgate 880 / Panhandle area.

City Council hearings were held on July 31, 2007, August 14, 2007, September 4, 2007, and September 18, 2007. At the September 18th hearing, the City Council unanimously adopted a motion of intent to approve the project – pending availability of final documents that incorporate all of the issues and concerns identified in previous hearings. Staff analysis and response to these concerns are discussed in Report Attachment 1 – Background.

Summary: Following three Planning Commission hearings and four City Council hearings, a workshop and a bus tour, the Panhandle project has been thoroughly vetted. The ordinances and resolutions are now ready for adoption.

Rationale for Recommendation: Overall, the revised proposals are consistent with the General Plan and North Natomas Community Plan policies on annexation, development, and land use.

Financial Considerations: Assuming a standard 50% property tax split, the Panhandle PUD will result in a neutral / slightly positive fiscal impact. The Panhandle Finance Plan results in payment of fair share contributions to on-site and off-site public facilities including parks, roads, transit, drainage, sewer, and water.

Emerging Small Business Development (ESBD): No goods or services are being purchased under this report.

Respectfully Submitted by: Scot Mende
Scot Mende
New Growth Manager

Approved by: Carol Shearly
Carol Shearly
Director of Planning

Recommendation Approved:

Ray Kerridge
Ray Kerridge
City Manager

Table of Contents:

	Report	Pg	1
Attachments			
1	Background	Pg	6
2	Issues of Agreement Between Valley View Acres Community Association (VVACA) and Dunmore / Vaquero Dated September 3, 2007	Pg	8
3	McMurchie Law Letter Dated September 26, 2007	Pg	12
4	Brigit S. Barnes & Associates, Inc. Letter Dated October 16, 2007	Pg	15
5	Environmental Impact Report and Mitigation Monitoring Plan Resolution	Pg	21
	Exhibit A - Mitigation Monitoring Plan	Pg	23
6	Reorganization Resolution	Pg	144
	Exhibit A - Panhandle Annexation		
	Boundary Description	Pg	146
	Exhibit B - Panhandle Annexation Map	Pg	152
7	General Plan Map Amendment Resolution (M05-031)	Pg	153
	Exhibit A – General Plan Map Amendment	Pg	155
8	Community Plan Text Amendment Resolution (M05-031)	Pg	157
	Exhibit A - Northgate 880 SPD Amendments to the North Natomas Community Plan	Pg	158
	Exhibit B - Northgate 880 SPD Boundary Map	Pg	159
9	Community Plan Map Amendment Resolution (M05-031)	Pg	160
	Exhibit A - North Natomas Community Plan Amendment Exhibit	Pg	162
10	Zoning Code Text Amendment Ordinance (M05-031)	Pg	164
	Exhibit A – Northgate 880 SPD Boundary Map	Pg	166
11	Prezone Ordinance (M05-031)	Pg	167
	Exhibit A – Prezone	Pg	168
12	Development Agreement Ordinance (Dunmore) (P05-077)	Pg	170
	Exhibit A – Development Agreement (Dunmore)	Pg	172
13	Development Agreement Ordinance (Vaquero) (P05-077)	Pg	260
	Exhibit A – Development Agreement (Vaquero)	Pg	262
14	Finance Plan Resolution (P05-077)	Pg	344
	Exhibit A – Panhandle Finance Plan	Pg	346
15	Inclusionary Housing Plan Resolution (Vaquero) (P05-077)	Pg	460
	Exhibit A – Inclusionary Housing Plan (Vaquero)	Pg	461
16	Inclusionary Housing Plan Resolution (Dunmore) (P05-077)	Pg	471
	Exhibit A – Inclusionary Housing Plan (Dunmore)	Pg	472
17	Inclusionary Housing Plan Resolution (Grant) (P05-077)	Pg	484
	Exhibit A – Inclusionary Housing Plan (Grant)	Pg	485
18	General Plan Map Amendment Resolution (P05-077)	Pg	494

	Exhibit A – General Plan Map Amendment	Pg	495
19	Community Plan Text Amendment Resolution (P05-077)	Pg	496
20	Community Plan Map Amendment Resolution (P05-077)	Pg	499
	Exhibit A – Community Plan Map Amendment	Pg	500
21	Prezone Ordinance (P05-077)	Pg	501
	Exhibit A – Prezone	Pg	502
22	PUD Guidelines and Schematic Plan Resolution (P05-077)	Pg	503
	Exhibit A - Panhandle PUD Schematic Plan	Pg	505
	Exhibit B - Panhandle PUD Guidelines	Pg	506
23	Notice of Decision and Findings of Fact Resolution for Panhandle	Pg	615
	Exhibit A – Tentative Master Parcel Map (Krumenacher)	Pg	727
	Exhibit B – Tentative Master Parcel Map (Dunmore)	Pg	728
	Exhibit C – Tentative Subdivision Map (Krumenacher)	Pg	729
	Exhibit D – Tentative Subdivision Map (Dunmore – Central)	Pg	730
	Exhibit E – Tentative Subdivision Map (Dunmore – South)	Pg	731
24	Draft Tax Exchange Agreement Resolution	Pg	732
	Exhibit A – Draft Tax Exchange Agreement	Pg	733

ATTACHMENT 1 - BACKGROUND

At the July 31st City Council hearing, staff provided an overview of the project and the Council provided comments with requests for additional information to be provided in subsequent meetings.

At the August 14th City Council hearing, staff highlighted information on:

- First stage entitlements that are necessary to move the annexation forward to LAFCo
- Fiscal and financial issues associated with annexation of the Panhandle and Northgate /880 Business Park vs. an island annexation. Specific issues included:
 - Deficient Infrastructure in the developed area south of Del Paso Road
 - Unfavorable Tax Sharing (Sales & Property Taxes) terms
 - Differing City & County Tax Structures that result in cost impacts to existing landowners and tenants in the Business Park
 - Library Assessment
 - Utility Users Tax (7.5% vs. 2.5%)
 - Documentary Transfer Tax
 - Landscape & Lighting District

At the September 4th City Council hearing, staff highlighted information on:

- Redesign of subdivision to minimize walls along roadways (Sorento Road, National Drive, etc.)
- Addressing Valley View Acres seasonal drainage issues (detention basin in Ninos Parkway) as reflected in the September 3rd agreement between Dunmore Land and Valley View Acres
- The integration of the proposed Club Center Drive commercial center with the adjacent park in order to achieve a town center function
- Proximity / walkability of transit and other amenities (commercial, parks, etc.) to multi-family residential and inclusionary housing
- Interface of the Panhandle project with the existing development to the west (Regency Park / Natomas Park).

At the September 18th City Council hearing, staff highlighted information on:

- Traffic Calming Devices (*clarified that the applicant is responsible for funding any devices identified during the improvement plan process*)
- A revised approach to the Inclusionary Housing Plans that provides for ownership housing on approximately 20% of the low income inclusionary units (*this approach is incorporated into the revised IHPs*)
- A revised plan for providing a higher level of TMA shuttle services (*this approach is incorporated into the revised Finance Plan*)
- Incorporation of green technology into the building plans (*this approach is incorporated into the revised Development Agreements*)

- Revision of Planned Unit Development Guidelines to incorporate comments from the City's Urban Design Manager (*this approach is incorporated into the revised PUD Guidelines*)
- Deletion of the Villa housing type, and designation at the master parcel level for the sites previously designated for the Villa housing type (*this approach is incorporated into the revised Tentative Maps and PUD Schematic Plan*)
- Justification for the deletion of the 250' agricultural/urban buffer south of Elkhorn Blvd. (*this justification was satisfactory to the Council and required no revisions to the resolutions and ordinances*)
- Flood legislation status (*the Development Agreements were amended to provide that the Panhandle may be subject to federal, state, and local flood control management regulations enacted after the effective date of the Development Agreements*)
- Entitlement Packaging (*the Council directed that all entitlements move forward for the area north of Del Paso Road and the General & Community Plan amendments move forward for the area south of Del Paso Road*).

The attached resolutions and ordinances incorporate the Council direction provided over the course of the public hearings.

**ATTACHMENT 2 - ISSUES OF AGREEMENT BETWEEN VALLEY VIEW ACRES
COMMUNITY ASSOCIATION (VVACA) AND DUNMORE / VAQUERO DATED
SEPTEMBER 3, 2007**

Issues of Agreement between Valley View Acres
Community Association and Dunmore and Vaquero
Development in Regards to the Panhandle
Development

Respectfully Submitted by Valley View Acres Community Association

09/03/07

Drainage/Flood Protection/Detention Basin

An area in the southern portion of Niño's Parkway, north of Del Paso Road, within the Panhandle PUD will be used for short-term back-up holding of storm water from the Del Paso Road/Sorento intersection area. The two storm water basins measuring approximately 5 acres would be excavated/depressed to accommodate storm water flows that exceed the capacity of the existing storm drain system at the Del Paso Road/Sorento Road intersection. The intent of this storage is to lesson storm water ponding that occasionally occurs at Sorento Road/DelPaso Road and to help lessen the back-up of storm water in interior ditches of Valley View Acres. The location and conceptual design of the storm water basins has been coordinated with Sacramento City Parks and Utilities staff, WAPA and SMUD.

Multi-Use Transitional Corridor

A 50-foot landscape corridor will be provided on the west side of Sorento Road from the northeast corner of Camellia Park north to the first proposed I.O.D. (designated K Street on tentative subdivision maps for Dunsmore Development dated July 19, 2007). This I.O.D. is just north of the southern boundary of the Avdis property. The 50-foot landscape corridor shall be further defined as a 50-foot wide, multi-use area along the west side of Sorento Road measured from the existing west edge pavement of Sorento Road to the proposed 6-foot wall. Within the 50-foot corridor there will be a depression or swale with an 8-foot concrete, multi-use pathway as its base. The pathway will curve or meander the entire length of the corridor. There shall be entrance/exit points to the pathway every 500 feet. Wood posts connected by metal cable shall be installed to protect the landscaped corridor from vehicle damage. This corridor is the first 50-feet of the minimum 100-foot transition west from Sorento Road to the homes within the PUD.

From the north curb-line of the proposed I.O.D. to approximately 50-feet south of East Levee Road, the corridor will vary from 22-30 feet. At the west edge of this landscaped corridor, a 6-foot fence shall be constructed of masonry or up-graded wood-type material.

Camellia Park (PUD Parcel 41) shall be designed with walkways and trails for pedestrian access west from Sorento Road. "No parking" signs and wood posts, connected by cables to prevent vehicle access, shall be placed along Sorento Road on the eastern edge of the park.

A working group composed of representatives of Valley View Acres, representatives of Dunmore Homes and their landscape architect will be convened to provide input and develop plans for the multi-use area along the west side of Sorento Road. The working group will address such topics as the design of the corridor, including landscape design, planting locations and plant types, configurations of pathway, post and cable design and location, access locations, locations of no parking signs, and other design features of the multi-use area. The working group will work together to develop a mutually agreeable approach to design of the multi-use area. The working group will coordinate with Sacramento City on the design of the multi-use area.

The eastern edge of the parcel (PUD Parcel 21 A) planned for senior residential has been redesigned so that the residential units along the eastern edge face Sorento Road (as shown on Tentative Subdivision Maps for Panhandle Dunmore South and Panhandle Dunmore Central dated July 19, 2007). The following is the design (from west to east): Senior residential unit, residential front yard, curb/gutter/sidewalk, residential street (approx 48-feet), masonry/open fencing wall, landscape corridor (50-feet), Sorento Road. The intent is to create a spacing of a minimum 100-feet from west edge of Sorento Road to the nearest residential foundation unit north from Camellia Park to the first proposed I.O.D. (designated as K street) north of the southern boundary of the Avdis property.

Vehicular access shall be prohibited from Sorento Road and no improvement to Sorento Road will be made. Units along the east side in the senior residential project (PUD Parcel 21A, which ends at K Street) will face Sorento Road and be single story homes. North of the senior project (north of K Street), Lots 170, 182, 203, 201, 204, and 222 will be one-story. A two-story unit will be allowed on Lot 202. Lot numbers are as depicted on the Tentative Subdivision Maps for Panhandle Dunmore South and Panhandle Dunmore Central dated July 19, 2007.

Corridor Fencing

Starting at the southeastern edge of the senior residential units (PUD Parcel 21) and the western edge of the 50-foot landscape corridor, a 6-foot barrier shall be constructed consisting of 3-foot masonry bottom and topped by 3-foot open fencing (i.e. tubular steel, vertical bars). The barrier fencing shall continue north to the first proposed I.O.D.(designated as K Street) north of the southern boundary or the Avdis property. Fencing continuing north will consist of masonry or up-graded wood-type construction.

Mitigation Measures

Consistent with Mitigation Measure 4.2.2.c of the Panhandle FEIR, Panhandle shall require buyers of residential units to be provided with disclosure regarding the adjacent Valley View Acres area. The disclosure shall describe Valley View's unique rural estate residential environment and that there may be inconveniences (i.e. odors, noises, dust) and other environmental consideration associated with Valley View. The disclosure will state that the Panhandle residents should be prepared to accept these inconveniences and recognize that these uses will occur. Panhandle project representatives and Valley View representatives will work to draft the language of the disclosure.

ATTACHMENT 3 – MCMURCHIE LAW LETTER DATED SEPTEMBER 26, 2007



2130 East Bidwell Street, Suite 2, Folsom, CA 95630 [916]983-8000

DAVID W. McMURCHIE
dmcurchie@mcurchie.com

VICKI E. HARTIGAN
vhartigan@mcurchie.com

September 26, 2007

Via Federal Express

Sacramento City Council
c/o City Clerk
City of Sacramento
City Hall
915 I Street, Room 304
Sacramento, CA 95814-2671

Re: Proposed Panhandle Annexation

Dear Members of the City Council:

This firm represents Rio Linda-Elverta Recreation and Park District, (the "District"). Please consider this letter as the District's formal protest and objection to (1) City's proposed partition of its original proposal to annex the entire Panhandle area both north and south of Del Paso Road into a proposed annexation of the North Panhandle area which lies north of Del Paso Road and the creation of an unincorporated island comprising the property lying south of Del Paso Road; and (2) detachment of the North Panhandle from the Rio Linda-Elverta Recreation and Park District.

The District contends that this partition resulting in an unincorporated island which accounts for a significant portion of the District's property tax revenue should not be approved for the following reasons:

1. The creation of such an unincorporated island violates the provisions of Government Code sections 56744 and 56375. The restrictions against creation of such unincorporated islands should not be waived pursuant to section 56375(m)

Sacramento City Council
September 26, 2007
Page 2 of 3

because the creation of such an unincorporated island would be detrimental to the orderly development of the community;

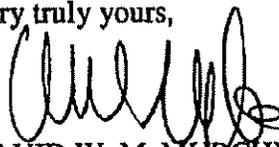
2. The creation of such an unincorporated island violates those provisions of the City's General Plan which provides at section 1-32 that development in the city's new growth area should only be approved if it promotes efficient growth patterns and efficient public service extensions, as well as being compatible with adjacent developments. The District contends that the creation of the unincorporated island in a more intensely developed area south of the North Panhandle Annexation does not promote efficient growth patterns and public service extensions to the North Panhandle area;
3. The creation of such an unincorporated island by this annexation proposal will deprive all registered voters and/or land owners residing within or owning property within the unincorporated island of voting or otherwise expressing their opinion at a hearing on the future incorporation of the unincorporated island, which is not dealt with in this proposal. Government Code section 56375(a) and subsection (a)(1) provide that LAFCO has no power to disapprove an annexation to a city of an unincorporated island surrounded by that city if that territory to be annexed is "substantially developed or developing", is designated for urban growth by the general plan of the annexing city, and is not prime agricultural land. The proposed unincorporated island meets all of these criteria. It is my client's contention that the current proposal to approve the North Panhandle Annexation and create an unincorporated island comprising the developing area south of Del Paso Road is an attempt to annex the unincorporated island in the future **without the necessity of any LAFCO proceedings** (which means that registered voters residing within or land owners owning property within the proposed unincorporated island will have **no power** to file written protests against or vote against the proposed annexation of the unincorporated island in the future.

Based on the foregoing, the District strongly protests the partition of the Panhandle annexation proposal, the creation of an unincorporated island in the south Panhandle, the approval of the North Panhandle Annexation, and the detachment of that area from the district. The partitioning of the Panhandle Annexation and the creation of an unincorporated island is simply a means to deprive the registered voters and property owners of the unincorporated island the power to participate in the decision as to whether the developing property within the unincorporated island should be annexed to the city and detached from the District. Any decision by the City Council which deprives the voters and land owners of the unincorporated island the power to participate in this process is fundamentally flawed.

Sacramento City Council
September 26, 2007
Page 3 of 3

It is respectfully requested that this letter be formally admitted into the record of the proceedings of the City Council on this issue, and that it be considered the formal written protest of the Rio Linda-Elverta Recreation and Park District to the proposed North Panhandle Annexation and related detachment from the district.

Very truly yours,



DAVID W. McMURCHIE

DWM:sjm

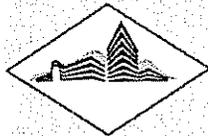
cc: Mr. Scott Mende, City of Sacramento
Mr. Don Schatzel, Rio Linda-Elverta Recreation and Park District
Supervisor Roger Dickinson
Supervisor Jimmie Yee
Supervisor Susan Peters
Supervisor Roberta MacGlashan
Supervisor Don Nottoli
Mr. Peter Brundage, LAFCO
Rio Linda-Elverta Incorporation Committee, Attn: Mr. Jerry Traugtmann

**ATTACHMENT 4 – BRIGIT S. BARNES & ASSOCIATES, INC. LETTER DATED
OCTOBER 16, 2007**

**Brigit S.
Barnes &
Associates,
Inc.**

A Law Corporation

Brigit S. Barnes, Esq.
Susan M. Vergne, Esq.



*Land Use and
Environmental
Paralegal*
Jaenaly Jarvis

Legal Assistants
Noreen Patrignani
Jenna Porter

3262 Penryn Road
Suite 200
Loomis, CA 95650
Phone (916) 660-9555
FAX (916) 660-9554
Website:
landlawbybarnes.com

October 16, 2007

Via Facsimile [letter only] and U.S. Mail
Fax: 916-264-7680

City of Sacramento, City Council
Historic City Hall, 915 I Street
Office of the City Clerk, 1st Floor
Sacramento, CA 95814

Attn: Hon. Heather Fargo, Mayor
Hon. Raymond L. Tretheway, District 1
Hon. Sandy Sheedy, District 2
Hon. Steve Cohn, District 3
Hon. Robert King Fong, District 4
Hon. Lauren Hammond, District 5
Hon. Kevin McCarty, District 6
Hon. Robbie Waters, District 7
Hon. Bonnie Pannell, District 8

Re: Item 27. Northgate 880/Panhandle (M05-031 / P05-077) (Passed for publication on 6-12-07, published on 6-15-07, noticed on 7-19-07; continued from 6-26-07, 7-24-07, 7-31-07, 8-17-07, 9-4-07, 9-18-07, 10-2-07)

Dear Mayor Fargo and Councilmembers:

On behalf of our clients, Jim Gately, J.B. Management, L.P., J.B. Properties, and J.B. Company, who are property owners in the southern portion of the proposed annexation (south of Del Paso Road), we hereby submit the following comments on Northgate 880 / Panhandle (M05-031 / P05-077).

Although the Planning Department staff has requested another continuance of Item 27 to October 23, 2007, we wish to submit the following comments at this time. The proposed project description, according to Resolution No. 2000-734 (adopted by the Sacramento City Council on December 2000), the Final Environmental Impact Report (EIR) (adopted by the Planning Commission on June 28, 2007), the current Sphere of Influence, and the Panhandle Municipal Service Review dated February 2007, includes the annexation/reorganization of the area bounded by Northgate Boulevard, Sorento Road, and East Levee Road to the east, I-80 to the south, current City limits to the west, and Elkhorn Boulevard to the north — the entire northern and southern portions. None of these documents have been amended to show the revisions approved by the City Council on August 14, 2007.

- | | | | | |
|--------------------|---|------------------------|---|---------------|
| Asset Preservation | • | Commercial Real Estate | • | Environmental |
| General Business | • | Real Estate Financing | • | Litigation |

Sacramento City Council
October 16, 2007
Page 2

Defects to the Final Environmental Impact Report

In addition, we set out in summary form our continuing concerns. In our letter to the Planning Commission dated May 24, 2007 (copy attached), we expressed concern regarding substantial inadequacies of the EIR, and that many items challenged in the Draft have not been responded to in the Final EIR. (Certain mitigations are proposed in the Staff Report, but have never been incorporated in a revised EIR.) We also expressed concern with inconsistency between the EIR and the City of Sacramento General Plan and North Natomas Community Plan regarding the need for 100-year flood protection prior to any new residential development.

In our letter to the City Council dated June 11, 2007 (copy attached), we again expressed concerns regarding environmental, financial, and policy considerations associated with the proposed reorganization and the supporting documentation, which never coordinated removal of the pan from the mitigation and financial study.

Upon decision of the City Planning Commission on June 28, 2007 to certify annexation/reorganization, we submitted an application to appeal the decision. (See Notice of Appeal of Planning Commission Decision dated July 6, 2007, copy attached). The appeal again addresses the issues raised in our May 24 and June 11, 2007 letters.

None of these previously raised concerns have been addressed by the City, including the fact that the northern portion of the Panhandle reorganization is currently undeveloped agricultural land, which is at risk for flooding.

New Developments Regarding Flooding

Now, we understand that the Federal Emergency Management Agency's (FEMA) September 27, 2007 letter to the City of Sacramento denied the City's request to continue allowing unrestricted growth in North Natomas while the levees are improved. FEMA will not allow new development on farmland in Sacramento until the levees are recertified to provide 100-year flood protection. Additionally, on October 10, 2007, the Secretary of State chaptered AB 70, which provides that the City may be required to contribute its fair and reasonable share of the property damage caused by a flood to the extent that the City has increased the state's exposure to liability for property damage by unreasonably approving new development in a previously undeveloped area that is protected by a state flood control project. We are aware of no revisions to the EIR to respond to this new information; or how the applicant will mitigate these impacts without a complete redesign of the project.

Sacramento City Council
October 16, 2007
Page 3

Project Description

In an effort by the City that appears to be an attempt to eliminate opposition to the annexation/reorganization, rather than to resolve these important issues, the City has agreed to seek to annex only the northern portion of the Panhandle, leaving the southern portion in the County. An EIR does not violate CEQA when the lead agency approves a *smaller* project than that described in the EIR, or when an agency approves part of the project that was initially analyzed in the EIR. See Dusek v. Redevelopment Agency (1985) 173 Cal.App.3d 1029, 1049. However, important changes to the project must be reflected in the project description and environmental analysis. These changes can affect the overall adequacy of the document. The project description in an EIR must state the precise location and boundaries of the proposed project. 14 Cal. Code Regs. §15124(a). The City cannot arbitrarily change the project description without correcting and recirculating the EIR document.

A project description must state the objectives sought by the proposed project. The rationale for exclusion from the possible project alternatives should be consistent with the statement of objectives in the project description. The EIR Project Objectives Section 3.7 states:

Based on Resolution No 2000-734, adopted by the Sacramento City Council on Dec 12, 2000, the City of Sacramento has identified the following specific project objectives for the overall panhandle Area annexation:

- Promote a logical and reasonable extension of the City boundaries since this area is already surrounded on three sides by existing City limits;
- Provide for a more efficient provision of municipal services for existing and future development in the Panhandle area;
- Promote greater compliance with uniform City planning and development standards under the NNCP; and,
- Adopt an annexation that would be fiscally beneficial to the City since the revenue generated by the non-residential land uses would likely off-set the costs of providing municipal services to this area.

Obviously, if the project description is changed to include only annexation of the northern portion, that portion is not surrounded on three sides by existing City limits, there is no existing development, and revenue generated by the non-residential land uses will not likely off-set the costs of providing municipal services to the area. As part of the project description, the objectives also must be corrected to reflect revised conditions and the EIR recirculated.

Sacramento City Council
October 16, 2007
Page 4

Corrections and Recirculation of the EIR

If any significant new information is added to the EIR after notice of public review has been given, but before final certification of the EIR, the lead agency must issue a new notice and recirculate the EIR for comments and consultation. Pub. Res. Code §21092.1; 14 Cal. Code Regs. §15088.5; Laurel Heights Improvement Ass'n v. Regents of Univ. of Cal. (1993) 6 Cal.4th 1112 (Laurel Heights II). Changing the project description (location and objectives) is "significant" enough to require recirculation of the document. There are other issues associated with the change in the project description, as discussed below.

Sphere of Influence

"Sphere of Influence" [SOI] means a plan for the probable physical boundaries and service area of a local agency, as determined by the commission. Govt. Code §56076. The SOI adopted for the annexation is for the entire Panhandle area and, of course, all of the annexation documents include the southern portion as part of the annexation. The EIR states: "Under State law, LAFCo is charged with: Ensuring orderly growth by the *annexation of land within an adopted SOI.*" [Emphasis added.] Therefore, the annexation should include the entire SOI, or the SOI and all subordinate documents should be amended. Additionally, it would be LAFCO's determination as to whether the City's SOI boundaries should be changed, regardless of any agreement between the City and the County [Govt. Code §56425(b)], thus requiring further proceedings.

Municipal Service Review

LAFCO is also required to prepare a Municipal Service Review for every SOI. The document prepared for the Panhandle Annexation [dated February 2007] includes the entire area -- northern *and* southern portions -- and has not been amended. Since things have not been worked out between the City and County, this document is neither accurate nor complete.

City/County Tax Exchange Agreement

The EIR and Municipal Service Review refer to the Tax Exchange Agreement as if it is determined. Although an agreement has been drafted, it is not complete and has not been executed. The draft Tax Exchange Agreement (copy attached) between the County of Sacramento and the City of Sacramento, Relating to the Panhandle Annexation, in addition to leaving blank the property taxes to be allocated to the Rio Linda-Elverta Recreation and Park District under Section 6, states under Section 7:

Sacramento City Council
October 16, 2007
Page 5

Services. Within that area generally depicted on Exhibit "A", which will remain in the unincorporated territory, the CITY agrees, subsequent to annexation to:

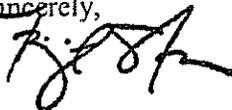
- (a) provide, at the request of the Sacramento County Sheriff, law enforcement services as may be required above the level of mutual aid;
- (b) operate and maintain, to the standards of the Sacramento County Water Agency, all drainage facilities; and
- (c) permit, at COUNTY or Water Agency costs, and at the option of COUNTY or Water Agency, access to CITY water facilities and water supplies to the extent necessary to provide domestic, commercial or industrial water service within such territory. Costs to COUNTY or Water Agency shall not exceed the costs to CITY of providing access or the costs of providing water to other persons or entities.

Section 7 appears to be an attempt to satisfy our client, but we understand it is completely unacceptable to the City. Since this agreement has not been worked out and approved, the conclusions in the EIR and Municipal Services Review documents are in question, and cannot be accurate or complete. Therefore, the City cannot logically proceed with approval of the EIR, Annexation/Reorganization, etc. without an executed tax exchange agreement.

Conclusion

In light of the unresolved issues associated with the Panhandle annexation/reorganization, we request that the City table the matter until all issues are resolved in a logical manner. Then the City can actually make a determination for a complete and internally consistent project.

Sincerely,



Brigit S. Barnes

See next page for list of attachments

Sacramento City Council
October 16, 2007
Page 6

Attachments:

May 24, 2007 letter to Planning Commission

June 11, 2007 letter to City Council

July 6, 2007 Notice of Appeal of Planning Commission Decision

*Draft Tax Exchange Agreement Between the County of Sacramento and the City of
Sacramento, Relating to the Panhandle annexation*

cc: Clients *[via fax, w/out attachments]*
Scot Mende *[via email, w/out attachments]*

Gately\CityCouncil.L02

**ATTACHMENT 5 - ENVIRONMENTAL IMPACT REPORT
AND MITIGATION MONITORING PLAN RESOLUTION**

RESOLUTION NO 2007 - XXXX

Adopted by the Sacramento City Council

December 4, 2007

**CERTIFYING THE ENVIRONMENTAL IMPACT REPORT AND
ADOPTING THE MITIGATION MONITORING PROGRAM FOR THE
NORTHGATE 880/PANHANDLE PROJECT (M05-031 / P05-077)**

BACKGROUND

A. On June 28, 2007, the City Planning Commission conducted a public hearing on, and forwarded to the City Council a recommendation to approve with conditions the Northgate 880/Panhandle Project (herein Project).

B. On July 31, 2007, August 14, 2007, September 4, 2007, and September 18, 2007, the City Council conducted public hearings for which notice was given by publication, posting, and mail pursuant to Sacramento City Code Section 16.24.097(B), 17.204.020(C), 17.208.020(C) and 18.16.080(B), and received and considered evidence concerning the Northgate 880/Panhandle Project.

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

Section 1. The City Council finds that the Environmental Impact Report for the Northgate 880/Panhandle Project (Panhandle Annexation and Planned Unit Development (PUD) Project (SCH#2005092043)) (herein EIR) which consists of the Draft EIR and the Final EIR (Response to Comments) collectively the "EIR" has been completed in accordance with the requirements of the California Environmental Quality Act (CEQA), the State CEQA Guidelines and the Sacramento Local Environmental Procedures.

Section 2. The City Council certifies that the EIR was prepared, published, circulated and reviewed in accordance with the requirements of CEQA, the State CEQA Guidelines (Guidelines) and the Sacramento Local Environmental Procedures, and constitutes an adequate, accurate, objective and complete Final Environmental Impact Report in full compliance with the requirements of CEQA, Guidelines and the Sacramento Local Environmental Procedures.

Section 3. The City Council certifies that the EIR has been presented to it, that the City Council has reviewed the EIR, and has considered the information contained in the

EIR prior to acting on the proposed Project, and that the EIR reflects the City Council's independent judgment and analysis.

Section 4. Pursuant to Guidelines Sections 15091 and 15093, and in support of its approval of the Project, the City Council adopts the attached Findings of Fact and Statements of Overriding Considerations in support of approval of the Project as set forth in the attached Exhibit A of this Resolution.

Section 5. Pursuant to CEQA section 21081.6 and Guidelines section 15091, and in support of its approval of the Project, the City Council adopts the Mitigation Monitoring Program to require all reasonably feasible mitigation measures to be implemented by means of Project conditions, agreements, or other measures, as set forth in the Mitigation Monitoring Program as set forth in Exhibit B of this Resolution.

Section 6. The City Council directs that, upon approval of the Project, the City's Environmental Planning Services shall file a notice of determination with the County Clerk of Sacramento County and, if the Project requires a discretionary approval from any state agency, with the State Office of Planning and Research, pursuant to the provisions of CEQA section 21152.

Section 7. Pursuant to Guidelines section 15091(e), the documents and other matters 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 matters before the City Council.

Table of Contents:

Exhibit A – CEQA Findings of Fact and Statement of Overriding Considerations for the Northgate 880/Panhandle Project

Exhibit B – Mitigation Monitoring Program for the Northgate 880/Panhandle Project.

Exhibit A**CEQA Findings of Fact and Statement of Overriding Considerations for the Northgate 880/Panhandle Project****Description of the Project**

The Project site consists of 1,429-acre area located in unincorporated Sacramento County known as "the Panhandle." The Project site consists of two components: the Northern Portion, a 594.7-acre area located between Del Paso Road and Elkhorn Boulevard and the Southern Portion, a 835-acre area located south of Del Paso Road between Del Paso Road and Interstate 80.

The project consists of the following:

1. Development of Panhandle PUD. The Northern Portion consists of the 594.7-acre area north of Del Paso Road, between Del Paso Road and Elkhorn Boulevard. Upon annexation, the Northern Portion is proposed to be developed as the Panhandle Planned Unit Development (PUD) with a variety of low-, medium-, and high-density residential uses (a total of 3,075 residential units), commercial and mixed-use uses, an elementary school, a middle/high school, and open space and park uses. Streets, water and sewer lines, dry utilities, and drainage facilities would be installed as part of the proposed development of the Northern Portion.

The Project includes entitlements and other approvals to implement the Panhandle PUD including General Plan Amendments, Community Plan Amendments, Prezoning/Rezoning, Establishment of the Panhandle Planned Unit Development (PUD) including a Schematic Plan and PUD Guidelines, Finance Plan, Inclusionary Housing Plans, Tentative Master Parcel Maps, Small Lot Tentative Subdivision Maps and Subdivision Modifications.

2. General Plan Amendment and Community Plan Amendment for the Southern Portion. The Project includes amendments to the General Plan map and North Natomas Community Plan (NNCP) for the 835-acre Southern Portion. The General Plan Amendments and NNCP Amendments are intended to establish plan consistency among General Plan and Community Plan designations/nomenclature with current land use (built) conditions. Current City of Sacramento General Plan and NNCP designations for the Southern Portion do not correspond to the land use in the existing (built) condition in the Southern Portion. The General Plan and NNCP amendments do not create additional land use capacity. No development entitlements are proposed for the Southern Portion.

3. Pre-zone Portions of the Southern Portion. Approximately ___ acres of the Southern Portion proposed for annexation to the City of Sacramento will be pre-zoned as part of the Project. The areas that will be pre-zoned consist of the City of Sacramento's _____ acre North Area Corporation Yard (NACY), an approximately _____-acre area east of the Panhandle PUD bound by Sotnip Road on the north and

Del Paso Road on the south and ____ acres of Del Paso Road along the southern boundary of the Panhandle PUD. These areas will be rezoned from the County zoning designation to City zoning designations.

4. Annexation of ____ acres to the City of Sacramento. The Project includes annexation of lands currently within unincorporated County to the City of Sacramento. The area proposed for annexation includes ____ acres including the 594.7-acre Northern Portion, and ____ acres within the Southern Portion consisting of the City of Sacramento's ____-acre North Area Corporation Yard (NACY), an approximately ____-acre area east of the Panhandle PUD bound by Sotnip Road on the north and Del Paso Road on the south and ____ acres of Del Paso Road along the southern boundary of the Panhandle PUD. The lands proposed for annexation are located within the City's Sphere of Influence.

The Panhandle Annexation and Planned Unit Development (PUD) EIR evaluated annexation of the Northern and Southern Portions to the City (1,429 acres). In approving the Project, the Council is proposing to annex a smaller area than was evaluated in the EIR. The Project that the Council is approving includes annexation of an _____ acre area consisting of the Northern Portion (594.7 acres), the North Area Corporation Yard (NACY) (____ acres), the area between Sotnip Road and Del Paso Road (____ acres) and Del Paso Boulevard along the southern portion of the Panhandle PUD (____ acres).

Project Objectives

The project objectives of the Panhandle annexation have been identified as follows:

1. Promote a logical and reasonable extension of the City boundaries since this area is already surrounded on two sides by existing City limits;
2. Provide for a more efficient provision of municipal services for existing and future development in the Panhandle area;
3. Promote greater compliance with uniform City planning and development standards under the NNCP; and,
4. Adopt an annexation that would be fiscally beneficial to the City since the revenue generated by the non-residential land uses would likely off-set the costs of providing municipal services to this area.

The City has identified the following project objectives for the Southern Portion:

5. Prezone the annexation area in accordance with current uses in the developed area south of Del Paso Road and Sotnip Road; and,
6. Minimize impacts to the continued viability of existing industrial, warehousing, and other employment-generating and supporting uses.

The project objectives of the Panhandle PUD have been identified as follows:

7. Aid the City in meeting its responsibility to accommodate a percentage of anticipated population growth, as projected by the Sacramento Area Council of Governments (SACOG), by providing approximately 200,000 square feet of commercial space and approximately 3,075 residential units in a mix of residential unit types and densities;
8. Optimize the land use potential of an infill location in the City by providing a mix of residential, commercial, park, open space uses and school uses;
9. Build a community that implements the goals and objectives of the NNCP and the 'smart growth' principles advocated by SACOG;
10. Create a community with a park system which incorporates neighborhood and community park facilities with local and regional-connecting open space amenities that are accessible to residents and the public;
11. Provide a safe and efficient circulation system that interconnects uses, promotes pedestrian circulation, and minimizes impacts to rural uses east of the Panhandle project area;
12. Create a community that makes efficient use of land (i.e. compact development density, efficient use of open space and parks) by directing development toward the existing urban area as a means to reduce sprawl in the region;
13. Ensure that the project includes a balanced mix of uses and facilities that are fiscally feasible for the project applicant and implement funding mechanisms that do not create a financial impact on the City; and
14. Implement recently adopted and envisioned planning and design tools including the principles of the Pedestrian Master Plan, Greenprint and SACOG Blueprint principles, and the City's Smart Growth Implementation Strategy.

Findings Required Under CEQA**1. Procedural Findings**

The City Council of the City of Sacramento finds as follows:

In accordance with Section 15060(d) of the Guidelines, the City of Sacramento's Environmental Planning Services determined, that the Panhandle Annexation and Planned Unit Development (PUD) Project (SCH# 2005092043) (herein after the Project) may have significant effects on the environment and prepared an environmental impact report ("EIR") on the Project. The EIR was prepared, noticed, published, circulated, reviewed, and completed in full compliance with the California Environmental Quality Act (Public Resources Code §21000 *et seq.* ("CEQA"), the CEQA Guidelines (14 California Code of Regulations §15000 *et seq.*), and the City of Sacramento environmental guidelines, as follows:

- a. A Notice of Preparation ("NOP") of the Draft EIR was filed with the Office of Planning and Research and each responsible and trustee agency and was circulated for public comments from September 8, 2005 through October 11, 2005.
- b. A second Notice of Preparation of the Draft EIR was filed with the Office of Planning and Research and each responsible and trustee agency and was circulated for public comments from October 21, 2005 through November 22, 2005. The purpose of the second NOP was to ensure that notice of the project was provided to property owners and interested persons and agencies.
- c. A Notice of Completion ("NOC") and copies of the Draft EIR were distributed to the Office of Planning and Research on November 3, 2006 to those public agencies that have jurisdiction by law with respect to the Project, or which exercise authority over resources that may be affected by the Project, and to other interested parties and agencies as required by law. The comments of such persons and agencies were sought.
- d. An official 45-day public comment period for the Draft EIR was established by the Office of Planning and Research. The public comment period began on November 3, 2006 and ended on December 18, 2006.
- e. A Notice of Availability ("NOA") of the Draft EIR was mailed to all interested groups, organizations, and individuals who had previously requested notice in writing. The NOA stated that the City of Sacramento had completed the Draft EIR and that copies were available at the City of Sacramento, Development Services Department, New City Hall, 915 I Street, Third Flood, Sacramento, California 95814. The letter also indicated that the official 45-day public review period for the Draft EIR would end on December 18, 2006.
- f. A public notice was placed in the Daily Recorder on November 3, 2006, which stated that the Draft EIR was available for public review and comment.

g. A public notice stating that the Draft EIR was available for public review and comment was posted in the office of the Sacramento County Clerk on November 3, 2006.

h. Following closure of the public comment period, all comments received on the Draft EIR during the comment period, the City's written responses to the significant environmental points raised in those comments, and additional information added by the City were added to the Draft EIR to produce the Final EIR.

2. Record of Proceedings

The following information is incorporated by reference and made part of the record supporting these findings:

- a. The Draft and Final EIR, including its technical appendices and all documents relied upon or incorporated by reference therein.
- b. The City of Sacramento General Plan, City of Sacramento, January, 1988 and all updates.
- c. Environmental Impact Report City of Sacramento General Plan Update, City of Sacramento, March, 1987 and all updates.
- d. Findings of Fact and Statement of Overriding Considerations for the Adoption of the Sacramento General Plan Update, City of Sacramento, 1988 and all updates.
- e. Zoning Ordinance of the City of Sacramento
- f. Blueprint Preferred Scenario for 2050, Sacramento Area Council of Governments, December, 2004
- g. Sacramento Housing and Redevelopment Agency, Sacramento Department of City Planning, Urban Design Plan 3.0, Architectural Design Policies
- h. City of Sacramento, 2005-2010, Capital Improvement Program, Utilities Program Overview
- i. North Natomas Community Plan, City of Sacramento, 1986 and 1994 and all updates
- j. Findings of Fact and Statement of Overriding Considerations for the Adoption of the North Natomas Community Plan, City of Sacramento, May 1994 and all updates
- k. New High School Middle School Draft and Final Environmental Impact Reports, Grant Joint Union High School District, including Findings of Fact and Statement of Overriding Considerations, 2005
- l. The Mitigation Monitoring Program for the Project.

m. All records of decision, staff reports, memoranda, maps, exhibits, letters, synopses of meetings, and other documents approved, reviewed, relied upon, or prepared by any City commissions, boards, officials, consultants, or staff relating to the Project.

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.

3. Findings

CEQA requires that the lead agency adopt mitigation measures or alternatives, where feasible, to substantially lessen or avoid significant environment impacts that would otherwise occur. Mitigation measures or alternatives are not required, however, where such changes are infeasible or where the responsibility for the project lies with some other agency. (CEQA Guidelines, § 15091, sub. (a), (b).)

With respect to a project for which significant impacts are not avoided or substantially lessened, a public agency, after adopting proper findings, may nevertheless approve the project if the agency first adopts a statement of overriding considerations setting forth the specific reasons why the agency found that the project's "benefits" rendered "acceptable" its "unavoidable adverse environmental effects." (CEQA Guidelines, §§ 15093, 15043, sub. (b); see also Pub. Resources Code, §21081, sub. (b).)

In seeking to effectuate the substantive policy of CEQA to substantially lessen or avoid significant environmental effects to the extent feasible, an agency, in adopting findings, need not necessarily address the feasibility of *both* mitigation measures and environmentally superior alternatives when contemplating approval of a proposed project with significant impacts. Where a significant impact can be mitigated to an "acceptable" level solely by the adoption of feasible mitigation measures, the agency, in drafting its findings, has no obligation to consider the feasibility of any environmentally superior alternative that could also substantially lessen or avoid that same impact — even if the alternative would render the impact less severe than would the proposed project as mitigated. (*Laurel Hills Homeowners Association v. City Council* (1978) 83 Cal.App.3d 515, 521; see also *Kings County Farm Bureau v. City of Hanford* (1990) 221 Cal.App.3d 692, 730-731; and *Laurel Heights Improvement Association v. Regents of the University of California ("Laurel Heights I")* (1988) 47 Cal.3d 376, 400-403.)

In these Findings, the City first addresses the extent to which each significant environmental effect can be substantially lessened or avoided through the adoption of feasible mitigation measures. Only after determining that, even with the adoption of all feasible mitigation measures, an effect is significant and unavoidable does the City address the extent to which alternatives described in the EIR are (i) environmentally superior with respect to that effect and (ii) "feasible" within the meaning of CEQA.

In cases in which a project's significant effects cannot be mitigated or avoided, an agency, after adopting proper findings, may nevertheless approve the project if it first adopts a statement of overriding considerations setting forth the specific reasons why the agency found that the "benefits of the project outweigh the significant effects on the environment." (Public Resources Code, Section 21081, sub. (b); see *also*, CEQA Guidelines, Sections 15093, 15043, sub.(b).) In the Statement of Overriding Considerations found at the end of these Findings, the City identifies the specific economic, social, and other considerations that, in its judgment, outweigh the significant environmental effects that the Project will cause.

The California Supreme Court has stated that "[t]he wisdom of approving ... any development project, a delicate task which requires a balancing of interests, is necessarily left to the sound discretion of the local officials and their constituents who are responsible for such decisions. The law as we interpret and apply it simply requires that those decisions be informed, and therefore balanced." (*Goleta II* (1990) 52 Cal.3d 553 at 576.)

In support of its approval of the Project, the City Council makes the following findings for each of the significant environmental effects and alternatives of the Project identified in the EIR pursuant to Section 21080 of CEQA and section 15091 of the CEQA Guidelines. As described above, the Project area consists of two portions: a Northern Portion and a Southern Portion. The Northern Portion is proposed to be developed within the North Natomas Community Plan as a Planned Unit Development and was evaluated at a project level of environmental analysis. The City is not currently processing any specific development request or proposing any specific infrastructure facility upgrades related to the Southern Portion. The Southern Portion was evaluated at a program level of environmental analysis. More specific findings are therefore necessary for the Northern Portion. As set forth in Sections A and B below, environmental impact findings related to the Northern Portion are made separately from findings related to the Southern Portion.

A. Significant or Potentially Significant Impacts Mitigated to a Less Than Significant Level

The following significant and potentially significant environmental impacts of the Project, including cumulative impacts, are being mitigated to a less than significant level and are set out below. Pursuant to section 21081(a)(1) of CEQA and section 15091(a)(1) of the CEQA Guidelines, as to each such impact, the City Council, based on the evidence in the record before it, finds that changes or alterations incorporated into the Project by means of conditions or otherwise, mitigate, avoid or substantially lessen to a level of insignificance these significant or potentially significant environmental impacts of the Project. The basis for the finding for each identified impacts is set forth below.

1. Findings Related to the Northern Portion

The following significant and potentially significant environmental impacts of the Northern Portion of the Project, including cumulative impacts, are being mitigated to a less than significant level and are set out below. Pursuant to section 21081(a)(1) of CEQA and section 15091(a)(1) of the CEQA Guidelines, as to each such impact, the

City Council, based on the evidence in the record before it, finds that changes or alterations incorporated into the Project by means of conditions or otherwise, mitigate, avoid or substantially lessen to a level of insignificance these significant or potentially significant environmental impacts of the Project. The basis for the finding for each identified impacts is set forth below.

Section 4.2 Agricultural Resources

- **Impact 4.2.2.** The project would place urban land uses adjacent to agricultural lands, which may impair adjacent agricultural activities and result in land use compatibility conflicts. This would result in a significant impact. (Less Than Significant After Mitigation)

Facts in Support of Finding

The existing North Natomas Community Plan (NNCP) calls for an agricultural buffer along the north and west boundaries of the Project. The NNCP calls for a 500-foot separation that includes a 250 foot agricultural buffer along Elkhorn Boulevard, the 136-foot wide public right-of-way of Elkhorn Boulevard and 150-foot of area north of Elkhorn Boulevard (operations and other uses).

The PUDs (Northpointe Park, Heritage Park, JMA, and Schumacher) to the west of the Panhandle PUD have provided the required 250 foot buffer – consistent with the North Natomas Community Plan. To the west, the buffer has been used for utilities including detention basins, water storage tanks, construction staging, and electric powerlines. The existing buffer has not been landscaped and does not include pedestrian trails. Future plans for Elkhorn Boulevard widening include the provision of bike/pedestrian trails.

The Project includes the elimination of the agricultural buffer along the northern boundary and creation of a land use separation that consists of Elkhorn Boulevard right of way and a 35-foot landscape corridor along the south side of Elkhorn Boulevard. The landscape corridor would be landscaped and include a pedestrian/bicycle trail. The trail would link to future trails east and west of the Project site along the south side of Elkhorn Boulevard.

The need to buffer urban lands from agricultural uses north of Elkhorn Boulevard is diminishing as Elkhorn Boulevard accommodates greater levels of traffic and since the land north of the project site is no longer being used for agricultural pursuits. The future average daily trips on Elkhorn Boulevard (year 2025) north of the Project site is projected to be 41,120 trips per day. The City is currently working with the County on the North Natomas Joint Vision, an overall plan for the future development of the lands north of Elkhorn Boulevard. With future development north of the Project site, the 250 foot buffer of agricultural lands would no longer be necessary. The property immediately north of the Panhandle project across Elkhorn Boulevard was previously used for agricultural uses and was an agricultural preserve in the Williamson Act. The site is no longer part of the Williamson Act and was used as a borrow site and currently being used for machinery storage and stockpiling.

For these reasons, the Council finds that an agricultural buffer along Elkhorn Boulevard is not necessary for the Project. Therefore, the Council rejects Mitigation Measures 4.2.2a and 4.2.2b from the EIR as follows:

~~**Mitigation Measure 4.2.2a (From MMP).** The project applicant shall obtain the right to maintain a 250-foot agricultural buffer along Elkhorn Boulevard, which shall be extinguished if the land north of Elkhorn Boulevard is designated for urban uses.~~

~~**Mitigation Measure 4.2.2b (From MMP).** As necessary, identify and implement the financing mechanism to fund maintenance of the 250-foot wide agricultural open space buffer identified in Mitigation Measure MM 4.2.2a until such time as it is converted to urban uses.~~

Implementation of mitigation measure 4.2.2c would reduce this impact to Less Than Significant:

Mitigation Measure 4.2.2c (From MMP). A disclosure statement including the following text shall be recorded against the properties located within the Panhandle PUD: "Residents of property which are adjacent to land which is zoned for agricultural use or which is designated for agricultural use may be subject to inconveniences or discomfort from the pursuit of agricultural operations including but not limited to cultivation, plowing, spraying, fertilizing, pruning, and harvesting which occasionally generates dust, smoke, noise and odor; from the noise, odors, and other features attributed to the keeping of farm animals; and from the conduct of farming activities during typical working hours, as well as late in the evening, early in the morning, or 24-hours a day during certain times and seasons of the year. Residents on adjacent property should be prepared to accept such inconvenience and recognize that these uses will occur. If, however, an agricultural operation is being conducted in a manner which does not appear to be consistent with accepted agricultural practices, any person may file a complaint with the office of the Agricultural Commissioner, located at 4137 Branch Center Road, Sacramento, California."

Finding: This impact is Less Than Significant after mitigation.

Section 4.4 Traffic and Circulation

- **Impact 4.4.1.** The Panhandle PUD would contribute to traffic impacts to the transportation system in the vicinity of the project area. This would be a significant impact. (Less Than Significant After Mitigation)

Facts in Support of Finding

Buildout under the Panhandle PUD would contribute to the need for the extension and widening of several local roadways, intersection improvements, and signalization of intersections in and around the project area.

Implementation of the following mitigation measure would reduce this impact to Less Than Significant:

Mitigation Measure 4.4.1 (From MMP). The project applicant shall be required to develop the Panhandle PUD Public Facilities Finance Plan for review and approval by the City of Sacramento. The Panhandle PUD Public Facilities Finance Plan shall identify the financing mechanism(s) for all feasible transportation improvements defined as adopted mitigation measures including, but not limited to, new roadway widenings, traffic signals, and public transit. The project applicant shall coordinate the preparation of the finance plan with the City, County of Sacramento, and the Metro Air Park Public Facilities Financing Plan and Greenbriar Finance Plan. All mitigation measures with "fair share" contributions would be implemented through the proposed financing mechanism(s) indicated in the finance plan or by some other mechanism as determined by the City of Sacramento in consultation with the County of Sacramento. The Panhandle PUD Public Facilities Finance Plan shall be approved by the City at the time the project is considered for approval and shall become a condition of approval.

Finding: This impact is Less Than Significant after mitigation.

- **Impact 4.4.2.** The Panhandle PUD at build-out would result in significant impacts to area intersections under baseline conditions. This would be a significant impact. (Less Than Significant After Mitigation)

Facts in Support of Findings

Development under the Panhandle PUD generated traffic would either trigger or contribute to traffic operations that violate City and County LOS standards. These intersections include the following: (i) SR 99 Northbound Ramps/Elkhorn Boulevard; (ii) Natomas Boulevard/Elkhorn Boulevard; (iii) National Drive/Elkhorn Boulevard; (iv) I-5 Southbound Ramps/Del Paso Road; (v) I-5 Northbound Ramps/Del Paso Road; (vi) Natomas Boulevard/Del Paso Road; (vii) National Drive/Del Paso Road; and (viii) Kenmar Road/Del Paso Road. The Southern Portion is nearly built out and the Project does not propose any development request for this portion of the Panhandle Area.

Implementation of the following mitigation measures would reduce this impact to Less Than Significant:

Mitigation Measure 4.4.2a (From MMP). The project applicant shall pay its fair share, currently calculated to be 7.67% (based on the Panhandle PUD Public Facilities Financing Plan), to install a traffic signal at the SR 99 Northbound Ramps/Elkhorn Boulevard Intersection. This improvement shall be included in either the City of Sacramento Capital Improvement Program, North Natomas Financing Plan, or other reasonable enforceable plan or program that provides for the funding and construction of the improvement to mitigate the impact. The applicant shall fund the revisions necessary to include this improvement in the plans.

Mitigation Measure 4.4.2b (From MMP). The project applicant shall modify the traffic signal timings at the Natomas Boulevard/Elkhorn Boulevard intersection to provide additional green time for the eastbound and westbound through movements.

Mitigation Measure 4.4.2c (From MMP). The project applicant shall provide an additional left-turn lane on westbound Elkhorn Boulevard to serve vehicles traveling from Elkhorn Boulevard to southbound National Drive, (associated with the National Drive/Elkhorn Boulevard intersection).

Mitigation Measure 4.4.2d (From MMP). The project applicant shall pay its fair share, calculated to be 4.16% (based on the Panhandle PUD Public Facilities Financing Plan), to install a traffic signal at the I-5 Southbound Ramps/Del Paso Road intersection. This improvement shall be included in either the City of Sacramento Capital Improvement Program, North Natomas Financing Plan, or other reasonable enforceable plan or program that provides for the funding and construction of the improvement to mitigate the impact. The applicant shall fund the revisions necessary to include this improvement in the plans.

Mitigation Measure 4.4.2e (From MMP). The project applicant shall pay its fair share, calculated to be 6.40% (based on the Panhandle PUD Public Facilities Financing Plan), to install a traffic signal at the I-5 Northbound Ramps/Del Paso Road intersection. This improvement shall be included in either the City of Sacramento Capital Improvement Program, North Natomas Financing Plan, or other reasonable enforceable plan or program that provides for the funding and construction of the improvement to mitigate the impact. The applicant shall fund the revisions necessary to include this improvement in the plans.

Mitigation Measure 4.4.2f (From MMP). The project applicant shall pay its fair share, calculated to be 10.30% (based on the Panhandle PUD Public Facilities Financing Plan), to provide an additional left-turn lane on eastbound and westbound Del Paso Road (i.e., dual left-turn lanes on both approaches) at the Natomas Boulevard/Truxel Road intersection. This improvement shall be included in either the City of Sacramento Capital Improvement Program, North Natomas Financing Plan, or other reasonable enforceable plan or program that provides for the funding and construction of the improvement to mitigate the impact. The applicant shall fund the revisions necessary to include this improvement in the plans.

Mitigation Measure 4.4.2g (From MMP). The project applicant shall provide the following improvements at the National Drive/Del Paso Road intersection: (i) Provide two additional eastbound left-turn lanes on Del Paso Road (triple left-turn lanes); (ii) Provide an additional eastbound through lane on Del Paso Road; and (iii) Provide an additional through lane on northbound National Drive.

Mitigation Measure 4.4.2h (From MMP). The project applicant shall pay its fair share, calculated to be 27.30% (based on the Panhandle PUD Public Facilities Financing Plan), to provide a traffic signal at the Del Paso Road/Kenmar Road

intersection and provide a westbound left-turn lane to serve vehicles turning from westbound Del Paso Road onto southbound Kenmar Road. This improvement shall be included in either the City of Sacramento Capital Improvement Program, North Natomas Financing Plan, or other reasonable enforceable plan or program that provides for the funding and construction of the improvement to mitigate the impact. The applicant shall fund the revisions necessary to include this improvement in the plans.

Finding: This impact is Less Than Significant after mitigation.

- **Impact 4.4.4.** The Panhandle PUD project would add pedestrian and bicycle demands within the project site and to/from the proposed commercial uses, residential and school sites. Specific and detailed information on improvements to on/off-site pedestrian and bicycle facilities is unavailable at this time. Since the project would add demand for adequate pedestrian and bicycle facilities which may not be available, it would be a potentially significant impact. (Less than Significant After Mitigation)

Facts in Support of Finding

The project would construct sidewalks and pedestrian paths throughout the development. These sidewalks would provide pedestrian connections within the site and to the proposed commercial and school site. No bicycle facilities are currently available on or near the project site. Bike lanes exist at several locations on Del Paso Road. The project would increase demand for bicycle facilities. While the Panhandle PUD has proposed pedestrian and bicycle facilities, no specific improvement details have been provided to the City.

Implementation of the following mitigation measure would reduce this impact to Less Than Significant:

Mitigation Measure 4.4.4 (From MMP). The project applicant shall meet the following requirements:

- a. Prior to recordation of the first small lot final map for each individual map, the project applicants shall coordinate with the City of Sacramento, Development Services Department to identify the necessary pedestrian and bicycle facilities serving the proposed development. These facilities shall be incorporated into the project and may include sidewalks, STOP signs, in-pavement lighted crosswalks, standard pedestrian and school crossing warning signs, bicycle lanes, bicycle parking, and signs to identify pedestrian and bicycle paths, marked and raised crosswalks, and pedestrian signal heads.
- b. Circulation and access facilities to all proposed parks and public spaces shall include sidewalks that meet American with Disability Act standards.
- c. The project applicant shall provide on-street bicycle lanes within the community. Details on the design of these bicycle lanes shall be prepared in consultation with the City of Sacramento, Development Services Department.

d. Bicycle parking facilities shall conform to City standards and shall be located in high visibility areas to encourage bicycle travel.

Finding: This impact is Less Than Significant after mitigation.

- **Impact 4.4.5.** The Panhandle PUD would increase demand for public transit facilities, none of which are proposed to be provided to the project site at this time. Therefore, the project would result in a significant public transit impact. (Less than Significant After Mitigation)

Facts in Support of Findings

Public transit is not currently provided to the project site. At the time the project application was submitted to the City, no plans for the provision of public transit services were proposed. The Project would increase demand for public transit facilities. The Project proposes and includes a financing mechanism for the North Natomas Transportation Management Association (NNTMA) to provide AM and PM peak shuttle transit service within the Project that would provide linkages to transfer points Downtown and at other transit stops in Natomas.

Implementation of the following mitigation measure would reduce this impact to Less Than Significant:

Mitigation Measure 4.4.5 (From MMP). The project applicant shall coordinate with Sacramento Regional Transit District (SRTD) and the North Natomas Transportation Management Association (TMA) to provide transit services during peak commute periods. To promote the use of public transit services, the project applicant shall promote the availability of transit services at the time the proposed residences are available for sale. The residents shall be able to use public transit services to the Central Business District (CBD) where they can transfer to light rail, buses, or trains and connect to destinations in the greater Sacramento metropolitan area and the San Francisco Bay Area. Off-peak transit services shall also be considered as development and ridership demands increase. Final design and location of bus stops and shelters shall be prepared in consultation with the City of Sacramento, North Natomas TMA, and SRTD and will be subject to the approval of the City and SRTD.

Finding: This impact is Less Than Significant after mitigation.

- **Impact 4.4.6.** The Panhandle PUD construction would increase traffic volumes in the project area and involve the use of large construction equipment and vehicles that could result in traffic hazards. This is considered a potentially significant impact. (Less Than Significant After Mitigation)

Facts in Support of Findings

Construction activities associated with the Panhandle PUD could result in temporary (though significant) disruptions in traffic conditions along project area

roadways, including local residential roadways. Disruptions could include, but are not limited to, inconveniences associated with temporary roadway closures, temporary traffic congestion from slow moving construction vehicles and equipment and blocked access for emergency vehicles. Construction traffic would include construction worker commute trips, delivery of construction equipment, haul truck trips, delivery trips, and other associated trips. The project applicant has not provided any details regarding the exact extent of construction equipment or workers or how the site would be accessed during construction.

Implementation of the following mitigation measure would reduce this impact to Less Than Significant:

Mitigation Measure 4.4.6 (From MMP). Prior to the issuance of grading permits for the Panhandle PUD, the project applicant shall prepare a Construction Management Plan that will address construction traffic and ensure acceptable and safe operating conditions on project area roadways. This Plan shall be reviewed and approved by the City and any other affected agency and will contain the following (at a minimum):

- a. Identification of the anticipated mix of construction equipment and vehicles and their proposed staging location.
- b. Number of truck trips and the daily schedule of truck trips entering and leaving the site. Truck trips shall be scheduled outside the AM and PM peak hours of traffic.
- c. Prohibition of construction traffic using any of the existing residential roadways west of the site or Sorrento Road to access the site. All construction traffic shall utilize either Del Paso Road to Elkhorn Boulevard.
- d. Identification of measures to maintain safe vehicular, pedestrian and bicycle movements in the project area.
- e. Maintenance of access for emergency vehicles in the project area.
- f. Provision of manual traffic control (if required).
- g. Clear demarcation of construction areas along project roadways.
- h. Provision of this Plan 14 days prior to the commencement of construction.

Finding: This impact is Less Than Significant after mitigation.

- **Impact 4.4.7.** The project, in combination with anticipated development in the area, would contribute to an increase in traffic volumes on project area roadways that would result in intersections operating below acceptable levels of service. The project's contribution would be cumulatively considerable. (Less than Cumulatively Considerable After Mitigation for a portion of Impact)

Facts in Support of Findings

Implementation of the Project (Panhandle PUD) in combination with anticipated development conditions in year 2025 would result in significant traffic to the following project area intersections: (i) National Drive/Elkhorn Boulevard (with Panhandle PUD only); (ii) E. Levee Road/Elkhorn Boulevard (with or without the Panhandle PUD); (iii) Natomas Boulevard/Club Center Drive (with Panhandle PUD only); (iv) Natomas Boulevard/Truxel Road/Del Paso Road (with or without the Panhandle PUD); (v) Gateway Park Boulevard/Del Paso Road (with Panhandle PUD only); (vi) National Drive/Del Paso Road (with Panhandle PUD only); (vii) Sorento Road/Del Paso Road (with or without the Panhandle PUD); and (viii) Kenmar Road/Del Paso Road (with or without the Panhandle PUD).

Implementation of the following mitigation measures would reduce this impact to Less Than Cumulatively Considerable for all intersections except Natomas Boulevard/Club Center Drive and Gateway Park Boulevard/Del Paso Road intersections:

Mitigation Measure 4.4.7a (From MMP). The project applicant shall pay its fair share, calculated to be 57.17% (based on the Panhandle PUD Public Facilities Financing Plan), to install a traffic signal at the E. Levee Road/Elkhorn Boulevard Intersection. This improvement shall be included in either the City of Sacramento Capital Improvement Program, North Natomas Financing Plan, or other reasonable enforceable plan or program that provides for the funding and construction of the improvement to mitigate the impact. The applicant shall fund the revisions necessary to include this improvement in the plans.

Mitigation Measure 4.4.7b (From MMP). The project applicant shall pay its fair share, calculated to be 12.73% (based on the Panhandle PUD Public Facilities Financing Plan), to modify the traffic signal timings and modify the signal phasing to provide a right-turn overlap phase for the southbound right-turn movement (i.e., the southbound right-turn movement would receive a green arrow when the Del Paso Road eastbound left-turn movement received a green arrow). This would require prohibiting U-turns for the eastbound left-turn movement on Del Paso Road (associated with the Natomas Boulevard/Truxel Road/Del Paso Road intersection). This improvement shall be included in either the City of Sacramento Capital Improvement Program, North Natomas Financing Plan, or other reasonable enforceable plan or program that provides for the funding and construction of the improvement to mitigate the impact. The applicant shall fund the revisions necessary to include this improvement in the plans.

Mitigation Measure 4.4.7c (From MMP). The project applicant shall provide a two-way left-turn lane on Del Paso Road at the Sorento Road intersection.

Implementation of MM 4.4.7(a)-(c) will reduce this impact to a Less Than Cumulatively Considerable level for all intersections *except* Natomas Boulevard/Club Center Drive and Gateway Park Boulevard/Del Paso Road intersections where the impact would remain cumulatively considerable and significant and unavoidable.

Finding: This impact is Less Than Cumulatively Considerable for all intersections *except* Natomas Boulevard/Club Center Drive and Gateway Park Boulevard/Del Paso Road intersections.

- **Impact 4.4.9.** The project would add pedestrian and bicycle demands within the project site and to/from the proposed commercial uses, residential and school sites. Specific and detailed information on improvements to on/off-site pedestrian and bicycle facilities is unavailable at this time. This impact is considered cumulatively considerable. (Less Than Cumulatively Considerable After Mitigation)

Facts in Support of Finding

According to the City's criteria, the project would result in a significant impact to bicycles and pedestrians if the project conflicts with any existing or planned facility or adds demand to one of these modes that is not adequately accommodated by appropriate facilities. This impact could add to future demands for pedestrian and bicycle facility needs.

Implementation of the following mitigation measure would reduce this impact to Less Than Cumulatively Considerable:

Mitigation Measure (from MMP): Implement mitigation measure 4.4.4.

Finding: This cumulative impact is Less Than Cumulatively Considerable after mitigation.

- **Impact 4.4.10.** The project would contribute to the demand for transit facilities within the project area vicinity. This impact is considered cumulatively considerable. (Less Than Cumulatively Considerable After Mitigation)

Facts in Support of Finding

Public transit is not currently provided to the project site. The Project proposes and includes a financing mechanism for the North Natomas Transportation Management Association (NNTMA) to provide AM and PM peak shuttle transit service within the Project that would provide linkages to transfer points downtown and at other transit stops in Natomas. The project, in combination with cumulative development conditions, will likely increase the demand for public facilities.

Implementation of the following mitigation measure would reduce this impact to Less Than Cumulatively Considerable:

Mitigation Measure (from MMP): Implement mitigation measure 4.4.5.

Finding: This cumulative impact is Less Than Cumulatively Considerable after mitigation.

- **Impact 4.4.11.** The Panhandle PUD site design (under cumulative traffic conditions) could result in traffic operation impacts. This impact is considered cumulatively considerable. (Less than Cumulatively Considerable After Mitigation)

Facts in Support of Finding

The Panhandle PUD internal roadway system was evaluated under cumulative conditions to determine whether operational impacts could occur. Based on this analysis, it was determined that intersections associated with National Drive should be modified in order to improve projected traffic operation.

Implementation of the following mitigation measures would reduce this impact to Less Than Cumulatively Considerable:

Mitigation Measure 4.4.11a (From MMP). The project applicant shall widen Del Paso Road to six lanes from Blackrock Drive to the east through the National Drive intersection. East of National Drive, the project applicant shall widen Del Paso Road to include two-way left-turn lane through the Sorento Road and Kenmar Road intersections.

Mitigation Measure 4.4.11b (From MMP). The project applicant shall provide a stop sign at Intersection 3 (National Drive/Parcel 2) for the westbound approach of Intersection 3 and a southbound left-turn on National Drive to serve vehicles entering Parcel 2 rather than installation of a traffic signal as part of final roadway design of the Panhandle PUD.

Mitigation Measure 4.4.11c (From MMP). The project applicant shall eliminate Intersection 1 and relocate the roadway serving Parcel 1 to the south to become the east leg of Intersection 2 and provide stop signs on the eastbound and westbound approaches as part of final roadway design of the Panhandle PUD.

Mitigation Measure 4.4.11d (From MMP). The project applicant shall design Intersection 4 to be restricted to right-turns in/out as part of final roadway design of the Panhandle PUD.

Mitigation Measure 4.4.11e (From MMP). The project applicant shall eliminate the roadway serving Parcel 9 (west of National Drive as part of final roadway design of the Panhandle PUD.

Mitigation Measure 4.4.11f (From MMP). Provide the following lane configurations at the G Way/F Drive/National Drive signalized intersection (as shown in Figure 1 of the Fehr and Peers Technical Memorandum dated May 7, 2007) to accommodate the high school pick-up/drop off area and signalize the intersection:

- Northbound National Drive: one left-turn lane, one through lane and one combined through/right-turn lane.

- Southbound National Drive: one left-turn lane, one through lane and one combined through/right turn lane.
- Westbound F Drive: one left-turn lane and one combined through/right-turn lane.
- Eastbound G Way: one left-turn lane and one combined through/right-turn lane.

Mitigation Measure 4.4.11g (from MMP). Restrict the turning movements at High School driveways A, B, and C to right-turns in/out only (as shown in Figure 1 of the Fehr and Peers Technical Memorandum dated May 7, 2007).

Mitigation Measure 4.4.11h (from MMP). Signalize the Main High School Driveway/National Drive intersection and design the access as follows (as shown in Figure 1 of the Fehr and Peers Technical Memorandum dated May 7, 2007):

- Northbound National Drive: one left-turn lane and two through lanes.
- Southbound National Drive: one right-turn lane and two through lanes.
- Main High School Driveway: one left-turn lane and one right-turn lane.

Mitigation Measure 4.4.11i (from MMP). Provide the lane configurations identified below at the A Drive/National Drive intersection and signalize the "T" intersection (as shown in Figure 1 of the Fehr and Peers Technical Memorandum dated May 7, 2007).

- Northbound National Drive: one through lane and one combined through/right-turn lane.
- Southbound National Drive: one left-turn lane and two through lanes.
- Westbound A Drive: one left-turn lane and one right-turn lane.

Mitigation Measure 4.4.11j (from MMP). Restrict the outbound movements from "T or X" Drive and "S" Drive to right-turns out to National Drive (as shown in Figure 1 of the Fehr and Peers Technical Memorandum dated May 7, 2007).

Finding: This cumulative impact is Less Than Significant after mitigation.

Section 4.5 Air Quality

- **Impact 4.5.2.** Short-term (i.e., acute) health risks, such as eye and respiratory tract irritation and increased occurrence of asthma-related incidents, associated with intermittent exposure to construction-generated diesel-exhaust emissions could occur. As a result, short-term exposure of sensitive receptors to TACs would be considered significant. (Less than Significant After Mitigation)

Facts in Support of Finding

Construction of the proposed uses within the Panhandle PUD (e.g., mixed-use residential and commercial uses, schools, parks, and open space areas) would result in construction-generated diesel-exhaust emissions. Particulate exhaust emissions from diesel-fueled engines were identified as a TAC by the CARB in 1998. Implementation of the Project would result in the generation of diesel PM emissions during construction from the use of off-road diesel equipment for site grading and excavation, paving, demolition, and other construction activities. Assuming that construction activities were to occur over an approximate two-year period, construction activities would constitute less than approximately 3 percent of the total exposure period typically applied when calculating cancer risks for residential uses. For this reason, diesel-exhaust PM generated by Project construction, in and of itself, would not be expected to create conditions where the probability of contracting cancer is greater than 10 in 1 million for nearby receptors. Long-term health risks associated with short-term construction activities would be considered less than significant. However, depending on the construction activities conducted, as well as site and meteorological conditions, short-term non-carcinogenic risks associated with exposure to diesel-exhaust PM, particularly acrolein, could potentially exceed the SMAQMD-recommended Hazard Index of 1 at nearby receptors. Such short-term health risks commonly include, but are not limited to, eye and respiratory tract irritation and increased occurrence of asthma-related incidents.

Implementation of the following mitigation measures would reduce this impact to Less Than Significant:

Mitigation Measure 4.5.2 (From MMP). The project applicant shall implement the following measures to offset construction-related air quality impacts:

- a. Onsite diesel-powered stationary construction equipment, such as electrical power generators, shall be located at the furthest distance from nearby receptors.
- b. Onsite diesel-powered mobile equipment shall not be left idling for periods of longer than five minutes.
- c. Onsite diesel powered equipment shall be fitted with diesel particulate filters.

Finding: This impact is Less Than Significant after mitigation.

- **Impact 4.5.5.** Receptors located in the vicinity of proposed commercial land uses may be exposed to odorous emissions. As a result, potential exposure of sensitive receptors to odors would be considered significant. (Less Than Significant After Mitigation)

Facts in Support of Findings

The proposed uses within the Panhandle PUD (e.g., mixed-use residential and

commercial uses, schools, parks, and open space areas) may result in odor impacts. No major existing sources of odors have been identified in the Project vicinity. Several industrial land uses are located in the Project vicinity that may result in intermittent emissions of odors. However, based on a review of odor complaints filed within the last approximately 10 years, there have been no odor-related violations associated with these facilities. The Project is not anticipated to result in the installation of any major odor emission sources that would result in a potentially significant impact to the occupants of the proposed onsite or existing offsite land uses. However, although specific commercial uses have not yet been identified, uses considered to be minor sources of odors may be developed. Such sources typically include dry cleaning establishments, restaurants, and gasoline stations. Receptors located in the general vicinity of such sources may be exposed to odorous emissions.

Implementation of the following mitigation measure would reduce this impact to Less Than Significant:

Mitigation Measure 4.5.5 (From MMP). The project applicant shall implement the following measures to reduce exposure of sensitive receptors to odorous emissions to a less than significant level:

- a. Land uses that have the potential to emit objectionable odorous emissions (e.g., dry cleaning establishments, restaurants, and gasoline stations) shall be located as far away as possible from existing and proposed sensitive receptors or downwind of nearby receptors.
- b. If an odor-emitting facility is to occupy space in the commercial/convenience area, odor control devices shall be installed to reduce the exposure of receptors to objectionable odorous emissions. The SMAQMD shall be consulted to determine applicable/feasible control devices to be installed.

Finding: This impact is Less Than Significant after mitigation.

Section 4.6 Noise

- **Impact 4.6.2.** Implementation of the proposed project would result in substantial increases in traffic noise levels that would exceed the noise criteria for land use compatibility at nearby land uses. This would be a significant impact. (Less Than Significant After Mitigation)

Facts in Support of Finding

Buildout of proposed uses in the Northern Portion under the Panhandle PUD would result in increased traffic volumes. The increase in daily traffic volumes resulting from implementation of the Northern Portion would generate increased noise levels along nearby roadway segments. Traffic noise associated with the Northern Portion would be increased along local roadways, particularly those providing access to the proposed land uses.

Implementation of the following mitigation measure would reduce this impact to Less Than Significant:

Mitigation Measure 4.6.2 (From MMP). A landscaped noise barrier shall be constructed along the southern boundary of the existing residential parcels that are located east of the proposed project site and within line-of-sight and 200 feet of the centerline of Del Paso Road. The sound barrier shall be constructed to a minimum height of 6 feet and shall be of solid construction with no visible air gaps between building materials or at the base of the structure. This barrier would be placed along the property lines of residential parcels along Del Paso Road between Sorento Road and Carey Road and one residential parcel east of Carey Road. This will require modification of the existing driveway access for the residence at the northeastern corner of Sorento Road and Del Paso Road to obtain access to Sorento Road rather than Del Paso Road. This wall shall be installed with required traffic improvements to Del Paso Road.

Finding: This impact is Less Than Significant after mitigation.

- **Impact 4.6.5.** Traffic and stationary noise sources may expose proposed uses to excessive noise levels. This impact is considered potentially significant. (Less than Significant After Mitigation)

Facts in Support of Finding

The Panhandle PUD proposes a mix of various land uses, including residential, and high school, middle school, and elementary school that could be sensitive to existing noise sources. Traffic and stationary noise sources in the vicinity of the Northern Portion may expose noise sensitive uses to excessive noise levels, resulting in land use conflicts related to noise.

Implementation of the following mitigation measure would reduce this impact to Less Than Significant:

Mitigation Measure 4.6.5 (From MMP). As part of improvement plans for land uses along Del Paso Road, Elkhorn Boulevard, National Drive and Club Center Drive, landscape noise barriers and/or other subsequent project design features (e.g., building orientation and construction for proposed multi-family PUD parcels 28 and 29) shall be identified that demonstrates compliance with City noise standards (interior and exterior).

Finding: This impact is Less Than Significant after mitigation.

Section 4.7 Hazards/Risk of Upset

- **Impact 4.7.2.** Development of the Panhandle PUD could result some potential for reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment. This is considered a potentially significant impact. (Less than Significant After Mitigation)

Facts in Support of Finding

The environmental site assessments prepared for the Northern Portion identified hazardous materials or listed hazardous materials sites. Field surveys and landlord interviews indicated that a trash collection area and old diary ranch remnants are located on the Krumenacher property. Therefore, release of hazardous materials into the environment during grading and excavation of these areas may occur. In addition, there has been no detailed survey of the structures to determine the presence or absence of asbestos containing materials or lead paint.

Implementation of the following mitigation measures would reduce this impact to Less Than Significant:

Mitigation Measure 4.7.2a (From MMP). Prior to the demolition of existing structures in the Panhandle PUD, the project applicant shall have the buildings evaluated for the presence of asbestos containing materials and lead paint. Should these materials be identified, they shall be removed by a licensed and certified contractor using methods that would prohibit accidental release.

Mitigation Measure 4.7.2b (From MMP). Should unknown contamination or underground storage tanks be discovered during construction activities, construction activities shall cease and the project applicant shall notify the City and Sacramento County Environmental Management Department. Discovered contamination shall be remediated to local, state, and federal standards. This requirement shall be noted on all project improvement plans.

Finding: This impact is Less Than Significant after mitigation.

- **Impact 4.7.4.** The Panhandle PUD would include detention facilities and water features at park sites that could attract mosquitoes and other water-borne vectors. This would be a potentially significant impact. (Less than Significant After Mitigation)

Facts in Support of Finding

The Panhandle PUD site design includes two detention basins as well as proposed water features at park sites. These features, if not properly designed and operated, could attract mosquitoes that would expose Project residents to several diseases of concern including West Nile virus, malaria, and dengue.

Implementation of the following mitigation measure would reduce this impact to Less Than Significant:

Mitigation Measure 4.7.4 (From MMP). As part of site-specific design of the Panhandle PUD detention basins and park water features, a Vector Control Plan shall be developed to the satisfaction of the Sacramento-Yolo Mosquito and Vector Control District. The Vector Control Plan shall specify mosquito control

measures to be used (e.g., biological agents, pesticides, larvacides, circulating water) as well as identification of maintenance program to ensure control measures are maintained.

Finding: This impact is Less Than Significant after mitigation.

Section 4.8 Biological Resources

- **Impact 4.8.2.** Implementation of the project may result in adverse impacts to special-status species. This would be a potentially significant impact. (Less Than Significant After Mitigation)

Facts in Support of Finding

Implementation of the Panhandle PUD would lead to the direct destruction of habitat that may support special status species. In addition to direct impacts associated with habitat loss, indirect effects of development under the Panhandle PUD could impact these species including water quality impacts, and introduction of non-native species.

Implementation of the following mitigation measures would reduce this impact to Less Than Significant:

Mitigation Measure 4.8.2a (From MMP). The project applicant shall participate and implement all species-specific avoidance, minimization, and mitigation measures of the Natomas Basin Habitat Conservation Plan. This shall include provision of evidence that applicable fees and/or land dedication requirements have been met and that all preconstruction and avoidance measures are included in all improvement plans.

Mitigation Measure 4.8.2b (From MMP). If tree removal or ground disturbance occurs between March 15 and August 31, a qualified biologist shall conduct a survey to identify the location of active nests used by migratory birds including raptors.

- a. If an active migratory bird nest is located, the location will be identified on a map. No construction shall occur within a 100 foot-wide buffer established around the nest, in consultation with CDFG.
- b. If an active raptor nest is located, the location will be identified on a map. No construction should occur within a 250 foot-wide buffer established around the nest. If construction must occur, the biologist will monitor the nesting bird's activity to determine if the disturbance results in nest abandonment. If construction is affecting the nesting birds, construction within the buffer will cease until the nesting is completed.

Finding: This impact is Less Than Significant after mitigation.

- **Impact 4.8.3.** Implementation of the project would result in the loss of wetlands or discharge of materials into stream or wetland features. This would be a significant impact. (Less than Significant After Mitigation)

Facts in Support of Finding

Implementation of the Panhandle PUD site design will result in fill of all of the wetland features on the site. Construction activities within the Northern Portion and off-site improvements would result in the loss of 4.32 acres of waters of the United States, 6.47 acres of waters of the State of California, and 1.17 acres of habitat for the federally listed vernal pool fairy shrimp (*Branchinecta lynchi*) and California linderiella (*Linderiella occidentalis*). These waters are made up of vernal pool, seasonal wetland, swale, pond, and ditch habitats.

Implementation of the following mitigation measure would reduce this impact to Less Than Significant:

Mitigation Measure 4.8.3 (From MMP). To compensate for anticipated and future wetland impacts, a mitigation and monitoring plan will be prepared for submittal to the USACOE with the Section 404 permit application, the RWQCB with the 401 application, and to the CDFG with the Section 1602 Streambed Alteration Agreement permit application. The mitigation plan will identify impacts on all jurisdictional features and mitigation measures that will be implemented to achieve the “no net loss” (i.e., the same amount of wetland resources lost to site development shall be replaced/created). This may include creation of stream or wetland resources off-site as determined acceptable to the City, USACOE, RWQCB, and CDFG.

Finding: This impact is Less Than Significant after mitigation.

- **Impact 4.8.4.** Implementation of the project could result in loss of protected tree resources. This would be a potentially significant impact. (Less than Significant After Mitigation)

Fact in Support of Finding

Various trees have been identified within the Northern Portion including native valley oaks, California black walnut, and several non-native species. Trees provide cover as well as nesting and foraging habitat for many bird and mammal species. Removal of trees could result in the loss of nesting sites used by migratory birds or direct mortality to those species. The loss of active nests or direct mortality is prohibited by the MBTA and California Fish & Game Code § 3503.5. In addition, significant individual specimens defined as heritage trees, are afforded protection by the City through Code 12.64.040, which defines and protects special tree resources within the City. These trees, including heritage trees, may be ultimately removed with implementation of the Panhandle PUD.

Implementation of the following mitigation measures would reduce this impact to Less Than Significant:

Mitigation Measure 4.8.4a (From MMP). The following measures shall be implemented to avoid impacts to trees to be retained. These measures shall be included in project improvement plans.

- a. No grade cuts greater than one foot shall occur within the driplines of heritage trees, and no grade cuts whatsoever shall occur within five feet of their trunks;
- b. No fill greater than one foot shall be placed within the driplines of heritage trees and no fill whatsoever shall be placed within five feet of their trunks;
- c. No trenching whatsoever shall be allowed within the driplines of heritage trees. If it is absolutely necessary to install underground utilities within the driplines of a heritage tree, the trench shall be either bored or drilled;
- d. No irrigation system shall be installed within the driplines of preserved native oak tree(s), which may be detrimental to the preservation of the native oak tree(s) unless specifically authorized by the approving body.
- e. Landscaping beneath native oak trees may include non-plant materials such as boulders, cobbles, wood chips, etc. The only plant species which shall be planted within the driplines of oak trees are those which are tolerant of the natural semi-arid environs of the trees. Limited drip irrigation approximately twice per summer is recommended for the understory plants.

Mitigation Measure 4.8.4b (From MMP). Where it is not possible to avoid impacts to heritage trees, tree replacement will be provided consistent with the City Tree Preservation Ordinance to the satisfaction of the City.

Finding: This impact is Less Than Significant after mitigation.

- **Impact 4.8.5.** Implementation of the project in combination with potential development in the region would contribute to cumulative impacts associated with significant effects to special-status plant and wildlife species and habitat loss. This contribution would be cumulatively considerable. (Less Than Cumulatively Considerable After Mitigation)

Facts in Support of Finding

The Project would result in significant impacts to special-status species, wetland resources, and trees. These Project impacts would be in addition to other development activities in the region that would result in similar impacts. Thus, the Project's contribution is cumulatively considerable. Implementation of the following mitigation measures would reduce this impact to Less Than Cumulatively Considerable:

Mitigation Measure (from MMP): Implement mitigation measures 4.8.2a and b, 4.8.3, 4.8.4a and b.

Finding: This impact is Less Than Cumulatively Considerable after mitigation.

Section 4.9 Cultural and Paleontological Resources

- **Impact 4.9.2.** The proposed Panhandle annexation could result in the potential disturbance of previously undiscovered cultural resources (e.g., prehistoric sites, historical sites, and isolated prehistoric and/or historic features or artifacts) and human remains. This is considered a potentially significant impact. (Less Than Significant After Mitigation)

Facts in Support of Finding

Because the Panhandle PUD is largely undeveloped, the proposed uses within this portion of the Project area could result in the potential disturbance of previously undiscovered cultural resources and human remains. Archaeological and historical investigations for the Project are adequate to identify typical prehistoric and historic resources in the Project area. However, there is a possibility of unanticipated and accidental archaeological discoveries during ground disturbing Project-related activities. Unanticipated and accidental archaeological discoveries during Project implementation may have the potential to affect significant archaeological resources and human remains.

The Krumenacher Ranch is a historic homestead within the Northern Portion of the Panhandle Project area. The Krumenacher Ranch is not eligible for inclusion in the National Register or the California Register based on flood control, reclamation, and agricultural contexts. The Draft EIR evaluated in the ranch in the context of flood control and the formation of Reclamation District 1000, and determined that the ranch does not contribute to the eligibility of Reclamation District 1000's historic landscape for inclusion in the National Register. (FEIR, p. 3.0-40).

Implementation of the following mitigation measures would reduce this impact to Less Than Significant:

Mitigation Measure 4.9.2a (From MMP). Should any cultural resources, such as structural features, unusual amounts of bone or shell, artifacts, or architectural remains be encountered during development activities, work shall be suspended within 50 feet of the discovery and the City of Sacramento Planning Department shall be immediately notified. At that time, the City will coordinate any necessary investigation of the discovery with an appropriate specialist (e.g., archaeologist or architectural historian). The project proponent shall be required to implement any mitigation necessary for the protection of cultural resources.

The City and the project applicant shall consider mitigation recommendations presented by a qualified archeologist for any unanticipated discoveries. The City and the project applicant shall consult and agree upon implementation of a measure or measures that the City and project applicant deem feasible and appropriate. Such measures may include avoidance, preservation in place, excavation, documentation, curation, data recovery, or other appropriate

measures.

Mitigation Measure 4.9.2b (From MMP). If human remains are discovered, all work must stop in the immediate vicinity of the find, and the County Coroner must be notified, according to Section 5097.98 of the State Public Resources Code and Section 7050.5 of California's Health and Safety Code. If the remains are determined to be Native American, the coroner will notify the Native American Heritage Commission, and the procedures outlined in CEQA Section 15064.5(d) and (e) shall be followed.

Finding: This impact is Less Than Significant after mitigation.

- **Impact 4.9.3.** The proposed Panhandle annexation could result in the potential damage or destruction of undiscovered paleontological resources. This is considered a potentially significant impact. (Less than Significant After Mitigation)

Facts in Support of Finding

Because the Panhandle PUD is largely undeveloped, the proposed uses within this portion of the Project area could result in the potential disturbance of undiscovered paleontological resources. Pedestrian surface survey of the Project area and other research did not identify any evidence of paleontological resources. However, there is a possibility of unanticipated and accidental paleontological discoveries during ground disturbing Project-related activities. Unanticipated and accidental paleontological discoveries during Project implementation have the potential to affect significant paleontological resources.

Implementation of the following mitigation measure would reduce this impact to Less Than Significant:

Mitigation Measure 4.9.3 (From MMP). Should any potentially unique paleontological resources (fossils) be encountered during development activities, work shall be suspended within 50 feet of the discovery and the City of Sacramento Planning Department shall be immediately notified. At that time, the City will coordinate any necessary investigation of the discovery with a qualified paleontologist. The project proponent shall be required to implement any mitigation necessary for the protection of paleontological resources.

The City and the project applicant shall consider the mitigation recommendations of the qualified paleontologist for any unanticipated discoveries. The City and the project applicant shall consult and agree upon implementation of a measure or measures that the City and project applicant deem feasible and appropriate. Such measures may include avoidance, preservation in place, excavation, documentation, curation, data recovery, or other appropriate measures.

Finding: This impact is Less Than Significant after mitigation.

- **Impact 4.9.4.** The Panhandle Annexation and PUD along with foreseeable

development in the region could result in the disturbance of cultural resources (i.e. prehistoric sites, historic sites, and isolated artifacts and features) and human remains. This contribution is considered cumulatively considerable. (Less than Cumulatively Considerable After Mitigation)

Facts in Support of Finding

Adoption of the Panhandle Annexation and PUD may contribute to the cumulative loss of identified and undiscovered cultural resources and human remains in the region. This contribution is expected to be cumulatively considerable, when combined with other past, present and foreseeable development in the region.

Implementation of the following mitigation measures would reduce this impact to Less Than Cumulatively Considerable:

Mitigation Measures (from MMP): Implement mitigation measures 4.9.2a and b.

Finding: This impact is less than Less Than Cumulatively Considerable after mitigation.

- **Impact 4.9.5.** The Panhandle Annexation and PUD along with any foreseeable development in the region could result in the potential disturbance of paleontological resources (i.e. fossils and fossil formations). This contribution is considered cumulatively considerable. (Less than Cumulatively Considerable after Mitigation)

Facts in Support of Finding

Adoption of the Panhandle Annexation and PUD may contribute to the cumulative loss of paleontological resources for the region. This contribution is expected to be cumulatively considerable when combined with other past, present and foreseeable development in the region.

Implementation of the following mitigation measure would reduce this impact to Less Than Cumulatively Considerable:

Mitigation Measure (from MMP): Implement mitigation measure MM 4.9.3.

Finding: This impact is Less Than Cumulatively Considerable after mitigation.

Section 4.10 Geology and Soils

Impact 4.10.2. Implementation of the project may place structures and future residents within areas of geologic instability (e.g. shrink-swell of the soils and soil erosion). This is considered a potentially significant impact. (Less Than Significant After Mitigation)

Facts in Support of Finding

The proposed development of mixed-use residential and commercial uses, three new schools and park and open space areas within the Panhandle PUD could be subjected to impacts associated with geologic instability. The soils underlying the Project area have high percentages of clays that expand and contract with wetting and drying of the soils and that any development in the area could expose people and property to mild geologic hazards due to the high shrink-swell of the soils. If a structure is constructed on an area that contains some expansive soils, the structure may suffer damage from the expansion. The soil groups in the area also have moderate water holding capacity and may increase erosion and runoff rates.

Mitigation Measure 4.10.2a (From MMP). Prior to issuance of a grading permit, a geotechnical report shall be prepared by a qualified geotechnical engineer. The report shall contain specific design and engineering recommendations for the construction of buildings and infrastructure. The design of critical structures shall take into account the existing on-site seismic parameters, sub-surface conditions, soil movement and surface drainage conditions in order to reduce seasonal fluctuations in soil moisture content.

Mitigation Measure 4.10.2b (From MMP). The measures outlined in the project geotechnical report and/or subsequent geotechnical reports shall be implemented throughout all stages of construction, at the direction of the City engineer, to prevent significant impacts associated with geologic instability. A geotechnical engineer shall be present on-site during earthmoving activities to ensure that requirements outlined in the geotechnical reports are adhered to for proper fill and compaction of soils.

If construction work is necessary during the wet weather months (e.g., October through April), the project applicant shall consult with the City engineer and a qualified civil engineer to implement any additional recommendations provided, as conditions warrant. These recommendations would include but not be limited to (1) allowing a prolonged drying period before attempting grading operations at any time after the onset of winter rains; and (2) implementing aeration or lime treatment, to allow any low-permeability surface clay soils intended for use as engineered fill to reach a moisture content that would permit the specified degree of compaction to be achieved.

Finding: This impact is Less Than Significant after mitigation.

Section 4.11 Hydrology and Water Quality

- **Impact 4.11.1.** Development of the project site may increase storm water runoff rates generated within and downstream of the project when compared with existing conditions. This impact is considered to be potentially significant. (Less Than Significant After Mitigation)

Facts in Support of Finding

According to the MDR, the entire site would drain to a proposed on-site detention basin in the western portion of the Panhandle PUD that would occupy approximately 20.7 acres. The detention basin would be utilized to provide storage that would allow outflows to be metered at a reduced rate to discharge to existing twin 60-inch pipes that drain runoff from the site. The detention basin would be sized to contain the 100-year 10-day runoff volume assuming a maximum pumping rate of 0.10 cfs/acre. The total storage volume for the detention basin will be about 152 acre-feet, including roughly 25 acre-feet of water quality storage. Thus, implementation of these improvements would accommodate increased drainage flows from Panhandle PUD buildout. However, phased development of the site could potentially result in temporary drainage impacts if the necessary drainage facilities are not in place at the time of site development.

Implementation of the following mitigation measure would reduce this impact to Less Than Significant:

Mitigation Measure 4.11.1 (From MMP). As part of approval of each small lot final map and/or each subsequent project, the project applicant shall demonstrate that drainage facilities are consistent with the Drainage Report for the Panhandle PUD (Civil Engineering Solutions, 2006) as approved by the City's Department of Utilities, and adequately attenuate increased drainage flows consistent with City standards. During construction of the Panhandle PUD, sub-grades within 300 feet of the levee shall not be left below the existing grades between November 1st and April 15th. This demonstration may take the form of plans and/or reports and will also be required for future development of the Southern Portion. Prior to recording a master parcel map or each small lot final map, the project applicant shall construct the drainage facilities or provide the drainage assurances for the construction of drainage facilities.

Finding: This impact is Less Than Significant after mitigation.

- **Impact 4.11.2.** Development of the project would introduce sediments and constituent pollutants typically associated with construction activities and urban development into storm water runoff. These pollutants will have the potential of degrading downstream storm water quality. This impact is considered to be potentially significant. (Less than Significant After Mitigation)

Facts in Support of Finding

New development within the Panhandle PUD would increase local runoff production, and would introduce constituents into storm water that are typically associated with urban runoff. These constituents include sediments, heavy metals, petroleum hydrocarbons, pesticides, and fertilizers. Structural best management practices (BMPs) are available that may be applied to the proposed development to limit the concentrations of these constituents in any site runoff that is discharged into downstream facilities to acceptable levels. New development within the Panhandle PUD would increase the flow rates and

velocities of storm runoff conveyed through project development areas. The increase in site runoff production and velocities of drainage flow produced by the site development may increase the corresponding sediment discharge through the site during storm events. Pollutants are generally components of the sediment discharge associated with drainage flows. Storm drainage originating from the site will be released and transported through downstream properties and will be pumped and delivered to the Sacramento River by RD 1000 facilities. In addition to operational water quality impacts, construction activities could also result in water quality impacts associated with erosion and sedimentation as well as accidental release of petroleum products and other construction materials.

Implementation of the following mitigation measures would reduce this impact to Less Than Significant:

Mitigation Measure 4.11.2a (From MMP). Drainage facilities shall be designed to meet or exceed storm water quality requirements set forth in City Standards pertaining to regional storm water quality control in association with NPDES Stormwater Permit No. CA502597. Water quality control may consist of pollutant source control, water quality treatment through Best Management Practices or a combination of both measures. Water quality control features as part of drainage facilities shall be reviewed and approved by the City prior to approval of improvement plans for the site.

Mitigation Measure 4.11.2b (From MMP). The project applicant shall prepare a SWPPP in conformance with the California Stormwater Quality Association Construction Handbook (Construction Handbook), City standards (Grading, Erosion, and Sediment Control Ordinance and Stormwater Management and Discharge Control Code), NPDES Stormwater Permit No. CA502597 and in compliance with the requirements of the State General Construction Activity Storm Water Permit (CGP) for each construction activity in the Panhandle area (Northern and Southern portions). The Construction Handbook provides general guidance for selecting and implementing BMPs that will eliminate or reduce the discharge of pollutants from construction sites to receiving waters and for developing and implementing storm water pollution prevention plans that document the selection and implementation of BMPs for a particular construction project. The site specific SWPPP must describe the site, including a description of the erosion and sediment controls proposed (BMPs for water quality), the means of waste disposal, implementation of approved local plans, control measures of post-construction sediment and erosion, maintenance responsibilities, and non-storm water management controls. The developer shall file a Notice of Intent with the State Water Resources Control Board. The Waste Discharge Identification Number and a copy of the SWPPP shall be provided to the City prior to approval of grading improvement plans for the site.

The project applicant shall retain a copy of the approved SWPPP on the construction site. BMPs identified in the SWPPP shall be utilized in all project site development activities. Implementation of appropriate, effective water quality controls will ensure no increase in turbidity, sediment or other pollutant loads into downstream facilities over predevelopment conditions during construction and

will ensure that storm water discharges that will result with implementation of the project are in compliance with all current requirements.

Mitigation Measure 4.11.2c (From MMP). Grading and construction activities will need to conform to the requirements set forth in the City's Grading, Erosion and Sediment Control Ordinance, including the submittal of grading and erosion and sediment control plans to the City prior to approval of grading or improvement plans for the site.

Finding: This impact is Less Than Significant after mitigation.

Impact 4.11.3. While the project is not located within a designated 100-year floodplain as currently delineated by FEMA, the project area is protected by a levee system that has been determined by the Sacramento Area Flood Control Agency (SAFCA) to be at risk of underseepage and erosion hazards during a 100-year storm event. This impact would be potentially significant. (Less Than Significant After Mitigation for long-term flooding)

Facts in Support of Finding

The DEIR discusses the potential for levee failure and discusses the Sacramento Flood Control Agency (SAFCA) findings on the inadequacy of the levee system that protects the Natomas Basin. The DEIR uses information provided by the U.S. Army Corps of Engineers, SAFCA and the Department of Water Resources state that the levee system is considered inadequate and the potential for levee failure is present in the area (see DEIR pages 4.11-13 and 14 listing the SAFCA Public Review Draft of the Natomas Levee Evaluation Report and correspondence from the U.S. Army Corps of Engineers dated July 20, 2006). Since release of the DEIR, the City has received correspondence from Department of Water Resources (Snow, 2006) advising the City to consider growth controls and/or building restrictions and from the Federal Emergency Management Agency (FEMA) (Ziolkowski, 2006) regarding the anticipated updated of the Flood Insurance Rate Map (FIRM) by November 2007 to redesignate the Natomas Basin as a "Special Flood Hazard Area" and require flood insurance for property owners with federally-backed mortgages.

FEMA's new floodzone designation would likely be either an AE or AR Zone as described in the FEMA regulations (44 C.F.R. Pt. 60 et seq.). An AE Zone is an area of special flood hazard with water surface elevations determined. An AR Zone is an area of special flood hazard that results from the decertification of a previously accredited flood protection system that is determined to be in the process of being restored to provide base flood protection. An A99 Zone is an area of special flood hazard where enough progress has been made on a protective system, such as dikes, dams, and levees, to consider it complete for insurance rating purposes. The City of Sacramento's Floodplain Management Regulations prescribe certain development restrictions and standards based on the FEMA floodzone designation (Sacramento Municipal Code, Chapter 15.104). In an AE Zone, new construction and substantial improvement of any structure must have the lowest floor, including basement, elevated one foot above the

base flood elevation or depth number specified in feet on the FIRM. In an AR Zone, all new construction in areas designated as developed areas must use the lower of either the AR base flood elevation (or flood depth) or the elevation that is three feet above the highest adjacent grade. Construction standards identified in the City's Floodplain Management regulations do not apply in an A99 Zone. Ultimate development of all proposed land uses in the Panhandle PUD may be temporarily restricted or prohibited depending on final flood designations by FEMA and the City's development standards pursuant to that designation (as noted above). However, the restriction or prohibition could be removed upon recertification of the levees and redesignation of the FEMA floodzone.

The Project area is located within the flooding area of concern as identified in the Natomas Levee Evaluation Report (July 2006). Although the Project area is not located within a FEMA designated 100-year floodplain, based on existing available information from SAFCA, flooding hazards do exist at the Project area and would be present until SAFCA implements necessary levee improvements, which are anticipated to be constructed within the next two to five years. While in the long-term it is expected that adequate flood protection (i.e., protection from a 100-year and 200-year storm event) would be provided at the site (and therefore would be less than significant), in the interim time, before completion of flood improvements, the Project could place housing and persons in an area subject to flooding hazards.

Implementation of the following mitigation measure would reduce this impact to Less Than Significant for long-term flooding impacts.

Mitigation Measure 4.11.3 (From MMP). The following mitigation measures shall apply in the event that levees currently providing adequate flood protection to the Panhandle Area are decertified by the U.S. Army Corps of Engineers and can no longer provide 100-year floodzone protection. The City anticipates that after any such decertification but before recertification of the levees, FEMA intends to remap the Panhandle Area as a special flood hazard area (likely as an AE, AR, or A99 Zone). Each designation contains specific building and design requirements for new above-ground-level development.

If the Panhandle Area is remapped by FEMA into an AE Zone, AR Zone, or A99 Zone, then (1) the City shall require development within the project site to comply with all applicable building and design regulations identified by FEMA and by the City of Sacramento's Floodplain Management Ordinance in existence at the date of issuance of building permits pertaining to the applicable remapped zone; (2) the project applicant shall participate in a funding mechanism such as an assessment district established by SAFCA and/or the City for the purpose of implementing measures that would provide no less than 100-year flood protection for the Panhandle Area, or for that portion of the Natomas Basin requiring re-certification for 100-year flood protection including the Panhandle Area provided that such funding mechanism is (i) based on a nexus study; (ii) is regional in nature; (iii) is proportionate, fair, and equitable; and (iv) complies with all applicable laws and ordinances; and (3) the requirements of the applicable FEMA zone and corresponding requirements under the City of Sacramento's

Floodplain Management Ordinance shall be satisfied prior to the issuance of building permits for the project. Homeowners within the floodzone shall maintain federal flood insurance, as required under the applicable FEMA and City of Sacramento Floodplain Management Ordinance regulations.

These mitigation measures shall terminate upon the first recertification of the levees by the U.S. Army Corps of Engineers. Under any of these three scenarios (AE, AR, or A99 Zone), homebuilders within the floodzone area shall disclose to all prospective buyers, lenders, bondholders and insurers of property through written disclosure, prior to the sale of units, that the U.S. Army Corps of Engineers has determined that the levees protected the Natomas Basin may not provide flood protection from a 100-year or greater storm event until the levees are recertified as providing 100-year storm protection.

Finding: This impact is Less Than Significant for long-term flooding impacts after mitigation.

Impact 4.11.4. Detention basins in the project would be excavated several feet below existing grade. It is possible that seasonal groundwater would be exposed and will interact with pollutants associated with urban runoff that would be captured within detention basins. This impact is considered to be potentially significant. (Less than Significant After Mitigation)

Facts in Support of Finding

Groundwater levels for the project area have been identified to occur at 4 to 17 feet below the ground surface. According to the NRCS, soils at the proposed detention basin site are of Soil Groups C and D, have slow infiltration rates, and consist of clays and loams. Pollutants that are collected within new detention basins are likely to become attached to the surface soil particles and are not likely to travel deep into subsurface soil and water layers. Several technical studies have been conducted regarding water quality control feature impacts on groundwater. These studies have identified that water quality control features such as detention and infiltration basins have been successful in controlling water quality and avoiding groundwater quality impacts. However, this impact is considered potentially significant, given the presence of existing residential wells in the area.

Implementation of the following mitigation measure would reduce this impact to Less Than Significant:

Mitigation Measure 4.11.4 (From MMP). As part of the final design of the project detention basins, soil borings shall be taken at representative locations within the detention basins to analyze the subsurface soils that are present and the elevation of the subsurface water table. If these soil borings identify shallow groundwater within two (2) feet of the proposed bottom elevation of detention basins or within the detention basins, a liner and/or additional water quality control features may be incorporated into the design of the detention basin, subject to City review and approval.

Finding: This impact is Less Than Significant after mitigation.

- **Impact 4.11.5.** The proposed project in combination with planned and proposed development in the region would contribute to potential impacts to surface and groundwater quality from construction and operation activities. This contribution is considered cumulatively considerable. (Less than Cumulatively Considerable After Mitigation)

Facts in Support of Finding

Development of the Project could result in significant surface water and groundwater quality impacts from construction and operation activities. These impacts could contribute to non-point (e.g. storm water and agricultural run-off) and point sources (e.g. wastewater plant effluent discharges) pollution of the watershed that may inhibit beneficial uses of the Sacramento River. This contribution is considered cumulatively considerable.

Groundwater contamination due to potential interaction between the detention basins and groundwater levels in the fall and winter was addressed in the DEIR as potentially significant. DEIR page 4.11-25 specifically identifies that pollutants that are collected within new detention basins are likely to become attached to the surface soil particles and are not likely to travel deep into subsurface soil and water layers. Several technical studies have been conducted regarding water quality control feature impacts on groundwater (e.g., City of Fresno Nationwide Urban Runoff Project and California Storm Water Best Management Practices Handbook prepared by the Stormwater Quality Task Force). These studies have identified that water quality control features such as detention and infiltration basins have been successful in controlling water quality and avoiding groundwater quality impacts (metals and organic compounds associated with stormwater are typically lost within the first few feet of the soil of the basins). (Final EIR p. 3.0-113).

Implementation of the following mitigation measures would reduce this impact to Less Than Cumulatively Considerable:

Mitigation Measures (from MMP): Implement mitigation measures 4.11.2a through c and 4.11.4.

Finding: This impact is Less Than Cumulatively Considerable after mitigation.

- **Impact 4.11.6.** The proposed project in combination with planned and proposed development in the region would contribute to exposing additional residents and businesses to flood hazards. This contribution is considered cumulatively considerable. (Less than Cumulatively Considerable After Mitigation for flooding impacts)

Facts in Support of Finding

Implementation of proposed Panhandle drainage improvements would fully mitigate the Project's increase in drainage flows during peak flow conditions. Development of the Panhandle area in combination with other reasonably foreseeable development would contribute to placing more residents and development in an area identified to be vulnerable to levee failure.

Implementation of the following mitigation measures would reduce this impact to Less Than Cumulatively Considerable for flooding impacts:

Mitigation Measures (from MMP): Implement mitigation measures 4.11.1 and 4.11.3.

Implementation of MM 4.11.1 and MM 4.11.3 will reduce flooding impacts to a less than cumulatively considerable level. Given the unknown nature of the environmental effects of the improvements to the levees, the impacts of levee improvements will remain significant and unavoidable in the short term.

Finding: This cumulative impact is Less Than Cumulatively Considerable after mitigation for flooding impacts.

Section 4.12 Visual Resources

- **Impact 4.12.3.** Development and operation of the Panhandle PUD would introduce new sources of light and glare into a previously undeveloped area. This would result in a significant impact. (Less than Significant After Mitigation)

Facts in Support of Finding

The Panhandle PUD would create light and glare sources currently not present in the area. Lighting impacts would include streetlights within the project, parking lot lighting, and lights associated with residential, commercial, park uses and park related sports facilities, and school structures. These sources of lighting would increase the sky glow within the region. The proposed Panhandle PUD Development Guidelines includes provisions that residential lighting not spill over onto adjacent home sites and open space areas. However, there are no proposed lighting provisions for commercial uses or sports fields.

Implementation of the following mitigation measures would reduce this impact to Less Than Significant:

Mitigation Measure 4.12.3a (From MMP). A lighting plan shall be developed and provided with special permits and/or development plan review for the Panhandle PUD to ensure that all lights are low intensity, fully hooded, back shielded and directed away from residential areas to reduce the light "spillage" and glare, and prohibit the illumination from breaking the horizontal plane.

Mitigation Measure 4.12.3b (From MMP). Outdoor lighting for commercial uses and community parks/sports facilities in the Panhandle PUD shall be designed to be turned off when not in use where security and safety is not a concern. This

requirement shall be included in lighting plans submitted to the City as part of the improvement plans.

Mitigation Measure 4.12.3c (From MMP). Light fixtures for sports fields that are planned to be lighted in the Panhandle PUD shall be directed away from residential areas to reduce light “spillage” and glare. Light fixtures shall be designed to limit illumination to the sports fields and shall demonstrate that the illumination of adjacent residential properties will not exceed 1.0 foot-candles.

Finding: This impact is Less Than Significant after mitigation.

Section 4.13 Public Services and Utilities

- **Impact 4.13.1.1**. Implementation of the proposed project at buildout would increase the demand for fire and emergency protection services that could result in unacceptable service ratios, response times, or other performance objectives for fire protection and emergency services. This would be a potentially significant impact. (Less than Significant After Mitigation)

Facts in Support of Finding

The City General Plan and NNCP safety policies contain additional recommendations regarding the availability of adequate water supply and fire suppression provisions, and development of adequate fire station facilities. SFD staff has reviewed the Panhandle PUD and have determined that the Project would trigger the need for new facilities, personnel and/or equipment in order to maintain adequate service levels

Implementation of the following mitigation measures would reduce this impact to Less Than Significant:

Mitigation Measure 4.13.1.1a (From MMP). The project applicant shall pay the necessary project-specific fire service impact fees associated with fire protection services, as outlined in the project’s Finance Plan.

Mitigation Measure 4.13.1.1b (From MMP). The Panhandle PUD Finance Plan shall include all necessary public facility improvements (e.g., fire, law enforcement, water, wastewater, parks, roadways and libraries) intended to solely serve the PUD as well as its fair-share contribution to public facilities that serve the North Natomas Community Plan area. The Panhandle PUD Finance Plan shall ensure that public facilities and equipment required to service the PUD are in place concurrent with site development.

Finding: This impact is Less Than Significant after mitigation.

- **Impact 4.13.1.2**. Implementation of the proposed Panhandle project, in combination with other foreseeable development would increase the population with the North Natomas area and would require additional fire and emergency

services. The project's contribution would be cumulatively considerable. (Less than Cumulatively Considerable After Mitigation)

Facts in Support of Finding

The City General Plan and NNCP safety policies contain additional recommendations regarding the availability of adequate water supply and fire suppression purposes, and development of adequate fire station facilities. The Project would continue to receive service and would not result in any changes to existing automatic aid agreements with other fire service providers. The Project would add to the demand for fire protection and emergency services.

Implementation of the following mitigation measures would reduce this impact to Less Than Cumulatively Considerable:

Mitigation Measures (from MMP): Implement mitigation measures 4.13.1.1a and b.

Finding: This impact is Less Than Cumulatively Considerable after mitigation.

- **Impact 4.13.2.2.** Implementation of the proposed project would contribute to cumulative demands for police protection services within the City and surrounding area. This impact would be cumulatively considerable. (Less Than Cumulatively Considerable After Mitigation)

Facts in Support of Finding

The project would contribute to cumulative demand for police protection services within the City and surrounding area. A new North Natomas Police Station is planned for the Town Center of the North Natomas Community Plan to service overall growth in the area. Timing of construction of the station is unknown at this time.

Implementation of the following mitigation measure would reduce this impact to Less Than Cumulatively Considerable:

Mitigation Measure (from MMP): Implement mitigation measure 4.13.1.1b.

Finding: This impact is Less Than Cumulatively Considerable after mitigation.

Impact 4.13.4.1. The proposed project at buildout would require connection into the existing wastewater conveyance facilities that may not have adequate capacity. This would be a potentially significant impact. (Less than Significant After Mitigation)

Facts in Support of Finding

Existing SRCSD facilities serving the North Natomas area are capacity constrained. Ultimate capacity will be provided by construction of the Lower

Northwest and Upper Northwest Interceptors, currently scheduled for completion in 2010. SRCSD is working to identify potential interim projects to provide additional capacity. SRCSD and CSD-1 will issue sewer permits to connect to the system if it is determined that capacity is available and the property has met all other requirements for service. This process is "first come, first served." Though once connected the property has the entitlement to use the system, there is no guarantee that capacity will be available when actual requests for sewer service are made.

Implementation of the following mitigation measures would reduce this impact to Less Than Significant:

Mitigation Measure 4.13.4.1a (From MMP). Connection to the CSD-1 sewer system for the Panhandle PUD and subsequent development in the Southern Portion shall be required to the satisfaction of the CSD-1. Each parcel and each building with a sewage source shall have a separate connection to the CSD-1 sewer system.

Mitigation Measure 4.13.4.1b (From MMP). The project applicant shall submit a final sewer study for the Panhandle PUD for review and approval by CSD-1 prior to approval of small lot final maps. The sewer study report shall be done in accordance with CSD-1's current Minimum Sewer Study Requirements and shall demonstrate that downstream facilities have capacity to accommodate flows from the Panhandle PUD.

Mitigation Measure 4.13.4.1c (From MMP). Prior to approval of small lot final maps or issuance of building permits for the Krumenacher Subdivision map, the project applicant shall enter into and record an agreement, to require land reservation for acquisition by the SRCSD for the upper Northwest Interceptor project to install pipelines and facilities in conformance with the SRCSD Master Plan.

Finding: This impact is Less Than Significant after mitigation.

2. Findings Related to the Southern Portion

The significant and potentially significant environmental impacts of the Southern Portion of the Project, including cumulative impacts, are being mitigated to a less than significant level. Pursuant to section 21081(a)(1) of CEQA and section 15091(a)(1) of the CEQA Guidelines, as to each such impact, the City Council, based on the evidence in the record before it, finds that changes or alternatives incorporated into the Project by means of conditions or otherwise, mitigate, avoid or substantially lessen to a level of insignificance significant or potentially significant environmental impacts of the Project. Any mitigation measures applied to the Southern Portion would only be enforceable for the portions of the Southern Portion annexed by the City as part of the Project.

B. Significant and Unavoidable Impacts

1. Findings Related to the Northern Portion

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

Section 4.1 Land Use and Open Space

- **Impact 4.1.2.** Implementation of the project would conflict with applicable land use provisions intended to avoid or minimize an environmental effect. This is considered a significant impact. (Significant and Unavoidable After Mitigation)

Facts in Support of Finding

The Panhandle PUD would require an amendment to land use designations and text under the NNCP. While the Project is largely consistent with the land use vision and policy provision of the NNCP, it would conflict with the eastern buffer provisions identified in the NNCP for the portion of the Project located east of the powerlines. The Project proposes development east of the powerlines, including construction of the Ninos Parkway, three park sites (Parcels 41, 33 and 36) and residential uses. The Project proposes text and map amendments to address this potential conflict with the NNCP. While rural residential land uses associated with the Valley View Acres community are not expected to result in significant physical land use impacts to the Panhandle PUD land uses (given the low intensity of rural residential uses near the site and the physical separation/buffering to be provided by rear lot fencing and the right-of-way of Sorento Road), the Panhandle PUD would result in significant impacts to the environment associated with the loss of existing visual characteristics of the site as open space, the introduction of nighttime lighting and noise from park uses. In addition, the Panhandle PUD would result in the loss of open space and agricultural lands.

Implementation of the following mitigation measures would reduce this impact:

- **Mitigation Measures (from MMP):** Implement mitigation measures 4.2.1, 4.2.2c, 4.6.3, 4.12.2, 4.12.3c, and 4.1.3.

Finding: Even with implementation of these measures, this impact remains Significant and Unavoidable. The significant and unavoidable impacts are overridden by the economic, legal, and social considerations detailed in the Statement of Overriding Considerations.

- **Impact 4.1.3.** The Northern Portion (Panhandle PUD) would result in the substantial loss of existing open space. This is considered a significant impact. (Significant and Unavoidable After Mitigation)

Facts in Support of Finding

Implementation of the Panhandle PUD would result in the conversion of much of the site from open space to urban uses. The Panhandle PUD site is identified for urban development in the 1994 North Natomas Community Plan. As part of City of Sacramento Resolution 94-0258, the City specifically acknowledged that development under the 1994 North Natomas Community Plan would result in a cumulative and significant and unavoidable loss of farmland. However, the Panhandle PUD would amend the North Natomas Community Plan open space provisions associated with the elimination of the open space buffers east of the WAPA power lines and south of Elkhorn Boulevard to allow for urban development of this area. The Project includes 71.1 acres of open space within detention basins, the Ninos Parkway and the Sorento Road open space corridor.

Implementation of the following mitigation measure would reduce this impact:

Mitigation Measure 4.1.3 (From MMP). The Panhandle PUD project applicants shall coordinate with the City and LAFCo to identify appropriate off-site lands to be set aside in a permanent conservation easements at a ratio of no less than one acre of land converted to urban use to one-half acre of open space land preserved. This mitigation measure may be satisfied by compliance with other mitigation requirements involving the permanent conservation of agricultural lands and habitat (e.g., MM 4.2.1).

Finding: Even with implementation of this measure, this impact remains Significant and Unavoidable. The significant and unavoidable impacts are overridden by the economic, legal, and social considerations detailed in Section E, the Statement of Overriding Considerations.

Impact 4.1.5. Implementation of the proposed project at buildout would contribute to cumulative loss of open space. The project's contribution would be cumulatively considerable. (Cumulatively Considerable and Significant and Unavoidable After Mitigation)

Facts in Support of Findings

Implementation of the Panhandle PUD would result in the conversion of the site (527.3 acres) from open space to urban uses. As part of City of Sacramento Resolution 94-0258, the City specifically acknowledged that development under the 1994 North Natomas Community Plan would result in a cumulative and significant and unavoidable loss of farmland. However, the Panhandle PUD would amend the North Natomas Community Plan open space provisions and eliminate the open space buffers east of the WAPA power lines and south of Elkhorn Boulevard and allow for urban development of this area, which would contribute to the cumulative loss of open space in the City. The Project includes 71.1 acres of open space within detention basins, the Ninos Parkway and the Sorento Road open space corridor.

Implementation of the following mitigation measure would reduce this impact:

Mitigation Measure (from MMP): Implement mitigation measure 4.1.3.

Finding: With implementation of this measure, this impact remains Cumulatively Considerable and Significant and Unavoidable. The cumulatively considerable and significant and unavoidable impacts are overridden by the economic, legal, and social considerations detailed in Section E.

Section 4.2 Agricultural Resources

- **Impact 4.2.1.** Implementation of the proposed project would result in the conversion of approximately 98.6-acres of Prime Farmland and 1.2-acres of Farmland of Statewide Importance. This would be a significant impact. (Significant and Unavoidable After Mitigation)

Facts in Support of Finding

Implementation of the Panhandle PUD would result in the conversion of approximately 98.6 acres of Prime Farmland, 1.2 acres of Farmland of Statewide Importance, 247.5 acres of Farmland of Local Importance, 228.7 acres of Grazing Land and 18.2 acres of Other Lands as defined by the California Department of Conservation. The conversion of the Panhandle PUD from farmland to urban uses would reduce the amount of important farmland (Prime Farmland, Farmland of Statewide Importance, and Unique Farmland) by approximately 0.743 percent within Sacramento County. While the Panhandle PUD consists of properties under Williamson Act contracts, these properties have filed for non-renewal and will expire in 2007. The Project area was also analyzed under the California Agricultural LESA model to determine agricultural significance. The Project site was calculated to have a LE subscore of 28.84, SA subscore of 34.5, and a single numeric LESA score of 63.34. Scoring thresholds indicates that with this score the Northern Portion consists of agricultural land considered significant unless either LE or SA subscores is less than 20 points. Since both the LE and SA subscores for this Project are greater than 20 points, the Project's conversion of agricultural lands would be considered significant.

Implementation of the following mitigation measure would reduce this impact:

Mitigation Measure 4.2.1 (From MMP). The Applicant shall protect one acre of existing farmland of equal or higher quality for each acre of Prime Farmland or Farmland of Statewide Importance that would be converted to non-agricultural uses in the Panhandle PUD. This protection may consist of the establishment of farmland easements or other appropriate mechanisms. The farmland to be preserved shall be located within the County. This mitigation measure may be satisfied by compliance with other mitigation requirements involving the permanent conservation of agricultural lands and habitat.

Finding: Even with implementation of this measure, this impact remains

Significant and Unavoidable. The significant and unavoidable impacts are overridden by the economic, legal, and social considerations detailed in Section E

- **Impact 4.2.3.** The proposed project would contribute to cumulative impacts on agricultural lands. The project's contribution would be cumulatively considerable. (Cumulatively Considerable and Significant and Unavoidable After Mitigation)

Facts in Support of Finding

Implementation of the Panhandle PUD would result in significant impacts to agricultural resources in and adjacent to the Project area. The Project would contribute to the on-going conversion of farmland in the state to urbanized uses by converting approximately 98.6 acres of agricultural land to residential, commercial, school and recreational uses. It would also contribute to the conversion of the total Important Farmlands in the State to urban uses, and thus contribute to regional farmland conversions and agriculture/urban use conflicts. Urban development within the County has resulted in the loss of approximately 6,168 acres of Prime Farmland and Farmland of Statewide Importance. Several thousand additional agricultural acres have been converted to urban uses since 2002. This loss and conversion of agricultural land and resulting incompatibilities between agricultural and urban uses continues within the City, the County and the state due to the pressures of urban development.

The mitigation measures listed below will reduce this impact.

Mitigation Measures (from MMP): Implement mitigation measures 4.2.1 and 4.2.2a through c.

Finding: Even with implementation of these measures, this impact remains Cumulatively Considerable and Significant and Unavoidable. The cumulatively considerable and significant and unavoidable impacts are overridden by the economic, legal, and social considerations detailed in the Statement of Overriding Considerations detailed in Section E.

Section 4.3 Population/Housing/Employment

- **Impact 4.3.1.** Development of the proposed Panhandle PUD would result in a total population of approximately 7,718 residents, which is 316 residents more than what would be allowed under the current NNCP designations. The PUD would also generate approximately 677 to 900 jobs. This would induce substantial population growth and employment growth and would be a significant impact. (Significant and Unavoidable)

Facts in Support of Finding

Under the current NNCP land use designations, the Panhandle project area could be developed with 2,949 dwelling units and 7,402 residents. As proposed under the Panhandle Annexation and PUD project, the Panhandle PUD would

result in the development of 3,075 new residential units and 7,718 residents, which would exceed projected development of the site under the current NNCP land use designations by approximately 126 units and 316 residents. The project also includes commercial and school uses that could generate 677 to 900 employees that also were not anticipated under the NNCP.

Finding: There are no mitigation measures available to reduce this impact. This impact will remain Significant and Unavoidable. The Significant and Unavoidable impacts are overridden by the economic, legal, and social considerations detailed in Section E.

- **Impact 4.3.4.** Development of the project would contribute increased population in the region which would induce substantial population growth. This contribution is considered cumulatively considerable. (Cumulatively Considerable and Significant and Unavoidable)

Facts in Support of Findings

The Panhandle PUD would result in the development of 3,075 new residential units and 7,718 residents, which would exceed projected development of the site under the current NNCP land use designations by 126 units and 316 residents. The project also includes commercial and school uses that could generate 677 to 900 employees that also were not anticipated under the NNCP. This development, as well as build out in the remainder of the City, would contribute to growth in the region.

Findings: There are no mitigation measures available to reduce this impact. This impact will remain Cumulatively Considerable and Significant and Unavoidable. The cumulatively considerable and significant and unavoidable impacts are overridden by the economic, legal, and social considerations detailed in Section E.

Section 4.4 Traffic and Circulation Impact

Impact 4.4.3. The Panhandle PUD land uses would generate additional traffic for the freeway facilities in the project area vicinity. This is considered a significant impact. (Significant and Unavoidable After Mitigation)

Facts in Support of Finding

Traffic generated from the Panhandle PUD would contribute to the current deficient operation of the following facilities:

- I-5/Del Paso Road Northbound off-ramp (diverge) operates at LOS F during the PM peak hour with and without the development of the proposed project under baseline conditions. The proposed project would add approximately 3 percent traffic to the freeway facility during the PM peak hour.
- I-5/Del Paso Road Southbound Slip on-ramp (merge) operates at LOS F

during the AM and PM peak hours with and without the development of the proposed project under baseline conditions. The proposed project would add approximately 3 and 2 percent traffic to the freeway facility during the AM and PM peak hours, respectively.

c. I-80/Truxel Road Eastbound off-ramp (weaving) operates at LOS E during the PM peak hour under no project conditions and would degrade to LOS F during the PM peak hour with the development of the proposed project. The proposed project would add approximately 3 percent traffic to the freeway facility during the PM peak hour.

d. I-80/Northgate Boulevard Eastbound Loop on-Ramp (merge) operates at LOS F during the PM peak hour with and without the development of the proposed project under baseline conditions. The proposed project would add approximately 2 percent traffic to the freeway facility during the PM peak hour.

e. I-80/Northgate Boulevard Eastbound Slip on-ramp (merge) operates at LOS F during the PM peak hour with and without the development of the proposed project under baseline conditions. The proposed project would add approximately 2 percent traffic to the freeway facility during the PM peak hour.

The Traffic Study found that the impacted freeway facilities currently operate at LOS "F" in the Baseline Condition during the Peak Hours without the Project and would continue to operate at LOS "F" in the Cumulative Condition both without and with the Project.

The EIR identifies Mitigation Measure 4.4.3 to reduce this impact. Mitigation Measure 4.4.3 requires the Project applicant to pay a fair share contribution to the Downtown-Natomas-Airport (DNA) Light Rail Extension project to mitigate the Project's regional traffic impacts on the mainline freeway system in the Panhandle Project area. The City Council finds that Mitigation Measure 4.4.3 is not necessary for the Project. Upon annexation to the City, the Project would be required to pay development impact fees at time of building permit issuance, as outlined in the North Natomas Financing Plan (NNFP) and the Panhandle Public Facilities Financing Plan. The NNFP includes \$13.8 million for North Natomas' share of the Natomas-Airport light Rail Extension (DNA) project costs. The development fees paid by the Project will contribute approximately \$1.47 million of North Natomas' fair share contribution to the DNA improvements.

For this reason, no additional DNA contribution to address freeway congestion is necessary for this Project. Therefore, the Council rejects Mitigation Measure 4.4.3 from the EIR as follows:

~~**Mitigation Measure 4.4.3 (From MMP).** The project applicant shall pay a fair share contribution to the Natomas-Airport Light Rail Extension (DNA) project to mitigate the Project's regional traffic impacts on the mainline freeway system in the Panhandle Project area. The City shall determine the project applicant's total "fair share" contribution based on the Project's transit trips in relation to the DNA project's capacity.~~

Finding: Payment of fees does not ensure that the DNA project will be implemented or will fully mitigate the Project's impacts on the mainline freeway system. As such, this impact remains Significant and Unavoidable. The significant and unavoidable impacts are overridden by the economic, legal, and social considerations detailed in Section E.

- **Impact 4.4.7.** The project, in combination with anticipated development in the area, would contribute to an increase in traffic volumes on project area roadways that would result in intersections operating below acceptable levels of service. The project's contribution would be cumulatively considerable. (Cumulatively Considerable and Significant and Unavoidable After Mitigation for two intersections)

Facts in Support of Finding

Implementation of the Project in combination with anticipated development conditions in year 2025 would result in significant traffic to the following Project area intersections: (i) National Drive/Elkhorn Boulevard (with Panhandle PUD only); (ii) E. Levee Road/Elkhorn Boulevard (with or without the Panhandle PUD); (iii) Natomas Boulevard/Club Center Drive (with Panhandle PUD only); (iv) Natomas Boulevard/Truxel Road/Del Paso Road (with or without the Panhandle PUD); (v) Gateway Park Boulevard/Del Paso Road (with Panhandle PUD only); (vi) National Drive/Del Paso Road (with Panhandle PUD only); (vii) Sorento Road/Del Paso Road (with or without the Panhandle PUD); and (viii) Kenmar Road/Del Paso Road (with or without the Panhandle PUD).

The mitigation measures listed below will reduce this impact.

Mitigation Measures (from MMP): Implement mitigation measures 4.4.7a and 4.4.7b.

Finding: Even with implementation of these measures, this impact remains Cumulatively Considerable and Significant and Unavoidable for Natomas Boulevard/Club Center Drive and Gateway Park Boulevard/Del Paso Road intersections. The cumulatively considerable and significant and unavoidable impacts are overridden by the economic, legal, and social considerations detailed in Section E.

- **Impact 4.4.8.** The project, in combination with anticipated development in the area, would contribute to an increase in traffic volumes on project area state highway system that would result in state highways operating below acceptable levels of service. The project's contribution would be cumulatively considerable. (Cumulatively Considerable and Significant and Unavoidable Impact)

Facts in Support of Finding

The City has concluded that a "fair share" contribution to the Downtown-Natomas-Airport Light Rail Extension (DNA) project is a feasible measure to

address the project's incremental impacts on the congested segments of the mainline State Highway System. The contribution will help fund the local share of the DNA project costs.

The EIR identifies Mitigation Measure 4.4.3 to reduce this impact. Mitigation Measure 4.4.3 requires the Project applicant pay a fair share contribution to the Natomas-Airport Light Rail Extension (DNA) project to mitigate the Project's impacts on regional traffic conditions in the project area. Upon annexation to the City, the Project would be required to pay development impact fees at time of building permit issuance, as outlined in the North Natomas Financing Plan (NNFP) and the Panhandle Public Facilities Financing Plan. The NNFP includes \$13.8 million for North Natomas' share of the DNA light rail extension project costs.

The development fees paid by the Project will contribute approximately \$1.47 million of North Natomas' share of fair share contribution to the DNA improvements. For this reason, no additional DNA contribution to address regional traffic conditions is necessary for this Project. Therefore, the Council rejects Mitigation Measure 4.4.3.

Finding: Even with the Project's contribution of impact fees to the DNA light rail extension, this impact remains Cumulatively Considerable and Significant and Unavoidable. The cumulatively considerable and significant and unavoidable impacts are overridden by the economic, legal, and social considerations detailed in Section E.

Section 4.5 Air Quality

- **Impact 4.5.1.** Construction-generated emissions of NO_x would exceed SMAQMD's significance threshold of 85 lb/day and because of the Panhandle PUD's size, PM₁₀, emissions would result in or substantially contribute to emission concentrations that exceed the applicable NAAQS and CAAQS. In addition, because Sacramento County is currently designated as a nonattainment area for both ozone and PM₁₀, construction-generated emissions could further contribute to pollutant concentrations that exceed the CCAAQS. As a result, this impact is considered significant. (Significant and Unavoidable After Mitigation)

Facts in Support of Finding

Construction of the proposed uses within the Panhandle PUD would generate construction-generated emissions. Construction-generated emissions are short-term and of temporary duration, lasting only as long as construction activities occur, but possess the potential to represent a significant air quality impact. Construction and development of residential, commercial and industrial uses would result in the temporary generation of emissions resulting from site grading and excavation, road paving, motor vehicle exhaust associated with construction equipment and worker trips; the movement of construction equipment, especially on unpaved surfaces. Emissions of airborne particulate matter are largely

dependent on the amount of ground disturbance associated with site preparation activities.

Implementation of the mitigation measures listed below will reduce this impact. Since the FEIR, the City has consulted further with SMAQMD and has revised subsection (d) of Mitigation Measure 4.5.1a to allow flexibility in the amount of the mitigation fee, as currently calculated, to account for any future changes in fee structure, construction phasing, types of construction equipment, and/or area of disturbance. Mitigation measure 4.5.1a is revised as follows:

- **Mitigation Measure 4.5.1a (From MMP).** Prior to the issuance of grading permits for the Panhandle PUD, project applicant shall prepare a construction mitigation plan and implement air quality emission reduction measures. The construction mitigation plan shall be reviewed and approved by SMAQMD staff prior to beginning construction. At a minimum, the construction mitigation plan shall include the following measures:

The following measures shall be included to reduce NO_x and visible emissions from heavy-duty diesel equipment.

- a. The project shall provide a plan for approval by the City, in consultation with SMAQMD, demonstrating that the heavy-duty (>50 horsepower), off-road vehicles to be used in the construction project, including owned, leased, and subcontractor vehicles, will achieve a project-wide fleet-average 20-percent NO_x reduction and 45-percent particulate reduction compared to the most recent CARB fleet average at the time of construction. Acceptable options for reducing emissions include the use of late-model engines, low-emission diesel products, alternative fuels, particulate matter traps, engine retrofit technology, after-treatment products, and/or such other options as become available.
- b. The project applicant shall submit to the City and SMAQMD a comprehensive inventory of all off-road construction equipment, equal to or greater than 50 hp, that will be used an aggregate of 40 or more hours during any portion of the project. The inventory shall be updated and submitted monthly throughout the duration of the project, except that an inventory shall not be required for any 30-day period in which no construction operations occur. At least 48 hours before subject heavy-duty off-road equipment is used, the project representative shall provide the SMAQMD with the anticipated construction timeline including start date, and the name and phone number of the project manager and onsite foreman.
- c. The project shall ensure that emissions from off-road, diesel-powered equipment used on the project site do not exceed 40-percent opacity for more than 3 minutes in any 1 hour, as determined by an on-site inspector trained in visual emissions assessment. Any equipment found to exceed 40-percent opacity (or Ringlemann 2.0) shall be repaired immediately, and the SMAQMD shall be notified of non-compliant equipment within 48 hours of identification. A visual survey of all in-operation equipment shall be made at least weekly, and a monthly summary of visual survey results shall be submitted to SMAQMD

throughout the duration of the construction project, except that the monthly summary shall not be required for any 30-day period in which no construction operations occur. The monthly summary shall include the quantity and type of vehicles surveyed, as well as the dates of each survey. The SMAQMD and/or other officials may conduct periodic site inspections to determine compliance.

d. The project applicant shall pay into the SMAQMD's construction mitigation fund to offset construction-generated emissions of NO_x that exceed SMAQMD's daily emission threshold of 85 lbs/day. The project applicant shall coordinate with the SMAQMD for payment of fees into the Heavy-Duty Low-Emission Vehicle Program designed to reduce construction related emissions within the region. Fees shall be paid based upon the SMAQMD NO_x Reduction Fee in place at the time of fee payment. That fee is currently \$14,300/ton of NO_x emissions generated, but will likely change over time. This fee shall be paid prior to issuance of grading permits. Detailed construction information for the proposed project is not yet available. However, based upon the preliminary URBEMIS emissions modeling, the expected payment for remaining construction related NO_x emissions over the significance threshold is \$3,202,578. ~~Fees may be paid on a per/acre basis, in which case the average fee would be approximately \$3,310.12/acre of development. This amount was derived from an estimate of the total unmitigated emissions over the SMAQMD's thresholds. If the projected construction equipment or construction phases or the disturbed area change, the applicant shall coordinate with the SMAQMD to determine if the mitigation fee needs to be recalculated or lowered if project-specific construction information is provided that demonstrates lower different emissions than estimated in the EIR. Panhandle Annexation and PUD FEIR.~~

e. All heavy-duty equipment shall be properly tuned and maintained in accordance with manufacturers' specifications. Construction equipment will utilize the Best Available Technology (BAT) so as to minimize vehicle emissions to the extent possible. This may include the use of diesel particulate filters and cooled exhaust gas recirculation or equivalent measures on all off-road and on-road diesel equipment in the construction phase of the project. The project proponent will review amendments to CARB and SMAQMD regulations and City of Sacramento ordinances during construction, and comply immediately with newly adopted regulations, including those for equipment idling, which would reduce the cumulative release of pollutants.

Mitigation Measure 4.5.1b (From MMP). As recommended by the SMAQMD, the Panhandle PUD shall reduce fugitive dust emissions by implementing the measures listed below:

a. All disturbed areas, including storage piles that are not being actively used for construction purposes, as well as any portions of the construction site that remain inactive longer than a period of 3 months, shall be effectively stabilized of dust emissions using water, a chemical stabilizer or suppressant, or vegetative ground cover. Soil shall be kept moist at all times. Alternatively, non-toxic soil stabilizers shall be applied to all inactive construction areas in accordance with manufacture's specifications.

- b. During clearing, grading, earth moving, or excavation operations, fugitive dust emissions shall be controlled by watering exposed surfaces two times per day, watering haul roads three times per day or paving of construction roads, or other dust-preventive measures. All onsite unpaved roads and offsite unpaved access roads shall be effectively stabilized of dust emissions using water or a chemical stabilizer or suppressant.
- c. All vehicles hauling dirt, sand, soil, or other loose material shall be covered or should maintain at least two feet of freeboard in accordance with the requirements of California Vehicle Code Section 23114.
- d. All operations shall limit or expeditiously remove the accumulation of project-generated mud or dirt from adjacent public streets at least once every 24 hours when operations are occurring.
- e. Onsite vehicle speeds on unpaved roads shall be limited to 15 mph.
- f. Excavation and grading activities shall be suspended when winds exceed 20 mph.

Finding: The City Council finds that the revisions to Mitigation Measure 4.5.1a provide a more practical and effective approach to implementing the mitigation measure. Even with implementation of these measures, this impact remains Significant and Unavoidable. The significant and unavoidable impacts are overridden by the economic, legal, and social considerations detailed in Section E.

- **Impact 4.5.3.** Emissions of ozone-precursor pollutants (i.e., ROG and NO_x) would exceed SMAQMD's significance thresholds and could result in a significant contribution to ambient concentrations that could potentially exceed applicable NAAQS and CAAQS for which the SVAB is currently designated non-attainment. As a result, this impact is considered significant. (Significant and Unavoidable After Mitigation)

Facts in Support of Finding

While the location of the Project would provide a number of elements that would help to reduce operational emissions, such as the commercial and retail uses in the vicinity of the Project site, the Project's walkways and trail network, the availability of transit options, NO_x emission would still exceed SMAQMD threshold. Construction of the proposed uses within the Panhandle PUD would generate emissions of ozone precursor pollutants. Because predicted increases in ozone-precursor pollutants would exceed SMAQMD significance thresholds, this impact would be considered significant.

Implementation of mitigation measure listed below will reduce this impact. Since the FEIR, the City has consulted further with SMAQMD and has revised Mitigation Measure 4.5.3 to allow a broader range of measures for

implementation and to clarify that the required reduction of ozone precursor emissions is 15 percent, with a goal of 50 percent, to the extent feasible. The Council finds that a 50 percent reduction of ozone precursor emissions by commercial uses is not always feasible. The mitigation is revised as follows:

Mitigation Measure 4.5.3 (From MMP). Prior to the issuance of grading permits, the project applicant will coordinate with the SMAQMD and the City of Sacramento and develop a project Air Quality Mitigation Plan (AQMP). In accordance with the North Natomas Community Plan, the AQMP shall reduce ozone precursor emissions associated with new residential development by a minimum of 20 percent compared to the single occupant vehicle baseline. Emissions associated with new non-residential developments shall reduce ozone precursor emissions by a minimum of 15 percent, with achievement of 50 percent to the extent feasible, compared to the single occupant vehicle baseline (North Natomas Community Plan 1994). Project applicants shall coordinate with the SMAQMD to determine the specific mitigation measures to be included in the AQMP. The AQMP shall be reviewed and endorsed-by SMAQMD staff prior to issuance of grading permits. Grading permits shall not be issued for the project unless the project applicant has received a letter of endorsement for the project AQMP from the SMAQMD.

Available measures to be included in the AQMP include, but are not limited to the following:

Bicycle/Pedestrian/Transit Measures:

- a. Short-term and long-term bicycle parking facilities
- b. End of trip facilities: showers, lockers, and changing space
- c. Proximity to bicycle path/bicycle lanes: located within 1/2 mile of Class I or II bicycle lanes and include comparable network that connects to the off-site lanes
- d. Pedestrian network internally linking all uses and connecting to existing and planned external streets and pedestrian facilities contiguous with the site
- e. Pedestrian/bicycle safety and traffic calming measures in excess of City requirements.

Parking Measures:

- a. Employee and/or customer paid parking system
- b. Parking reduction less than code
- c. Parking lot design with pedestrian pathways between transit facilities and building entrances
- d. Off-street parking

Site Design Measures:

- a. High density office or mixed-use proximate to transit
- b. Orient toward existing transit, bicycle, or pedestrian corridor
- c. High density residential development
- d. Multiple and direct street routing (grid style)
- e. Affordable housing component

Mixed-Use Measures:

- a. Urban, suburban and other mixed-use

Building Component Measures:

- a. No fireplaces or woodburning stoves
- b. Include ozone destruction catalyst on air conditioning system
- c. Install Energy Star labeled roof materials
- d. Exceed Title 24 energy requirements by 20 percent
- e. Provide shade and/or use light-colored materials and open grid pavement for at least 30 percent of the project's non-roof impervious surfaces
- f. Green roof

TDM and Miscellaneous Measures:

- a. Include permanent transit management association membership and funding
- b. Provide complimentary electric lawnmower to each residential buyer

Finding: Even with implementation of this measure, this impact remains Significant and Unavoidable. The significant and unavoidable impacts are overridden by the economic, legal, and social considerations detailed in Section E.

Impact 4.5.8. Long-term operation of the project would result in increased emissions of ozone-precursor pollutants that would exceed SMAQMD's applicable significance thresholds and could contribute to future concentrations of ozone, for which the region is currently designated non-attainment. This impact would be considered cumulatively considerable. (Cumulatively Considerable and Significant and Unavoidable After Mitigation)

Facts in Support of Finding

Predicted operational emissions during both summer and winter conditions would exceed the SMAQMD's recommended significance thresholds of 65 lbs/day for ROG and NOx. Operational emissions would be greatest during the winter months, due to the assumed use of wood-burning fireplaces within proposed residential dwelling units. Area source emissions, including use of landscape maintenance equipment, as well as use of consumer products and architectural coatings, resulted in the greatest predicted increase in ROG emissions; whereas, mobile sources resulted in the greatest predicted increase in NOx emissions. Because predicted increases in ozone-precursor pollutants would exceed SMAQMD significance thresholds and contribute to the region's non-attainment status, this impact would be considered cumulatively considerable.

The mitigation measure listed below will reduce this impact.

Mitigation Measure (from MMP): Implement mitigation measure 4.5.3.

Finding: Even with implementation of this measure, this impact remains Cumulatively Considerable and Significant and Unavoidable. The cumulatively considerable and significant and unavoidable impacts are overridden by the economic, legal, and social considerations detailed in Section E.

Section 4.6 Noise

- **Impact 4.6.1.** Short-term construction-generated noise levels could result in a substantial increase in ambient noise levels at existing nearby off-site sensitive land uses as well as on-site residences that are constructed and inhabited before other portions of the project are complete that could exceed applicable noise standards. This would be a significant impact. (Significant and Unavoidable after Mitigation)

Facts in Support of Finding

During development of the Northern Portion, construction could result in increased levels of annoyance and sleep disruption for occupants of existing residential dwellings or new dwellings constructed nearby as part of the Panhandle PUD. Depending on the activities being performed, as well as the duration and hours during which activities occur, construction-generated noise levels at nearby existing or proposed residences could violate applicable noise standards. In addition, activities occurring during the evening and nighttime hours, when people are more sensitive to noise, could result in increased levels of annoyance and sleep disruption to occupants of nearby residences.

The mitigation measure listed below will reduce this impact.

Mitigation Measure 4.6.1 (From MMP). Throughout all stages of project construction, project applicants for the Panhandle PUD and potential future City infrastructure upgrades for the Southern Portion shall reduce construction noise by implementing the following measures:

- a. Construction activities shall comply with the requirements of local noise control ordinance. Accordingly, construction activities (excluding activities that would result in a safety concern to the public or construction workers) shall be limited to between the daytime hours of 7 a.m. and 6 p.m., Monday through Saturday, and between 9 a.m. and 6 p.m. on Sunday.
- b. Construction equipment shall be properly maintained and equipped with noise-reduction intake and exhaust mufflers and engine shrouds, in accordance with manufacturers' recommendations. Equipment engine shrouds shall be closed during equipment operation.
- c. When not in use, motorized construction equipment shall not be left idling.

Finding: Even with implementation of this measure, this impact remains Significant and Unavoidable. The significant and unavoidable impacts are

overridden by the economic, legal, and social considerations detailed in Section E.

- **Impact 4.6.3.** Noise levels generated by future stationary sources in the Panhandle Area could result in a substantial increase in ambient noise levels that could exceed the City's noise standards at existing and project proposed noise-sensitive land uses. This impact would be potentially significant. (Significant and Unavoidable After Mitigation)

Facts in Support of Finding

The Panhandle PUD proposes a mix of various land uses, including residential, neighborhood parks, commercial, and high school, middle school and elementary school land uses. These land uses would result in new stationary noise sources. Predicted noise levels associated with proposed on-site commercial uses, school sites, and recreational uses could potentially exceed the City's applicable noise standards at adjacent proposed residential land uses.

Implementation of the following mitigation measure would reduce this impact:

Mitigation Measure 4.6.3 (From MMP). Prior to approval of special permits and/or development plan review, site-specific acoustical analysis shall be conducted to determine predicted noise impacts attributable to the proposed subsequent project taking into account site-specific conditions (e.g., site design, location of structures, building characteristics). Each future non-residential use shall be required to conduct a noise analysis with the application of each special use permit and/or development plan review. Mitigation measures shall be identified to reduce existing (power line noise) and project-related noise impacts at noise-sensitive receptors that meets City noise standards (interior and exterior). Mitigation measures may include, but are not limited to the following:

Residential Land Uses

- All residential units be equipped with air conditioning sufficient to adequately cool the residential unit in summer conditions with doors and windows closed.
- Use of increased noise-attenuation measures in building construction (e.g., dual-pane, sound-rated windows; mechanical air systems; exterior wall insulation, etc.).
- All window openings on the south, west, north and east facades in residential units located adjacent to Del Paso Road, National Drive, and Elkhorn Boulevard shall be constructed with windows rated STC 30 or better, unless landscaped noise barriers mitigate the traffic noise exposure impact.
- Incorporate landscaped noise barriers between residential land uses located adjacent to noise-generating sources, when necessary, to reduce exterior noise levels within outdoor activity areas to within acceptable levels.

Parks

- Limit use of amplified public address/sound systems to the community park sites and only during community sports and social events. Design public

address/sound systems to direct sound away from residential areas.

b. Provide advance written notification to future PUD residents within 200 feet of park sites planned with sports fields regarding noise associated with upcoming sporting and other special events.

Commercial Land Uses

a. Limit material deliveries, landscape maintenance, waste-collection activities, and the operation of noise-generating stationary equipment (e.g., portable generators, compressors, and compactors) to between the hours of 7:00 a.m. and 10:00 p.m.

b. Noise-generating stationary equipment associated with proposed commercial land uses, including portable generators, compressors, and compactors, should be enclosed or acoustically shielded to reduce noise-related impacts to nearby dwelling units.

c. Material loading and unloading areas at commercial land uses should be shielded from line-of-sight of nearby residential dwellings.

d. Include noise-reduction features (e.g., sound barriers, truck-to-dock seals, increased setback distances/shielding) in the design of material loading and unloading areas at commercial land uses.

Schools

a. Incorporate landscaped noise barriers between residential lots immediately adjacent to school noise-generating sources (e.g., parking lots and sports facilities) to reduce exterior noise levels.

b. Provide advance written notification to future PUD residents within 1,000 feet of the planned middle school/high school stadium regarding noise associated with upcoming sporting and other special events.

Finding: Even with implementation of this measure, this impact remains Significant and Unavoidable. The significant and unavoidable impacts are overridden by the economic, legal, and social considerations detailed in Section E.

- **Impact 4.6.6.** Implementation of the proposed project would result in a substantial contribution to cumulative noise levels at nearby land uses. This would be a cumulatively considerable impact. (Cumulatively Considerable and Significant and Unavoidable After Mitigation)

Facts in Support of Finding

The FHWA Traffic Noise Model was used to predict traffic noise levels along affected roadways for future cumulative traffic conditions, with and without implementation of the Project. Predicted traffic noise levels were calculated based on data obtained from the traffic analysis prepared for this Project. The Project's contribution to the cumulative traffic noise levels along area roadways was determined by comparing the predicted noise levels with and without Project-generated traffic under cumulative conditions. Based on the modeling conducted and taking into account distances to nearby receptors and shielding due to existing barriers, implementation of the proposed Project would not result

in a substantial increase in predicted future cumulative traffic noise levels (with the exception of the Panhandle PUD substantial contribution to noise along Del Paso Road east of the site and proposed residential exposure to cumulative traffic noise levels. In addition to the cumulative traffic noise identified above, full build out of the surrounding area and anticipated future development beyond what has been factored in the SACMET traffic model for cumulative conditions (e.g., North Natomas Joint Vision Area and Placer Vineyards Specific Plan) could further add to cumulative traffic noise levels in the Project area.

Implementation of the following mitigation measures would reduce this impact:

Mitigation Measures (from MMP): Implement mitigation measures 4.6.1, 4.6.2, 4.6.3, and 4.6.5.

Finding: Even with implementation of these measures, this impact remains Cumulatively Considerable and Significant and Unavoidable. The cumulatively considerable and significant and unavoidable impacts are overridden by the economic, legal, and social considerations detailed in Section E.

Section 4.11 Hydrology and Water Quality

- **Impact 4.11.3.** While the project is not located within a designated 100-year floodplain as currently delineated by FEMA, the project area is protected by a levee system that has been determined by the Sacramento Area Flood Control Agency (SAFCA) to be at risk of underseepage and erosion hazards during a 100-year storm event. This impact would be potentially significant. (Significant and Unavoidable After Mitigation for Short-Term Flooding and Environmental Effects of the Mitigation Measure)

Facts in Support of Finding

The Project area is within the flooding area of concern as identified in the Natomas Levee Evaluation Report. Although the project area is not located within a FEMA designated 100-year floodplain, based on existing available information from SAFCA, flooding hazards do exist at the project area and would be present until SAFCA implements necessary levee improvements, which are anticipated to be constructed within the next two to five years. While in the long-term it is expected that adequate flood protection (i.e., protection from a 100-year and 200-year storm event) would be provided at the site (and therefore the impact would be less than significant), in the interim, before completion of flood improvements, the Project could place housing and persons in an area subject to flooding hazards.

The mitigation measure listed below will reduce this impact.

Mitigation Measure 4.11.3 (From MMP). The following mitigation measures shall apply in the event that levees currently providing adequate flood protection to the Panhandle Area are decertified by the U.S. Army Corps of Engineers and can no longer provide 100-year floodzone protection. The City anticipates that

after any such decertification but before recertification of the levees, FEMA intends to remap the Panhandle Area as a special flood hazard area (likely as an AE, AR, or A99 Zone). Each designation contains specific building and design requirements for new above-ground-level development.

If the Panhandle Area is remapped by FEMA into an AE Zone, AR Zone, or A99 Zone, then (1) the City shall require development within the project site to comply with all applicable building and design regulations identified by FEMA and by the City of Sacramento's Floodplain Management Ordinance in existence at the date of issuance of building permits pertaining to the applicable remapped zone; (2) the project applicant shall participate in a funding mechanism such as an assessment district established by SAFCA and/or the City for the purpose of implementing measures that would provide no less than 100-year flood protection for the Panhandle Area, or for that portion of the Natomas Basin requiring re-certification for 100-year flood protection including the Panhandle Area provided that such funding mechanism is (i) based on a nexus study; (ii) is regional in nature; (iii) is proportionate, fair, and equitable; and (iv) complies with all applicable laws and ordinances; and (3) the requirements of the applicable FEMA zone and corresponding requirements under the City of Sacramento's Floodplain Management Ordinance shall be satisfied prior to the issuance of building permits for the project. Homeowners within the floodzone shall maintain federal flood insurance, as required under the applicable FEMA and City of Sacramento Floodplain Management Ordinance regulations.

These mitigation measures shall terminate upon the first recertification of the levees by the U.S. Army Corps of Engineers. Under any of these three scenarios (AE, AR, or A99 Zone), homebuilders within the floodzone area shall disclose to all prospective buyers, lenders, bondholders and insurers of property through written disclosure, prior to the sale of units, that the U.S. Army Corps of Engineers has determined that the levees protected the Natomas Basin may not provide flood protection from a 100-year or greater storm event until the levees are recertified as providing 100-year storm protection.

Finding: Even with implementation of these measures, this impact remains Significant and Unavoidable for short-term flooding and the environmental effects of the mitigation measure. Given the unknown nature of the environmental effects of the improvements to the levees, the impacts of levee improvements will remain significant and unavoidable in the short term.

The significant and unavoidable impacts are overridden by the economic, legal, and social considerations detailed in Section E.

- **Impact 4.11.6.** The proposed project in combination with planned and proposed development in the region would contribute to exposing additional residents and businesses to flood hazards. This contribution is considered cumulatively considerable. (Significant and Unavoidable After Mitigation for environmental effects of Mitigation Measure 4.11.3)

Facts in Support of Findings

Implementation of the proposed Panhandle drainage improvements would fully mitigate the Project's increase in drainage flows during peak flow conditions. Development of the Panhandle area in combination with other reasonably foreseeable development would contribute to placing more residents and development in an area identified to be vulnerable to levee failure.

The mitigation measures listed below will reduce this impact.

Mitigation Measure (from MMP): Implement mitigation measures 4.11.1 and 4.11.3.

Finding: Even with implementation of these measures, this impact remains Significant and Unavoidable for the environmental effects of the mitigation measure. Given the unknown nature of the environmental effects of the improvements to the levees, the impacts of levee improvements will remain significant and unavoidable in the short term. The significant and unavoidable impacts are overridden by the economic, legal, and social considerations detailed in Section E.

Section 4.12 Visual Resources

- **Impact 4.12.2.** Implementation of the Panhandle PUD at buildout will alter the existing visual characteristics of the Northern Portion. This is considered a significant impact. (Significant and Unavoidable After Mitigation)

Facts in Support of Finding

Implementation of the Panhandle PUD would substantially alter the existing visual landscape characteristics of the Northern Portion from open space/grazing and grasslands to urban uses. This would alter views of the site from existing residential communities to the west of the site, existing views from rural residences within Valley View Acres neighborhood and along Elkhorn Boulevard and Del Paso Road. Visually, the Northern Portion currently functions as a transition from urban uses of the NNCP to rural uses east of Sorento Road and north of Elkhorn Boulevard. The proposed Panhandle PUD would amend the land use designations for the site and would result in the urbanization of the open spaces designated in the NNCP south of Elkhorn and east of the power lines. This amendment to the NNCP would result in greater visual impacts than previously considered for this area. A linear open space corridor is planned along the east side of the Project and west side of Sorento Road that provides a land use transition and visual interface from Project to the Valley View Acres neighborhood.

Implementation of the following mitigation measure would reduce this impact:

Mitigation Measure 4.12.2 (From MMP). The Panhandle PUD Guidelines shall include provisions for landscape buffer treatments along the site's border with Sorento Road. The Panhandle PUD Guidelines shall include provisions for

landscape buffer treatments along the site's eastern edge, west of Sorento Road. The buffer treatment shall involve elements such as landscaping, walls, berms and fences along the length of Sorento Road adjacent to the PUD, to provide visual screening of the Panhandle PUD site (no walls or visual obstruction shall be placed along the park site associated with PUD Parcel 41).

Finding: Even with implementation of this measure, this impact remains Significant and Unavoidable. The significant and unavoidable impacts are overridden by the economic, legal, and social considerations detailed in Section E.

- **Impact 4.12.4.** Implementation of the project in combination with other projects would alter the visual character of the area resulting in a change to public views as well as increased daytime glare and nighttime lighting levels. The project's contribution to this impact would be cumulatively considerable. (Cumulatively Considerable and Significant and Unavoidable Impact After Mitigation)

Facts in Support of Finding

Surrounding development opportunities within the City and County would result in alteration of the existing visual landscape of the area. The conversion of the PUD Project area from its current vacant or grazing/grasslands to dense residential and mixed-use urban uses would later change the visual character to an urban setting in terms of land use and nighttime lighting. This, in combination with urbanization opportunities in the City and potentially of the surrounding portions of the County, would result in a cumulatively considerable change in the overall visual character of the area as well as increasing overall daytime glare and nighttime lighting in the area.

Implementation of the following mitigation measures would reduce this impact:

Mitigation Measure (from MMP): Implement mitigation measures 4.12.2 and 4.12.3a through c.

Finding: Even with implementation of these measures, this impact remains Cumulatively Considerable and Significant and Unavoidable. The cumulatively considerable and significant and unavoidable impacts are overridden by the economic, legal, and social considerations detailed in Section E.

Section 4.13 Public Services and Utilities

- **Impact 4.13.4.2.** Wastewater flows of the proposed project at buildout would be able to be accommodated at the SRWTP with its planned expansion. However, the EIR associated with the SWRTP expansion identified significant and unavoidable construction air quality impacts to which the project contributes. This would be a significant impact. (Significant and Unavoidable)

Facts in Support of Finding

As described in the Sacramento Regional Wastewater Treatment Plant 2020 Master Plan Final EIR, construction and operation of the expanded SRWTP would result in several environmental impacts, most of which would be reduced to a less-than-significant level through mitigation implementation. The only significant and unavoidable impact related to the treatment plant that was identified would be from short-term increases in NO_x during construction of SWRTP facilities. Although the Project would account for less than 2 percent of the existing permitted wastewater treatment of the SRWTU, the Project would contribute to the significant impact associated with air quality for the SWRTP expansion. No feasible mitigation is available.

Finding: There are no mitigation measures available to reduce this impact. This impact will remain Significant and Unavoidable. The significant and unavoidable impacts are overridden by the economic, legal, and social considerations detailed in Section E.

- **Impact 4.13.4.3.** Implementation of the proposed project would contribute to cumulative demands for wastewater treatment services within the SRCSD and CSD-1 service areas and the associated need to expand wastewater facilities. This impact would be cumulatively considerable. (Cumulatively Considerable and Significant and Unavoidable)

Facts in Support of Finding

Although the project would account for less than 2 percent of the existing permitted wastewater treatment of the SRWTP under ADWF, the project in combination with other development would contribute to the need for expansion of the SRWTP and would contribute to the impacts assessed in the EIR for the SRWTP 2020 Master Plan Expansion Project, one of which would remain significant and unavoidable. The SRCSD expects to resolve the CEQA challenge to its EIR in the near future and in time to expand the SRWTP in response to demand. Therefore, the project would contribute to a significant wastewater impact. No other feasible mitigation is available.

Finding: There are no mitigation measures available to reduce this impact. This impact will remain Cumulatively Considerable and Significant and Unavoidable. The significant and unavoidable impacts are overridden by the economic, legal, and social considerations detailed in Section E.

2. Findings Related to the Southern Portion

The significant and potentially significant environmental impacts of the Southern Portion of the Project, including cumulative impacts, are unavoidable and cannot be mitigated in a manner that would substantially lessen the significant impact. Notwithstanding disclosure of these impacts, the City Council elects to approve the Project due to overriding considerations as set forth below in Section E, the statement of overriding considerations. Any mitigation measures applied to the Southern Portion would only be enforceable for the portions of the Southern Portion annexed by the City as part of the Project.

C. Findings Related to the Relationship Between Local Short-term Uses of the Environment and Maintenance and Enhancement of Long-Term Productivity.

Based on the EIR and the entire record before the City Council, the City Council makes the following findings with respect to the Project's balancing of local short term uses of the environment and the maintenance of long-term productivity:

1. As the Project is implemented, certain impacts would occur on a short-term level. Such short-term impacts are discussed fully above. Such short-term impacts include, without limitation, impacts relating to noise and air quality, although measures have been and will be incorporated in the Project to mitigate these potential impacts.

2. The long-term implementation of the Project would serve to balance the need for residential units, schools, and jobs in the Project and surrounding areas with the maintenance of long-term residential development and reutilization of infill areas. Notwithstanding the foregoing, some long-term impacts would result. These impacts include, for example, adverse impacts on increased traffic. However, implementation of the Project would provide many long term benefits, including, without limitation, an accommodation of the anticipated population growth in the City of Sacramento region; more efficient use of land for residential and commercial uses; the creation of a community that incorporates a park system with local and regional-connecting open space amenities; and the implementation of recently adopted and envisioned planning and design tools including the principles of the Pedestrian Master Plan, Greenprint, and SACOG Blueprint principles and the City's Smart Growth Implementation Strategy.

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

D. Project Alternatives

The City Council has considered the Project alternatives presented and analyzed in the final EIR and presented during the comment period and public hearing process. Some of these alternatives have the potential to avoid or reduce certain significant or potentially significant environmental impacts, as set forth below. The Planning Commission finds, based on specific economic, legal, social, technological, or other considerations, that these alternatives are infeasible. Each alternative and the facts supporting the finding of infeasibility of each alternative are set forth below.

Off-Site Alternatives Dismissed from Further Consideration

The main objectives of the Panhandle Project are to incorporate into the City of Sacramento (City), an area that is currently located in the City's Sphere of Influence (SOI), and to develop the Project area according to the visions of the City General Plan and the North Natomas Community Plan (NNCP). Both these documents have identified the Project area as developing with a mix of urban uses, particularly for the Northern Portion of the Project area. The Panhandle Planned Unit Development (PUD) component of the Project proposes a mix of low-, medium-, and high-density residential units, along with commercial, mixed use and public/quasi-public, park and open space

uses on a 594.7-acre site. Though the PUD component of the Project would require amendments to the NNCP, in general, it meets the target mix of land uses proposed for the North Natomas Community area. Locating the PUD elsewhere within the City may not allow for the same mix of residential densities and commercial and public uses. In addition, though the City has approximately 18,000 acres (8,000 acres within existing City boundaries and 10,000 acres within the City's different SOI areas) of potentially developable land available, the most available vacant areas are located in the North Natomas Community Plan area portions of which are either already developed or have been approved for development projects.

Therefore, an off-site alternative was not considered because (a) the development of the project area is consistent with the goals of the North Natomas Community Plan for this area of the North Natomas community; (b) areas outside the City of Sacramento are outside the jurisdiction of the City to approve entitlements and therefore are not considered feasible alternatives; (c) an off-site alternative would not meet the basic objectives of the project described in Section 3.0 of the Draft EIR; and (d) an off-site alternative would not avoid or substantially lessen the environmental impacts of the proposed project as the remaining vacant areas of the NNCP planning area would have similar impacts on loss of open space and/or conversion of agricultural land.

Alternatives Considered

1. Alternative 1 – No Project Alternative

No Project Alternative: Under the No Project Alternative, the proposed annexation would not take place; the Panhandle PUD Project would not be built. This alternative assumes that the Northern Portion of the Project area would remain as vacant/agricultural land with the one existing residential use, while the existing commercial/industrial uses and vacant parcels would remain in the 835.3 acre Southern Portion. Since the Project area would remain under Sacramento County jurisdiction, the zoning of the Northern Portion would remain as AG-80 Agricultural and the Southern Portion would continue to be zoned industrial and commercial. The No Project Alternative, including its environmental impacts, is described in Section 6.1 of the Draft EIR.

The No Project Alternative would produce no changes on the Project site which would effectively eliminate all project impacts identified in the Draft EIR. Because the site would remain in its current condition, there would be no impacts associated with introducing buildings and people into an area that is currently undeveloped. The drainage of the site would remain unchanged, as would the biological resources on the site. Residents would not be introduced to the site, so there would be no demand for services or utilities and no traffic would be generated under this alternative.

Facts in Support of Finding of Infeasibility: Alternative 1 is rejected because it fails to satisfy basic project objectives and does not provide any of the environmental, community and financial benefits of the Project. Alternative 1 would remain under Sacramento County jurisdiction and would not be annexed to the City, which does not meet the project's objectives (Objectives 1 through 4)

for annexing the Project area to the City.

Under Alternative 1, the Panhandle PUD would not be developed with proposed land uses which conflicts with Project Objectives 9 through 16.

2. Alternative 2 – Community Plan Alternative

Community Plan Alternative: The Community Plan Alternative considers that the proposed annexation of the Northern and Southern Portions (and associated reorganization actions) would take place, and the Northern Portion would be developed under existing North Natomas Community Plan designations (1994). This alternative would retain the open space buffers under the North Natomas Community Plan associated with Elkhorn Boulevard (250-foot) and along the eastern boundary. The roadway network for the Northern Portion was assumed to be the same as the Panhandle PUD and the approved high school and middle school site is included in this alternative. Proposed annexation and amendments to the General Plan and North Natomas Community Plan for the Southern Portion would be the same as the Project under this alternative. The Community Plan Alternative would yield 2,949 residential units. Alternative 2, including its environmental impacts, is described in Section 6.3 of the Draft EIR.

Impacts from the Community Plan Alternative would be similar to the Project for noise, human health/hazards, biological resources, cultural and paleontological resources, geology and soils, hydrology and water quality, and visual resources. Impacts from the Community Plan Alternative would be better for land use and open space, agricultural resources, population /housing /employment, traffic, air quality, and public services and utilities. These impacts would be reduced due to fewer units and a smaller development footprint since the Project would not extend east of the powerlines.

Facts in Support of Finding of Infeasibility: Alternative 2 includes annexation of the Project site to the City of Sacramento and would therefore be consistent with many of the Project Objectives. Alternative 2 is inconsistent with many of SACOG's Seven Principles of Smart Growth (Blueprint principles) of maximizing infill opportunities by taking advantage of existing assets and compact development. Compared to the Project, Alternative 2 falls short of meeting SACOG's Principles of Smart Growth and does not include the range of housing types and densities. Therefore, Alternative 2 is inconsistent with Project Objective 9.

In a portion of the area designated as open space in Alternative 2, the Panhandle PUD proposes parks and the 45.6 acre Ninos Parkway, a regional-connecting two-mile open space parkway with recreation amenities and a multi-purpose trail. The Project identifies a financing source for the improvements to and maintenance of Ninos Parkway, whereas funding sources for the acquisition and maintenance of open space on the east side of Alternative 2 is unknown. The Project also proposes an open space transition along the west side of Sorento Road as a land use interface between the Project and the Valley View Acres community. Alternative 2 does not include as many acres of parkland, the Ninos Parkway, including its recreation amenities or the open space transition

along Sorento Road. Therefore, Alternative 2 is inconsistent with Project Objective 11.

The Blueprint principles and the Community Plan focus on the need to establish connections between communities to reduce traffic and enhance pedestrian amenities. Alternative 2 provides little connectivity with other communities in the area, in particular with respect to its eastern side and the creation of a large open space area, which preclude accessibility to and from the site on its eastern boundary. In contrast, the Project anticipates future development on the eastern side with the construction of subdivision stubs for future roadways and a large park site in the southwest corner of the Panhandle PUD. Ninos Parkway and its trail will also provide connectivity between the Panhandle site and the surrounding area. The open space transition along the eastern edge of the Project, west of Sorento Road, provides pedestrian connections between the Project and Valley View Acres and north to Ueda Parkway. Thus, in contrast to Alternative 2, the Project furthers the objective of establishing regional connectivity.

Under Alternative 2, the Northern Portion of the Project would develop with 2,949 residential units and all development would occur west of the powerline easement. No development would occur east of the powerline easement. The developable area under Alternative 2 is approximately 423 gross acres and the average density over the Project would be approximately 7.0 units per gross acre. The Project includes several features that are not anticipated in Alternative 2 including a middle school/high school site (61.1 acres), required parkland (39.8 acres), detention basins (21.2 acres), Sorento Road open space corridor (4.9 acres) and the Ninos Parkway (45.6 acres). These features will reduce the developable area of the Project to approximately 422.1 acres. The average density of the Project (3,075 units) over the Project area would be approximately 7.3 units per gross acre. Compared to the Project, Alternative 2 includes fewer units on less land area and is less dense overall.

Under Alternative 2, the Northern Portion of the Project area would develop with 2,949 residential units resulting in 25,481 new daily trips within the Project area and its vicinity. Though this is approximately 9,000 fewer trips generated than under the Project, this would still add traffic to Project area intersections and result in the degradation of the operational levels of service particularly for the following intersections:

- a. National Drive/Elkhorn Boulevard
- b. SR 99 Northbound and Southbound ramps/Elkhorn Boulevard
- c. I-5 Northbound and Southbound ramps/Del Paso Road
- d. National Drive/Del Paso Road
- e. Kenmar Drive/Del Paso Road
- f. National Boulevard/Truxel Road/Del Paso Road
- g. Gateway Park Boulevard/Del Paso Road
- h. Sorento Road/Del Paso Road

While Alternative 2 would reduce significant environmental effects of the

Project, this alternative generally does not completely avoid the significant impacts identified (the only exceptions are Impacts 4.3.1, 4.3.4, and 4.5.5).

3. Alternative 3 – Modified Community Plan Alternative

Modified Community Plan Alternative: Under this alternative, the proposed annexation of the Northern and Southern Portion (and associated reorganization activities) would take place, and North Natomas Community Plan land use designations would be amended. The roadway network for the Northern Portion was assumed to be the same as the Panhandle PUD and the approved high school and middle school site is included in this alternative. Proposed annexation and amendments to the General Plan and North Natomas Community Plan for the Southern Portion would be the same as the Project under this alternative.

The Modified Community Plan Alternative is a hybrid of the Community Plan land uses for the Northern Portion in the area west of the powerlines along with rural estates in the southeast quadrant of the plan and low-density residential uses in the northeast corner. The Modified Community Plan Alternative would yield 3,468 residential units, which exceeds the unit count of the Panhandle PUD portion of the Project. Alternative 3, including its environmental impacts, is described in Section 6.4 of the Draft EIR.

Impacts from the Modified Community Plan Alternative would be similar to the Project for population/housing/employment, noise, public services and utilities, human health/hazards, biological resources, cultural and paleontological resources, geology and soils, hydrology and water quality, and visual resources. Impacts from the Modified Community Plan Alternative would be better for land use and open space, and agricultural resources. Impacts from the Modified Community Plan Alternative would be worse for traffic and air quality due to the increase in residential units.

Facts in Support of Finding of Infeasibility: Alternative 3 includes annexation of the Project site to the City of Sacramento and would therefore be consistent with Project Objectives 1 through 4. This alternative would designate Rural Estates in the southeast corner of the Panhandle PUD, which is inconsistent with one of the SACOG principles of smart growth of taking advantage of compact development.

The Alternative 3 design would result in the development of 3,468 residential units in the Northern Portion, resulting in 393 units more than proposed under the Project. Both the proposed Project and Alternative 3 would exceed population growth projections under the NNCP designations, but this alternative would result in a further exceedance of these projections. As a result, traffic and air quality impacts (significant and unavoidable) related to Alternative 3 would be more severe than the Project.

The Blueprint principles and the Community Plan focus on the need to establish connections between communities to reduce traffic and enhance pedestrian amenities. Like Alternative 2, Alternative 3 provides little connectivity

with other communities in the area. The Project anticipates future development on the eastern side with the construction of subdivision stubs for future roadways.

The Project proposes parks and the 45.6 acre Ninos Parkway, a regional-connecting two-mile open space parkway with recreation amenities and a multi-purpose trail. The Project identifies a financing source for the improvements to and maintenance of Ninos Parkway. Alternative 3 would be required to provide at least as much parkland but it does not include the proposed Ninos Parkway, including its recreation amenities.

Alternative 3 includes rural estates uses in the southeast corner of the Project site, which introduces new residential development adjacent to the Valley View Acres neighborhood, which is inconsistent with Project Objective 11. The Panhandle PUD proposes a park site in the southeast corner of the Panhandle PUD to minimize impacts to uses east of the Panhandle Project area. The Project features an open space transition along the eastern edge of the Project, west of Sorento Road that provides pedestrian connections between the Project and Valley View Acres and north to Ueda Parkway. Alternative 3 does not include an open space transition along the east side of the Project.

4. Alternative 4 – Trujillo Plan Alternative

Trujillo Plan Alternative: The Trujillo Alternative includes 2,604 residential units within the Northern Portion with an emphasis on low-density residential uses. The Trujillo Alternative features urban uses west of the powerlines and open space uses east of the powerlines, consistent with the Community Plan. Alternative 4, including its environmental impacts, is described in Section 6.5 of the Draft EIR.

Under the Trujillo Plan Alternative, the proposed annexation (and associated reorganization actions) of the Northern and Southern portions would take place, and North Natomas Community Plan land use designation would be amended. The roadway network for the Northern Portion was assumed to be the same as the Panhandle PUD, and the approved high school and middle school site is included in this alternative. Proposed annexation and amendments to the General Plan and North Natomas Community Plan for the Southern Portion would be the same as the Project under this alternative.

Impacts from the Trujillo Alternative would be similar to the Project for population/housing/employment, noise, human health and hazards, biological resources, cultural and paleontological resources, geology and soils, hydrology and water quality and visual resources. Impacts from the Trujillo Alternative would be better for agricultural resources, traffic, air quality, and public services and utilities due to fewer units relative to the Project.

Facts in Support of Finding of Infeasibility: Like Alternative 2, Alternative 4 includes annexation of the project site to the City of Sacramento and would therefore be consistent with Project Objectives 1 through 4. Alternative 4 is inconsistent with many of SACOG's Seven Principles of Smart Growth (Blueprint

principles) of maximizing infill opportunities by taking advantage of existing assets and compact development. Compared to the Project, Alternative 4 falls short of meeting SACOG's Principles of Smart Growth and does not include the range of housing types and densities. Therefore, Alternative 4 is inconsistent with Project Objective 9.

In a portion of the area designated as open space in Alternative 4, the Panhandle PUD proposes parks and the 45.6 acre Ninos Parkway, a regional-connecting two-mile open space parkway with recreation amenities and a multi-purpose trail. The Project identifies a financing source for the improvements to and maintenance of Ninos Parkway, whereas funding sources for the acquisition and maintenance of open space on the east side of Alternative 4 is unknown. Alternative 4 does not include as many acres of parkland or the Ninos Parkway, including its recreation amenities. Therefore, Alternative 4 is inconsistent with Project Objective 10.

The Blueprint principles and the Community Plan focus on the need to establish connections between communities to reduce traffic and enhance pedestrian amenities. Alternative 4 provides little connectivity with other communities in the area, in particular with respect to its eastern side and the creation of a large open space area, which preclude accessibility to and from the site on its eastern boundary. In contrast, the Project anticipates future development on the eastern side with the construction of subdivision stubs for future roadways and a large park site in the southwest corner of the Panhandle PUD. Ninos Parkway and its trail will also provide connectivity between the Panhandle site and the surrounding area. Thus, in contrast to Alternative 4, the Project furthers the objective of establishing regional connectivity.

Under Alternative 4, project area would develop with 2,604 residential units in the Northern Portion resulting in 26,480 new daily trips within the Project area and its vicinity. Though this is approximately 8,000 fewer trips generated than under the Project, this would still add traffic to Project area intersections and result in the degradation of the operational levels of service particularly for the following intersections:

- a. National Drive/Elkhorn Boulevard
- b. SR 99 Northbound and Southbound ramps/Elkhorn Boulevard
- c. I-5 Northbound and Southbound ramps/Del Paso Road
- d. National Drive/Del Paso Road
- e. Kenmar Drive/Del Paso Road
- f. National Boulevard/Truxel Road/Del Paso Road
- g. Gateway Park Boulevard/Del Paso Road
- h. Sorento Road/Del Paso Road

These intersections would experience a delay of five seconds or more during the AM and PM peak hour conditions, thereby adding to travel delays and congestion. This is a significant impact under the Trujillo alternative.

While Alternative 4 would reduce significant environmental effects of the Project, this alternative generally does not completely avoid the significant impacts identified.

E. Statement of Overriding Considerations

Pursuant to Guidelines section 15092, the City Council finds that in approving the Project it has eliminated or substantially lessened all significant and potentially significant effects of the Project on the environment where feasible. The City Council further finds that it has balanced the economic, legal, social, technological, and other benefits of the Project against the remaining unavoidable environmental risks in determining whether to approve the Project and has determined that those benefits outweigh the unavoidable environmental risks and that those risks are acceptable. The City Council makes this statement of overriding considerations in accordance with section 15093 of the Guidelines in support of approval of the Project.

Statement of Overriding Considerations:

1. Benefits of the Project include the enhancement of public access to open space through the construction of a two-mile multi-purpose trail and passive/active recreation areas within the 45.6-acre Ninos Parkway and the development of a portion of the City in a manner that carefully coordinates the planning process to minimize environmental impacts and provide logical transitions among land uses, among other benefits as more specifically detailed below.
2. Approval of the Project will aid the City in meeting its obligation to accommodate a portion of the State and region's projected growth by providing 3,075 residential units. The Project will provide a variety of housing types that respond to various segments of the market.
3. A minimum of fifteen percent of units (462 units) will be designated as affordable units to low and very-low income households, of which 150 units are designated for senior housing (Parcel 29). Of the 462 units, 32 units (20% of low income obligation) will be provided as ownership (for-sale) units affordable to low income households.
4. The Project will provide an age restricted residential community (Parcel 21) of 150 single family units that complements the Panhandle Project and that responds to the market preferences and needs of senior adults within the region as they relate to housing type, size, cost, security, recreational and social amenities.
5. The Project will provide economic benefits to the City and its residents by providing construction spending over a ten-year period, spurring generation of annual retail spending and generating local property taxes.
6. The Project will provide an estimated 677 to 900 new jobs in addition to seasonal construction jobs and additional jobs in the region as a result of local spending.

7. The Project will provide funding for transit services including approximately \$1.47 million in funding for the construction of station facilities along the Downtown-Natomas-Airport transit line. (Panhandle Planned Unit Development Public Facilities Financing Plan, October 3, 2007).

8. The Project will provide funding, beyond existing funding levels in North Natomas, for the North Natomas Transportation Management Association's shuttle service. In addition to the North Natomas base level of \$21.32/unit, the Panhandle will provide an additional \$23.68 per unit for a total of \$45.00 per unit, per year so that shuttle service can serve the entire Panhandle PUD area and so that service can be provided at 50% buildout of the Project. (Panhandle Planned Unit Development Public Facilities Financing Plan, October 3, 2007).

9. The Project will provide sites for three schools (Parcels 70, 71, 72, 73) and funding for the construction of four schools to serve the Project and adjacent area: two elementary schools (one each in the Rio Linda Union School District and Robla School District) and a middle school/high school within the Grant Joint Union High School District. The Project will pay supplemental school fees to the Districts to fund school facilities.

10. Two commercial sites (Parcels 30, 31), a mixed use site (Parcel 15) and a live/work site (Parcel 22) will be developed for uses such as professional offices, community and neighborhood-serving retail stores and services, public uses, medical/dental offices, fitness centers, banks and restaurants. Each of these sites permits high-density residential uses to promote mixed-use development.

11. The Project will include a mixed-use center as an activity hub at the intersection of Club Center Drive and National Drive that is compact and walkable. The mixed use area features a mix of higher-intensity land uses include high density residential uses (Parcel 16), commercial mixed use area (Parcel 15), park site (Parcel 37) and connections to adjacent residential areas (Parcels 13, 19A, 17) and Ninos Parkway.

12. The Project will set aside approximately 280 acres of permanent open space as part of the Natomas Basin Habitat Conservation Plan for permanent preservation of open space, wetlands, soils, and habitat and 45.6 acres on-site within the Ninos Parkway.

13. The Project provides 39.8 acres of parks in nine park sites ranging from 0.4 acre to 13.7 acres including two community parks and seven neighborhood parks. Two community parks include 12.4-acre park (Parcel 41), located in the southeast corner of the Panhandle PUD and 7.4-acre park (Parcel 40) located adjacent to the elementary school site. The Project will provide highly amenitized parks and fully fund ongoing, long-term maintenance of neighborhood and community parks through a Community Facilities District (CFD).

14. The Project will create a community with a park system that incorporates neighborhood and community park facilities with local and regional-connecting open

space amenities (Ninos Parkway) that are accessible to residents and the public. Ninos Parkway will be extended throughout the Project to link park sites, school sites with adjacent uses. Ninos Parkway will include a Class 1 multi-purpose trail for a length of two miles through the 250-foot Ninos Parkway. The Project will improve Ninos Parkway with active and passive recreation facilities, dedicate the parkway to the City, and provide funding toward the long-term maintenance of the parkway.

15. The Project will include payment of approximately \$3,000,000 in fees toward the North Natomas Regional Park (Panhandle Planned Unit Development Public Facilities Financing Plan, October 3, 2007).

16. The Project will construct and install backbone infrastructure and other public facilities estimated at \$145.6 million. In addition, the Project will construct in-tract and other subdivision specific improvements, which will be privately financed (Panhandle PUD Public Facilities Financing Plan, October 3, 2007).

17. The Project features an open space area along the eastern edge of the Project, west of Sorento Road that defines a land use transition between the Project and adjacent Valley View Acres community. The open space transition includes amenities (trail, open space, drainage area) of benefit to adjacent Valley View Acres community.

18. The Project will construct and maintain a stormwater basin in the southern portion of Ninos Parkway. The purpose of the basin is to accommodate a portion of stormwater flows that backup at the corner of Sorento and Del Paso Roads during severe storm events. The stormwater basin will benefit the Valley View Acres community.

19. The Project will promote a logical and reasonable extension of the City boundaries since this area is already surrounded on two sides by existing City limits.

20. The Project would annex the City's North Area Corporation Yard into the City, as well as the area on the south end of Valley View Acres, between Sotnip Road and Del Paso Road.

21. The Panhandle PUD will aid the City in meeting its responsibility to accommodate a percentage of anticipated population growth, as projected by the Sacramento Area Council of Governments (SACOG), by providing approximately 200,000 square feet of commercial space and approximately 3,075 residential units in a mix of residential unit types and densities.

22. The Project will optimize the land use potential of an infill location (within the North Natomas Community Plan and within the Natomas Basin Habitat Conservation Plan) in the City by providing a mix of residential, mixed use, commercial, park, open space uses, and school uses.

23. The Project will provide a safe and efficient circulation system that interconnects uses, promotes pedestrian circulation, and minimizes impacts to rural uses east of the Panhandle project area.

24. The Project will create a community that makes efficient use of land (i.e., compact development, density, efficient use of open space and parks) by directing development toward the existing urban area as a means to reduce sprawl in the region.

Table of Contents:

Exhibit A: Mitigation Monitoring Program

EXHIBIT A - MITIGATION MONITORING PLAN

MITIGATION MONITORING PLAN
Environmental Impact Report

Panhandle Annexation and Planned Unit Development
P05-077

Prepared by:

Jennifer Hageman, Senior Planner
Development Services Department
Environmental Planning Services
2101 Arena Boulevard
Suite 200
Sacramento, CA 95834
(916) 808-5538

Date:

October 19, 2007

Adopted By:

City of Sacramento

Attest:

MITIGATION MONITORING PLAN Environmental Impact Report

This Mitigation Monitoring Plan (MMP) has been required by and prepared by the City of Sacramento Development Services Department, Environmental Planning Services, 2101 Arena Blvd., Ste. 200, Sacramento, CA 95834, pursuant to CEQA Guidelines Section 21081.6.

SECTION 1: PROJECT IDENTIFICATION

Project Name: Panhandle Annexation and Planned Unit Development
File Number: P05-077

Applicant/Developer: Dunmore Land Company, LLC
8781 Sierra College Boulevard, Suite 100
Granite Bay, CA 95746

Vaquero Land Holdings, LLC
4855 Ketchum Court
Granite Bay, CA 95746

City of Sacramento Contact: Jennifer Hageman, Senior Planner
Environmental Planning Services
Development Services Dept
2101 Arena Blvd., Ste. 200
Sacramento, CA 95834
(916) 808-5538

Project Location: Bounded by Northgate Boulevard, Sorento Road, and East Levee Road to the east; Interstate 80 to the south; current City limits to the west and Elkhorn Boulevard to the north.

Project Components:

The Project site consists of 1,429-acre area located in unincorporated Sacramento County known as "the Panhandle." The Project site consists of two components: the Northern Portion, a 594.7-acre area located between Del Paso Road and Elkhorn Boulevard and the Southern Portion, a 835-acre area located south of Del Paso Road between Del Paso Road and Interstate 80.

The project consists of the following:

1. Development of Panhandle PUD. The Northern Portion consists of the 594.7-acre area north of Del Paso Road, between Del Paso Road and Elkhorn

Boulevard Upon annexation, the Northern Portion is proposed to be developed as the Panhandle Planned Unit Development (PUD) with a variety of low-, medium-, and high-density residential uses (a total of 3,075 residential units), commercial and mixed-use uses, an elementary school, a middle/high school, and open space and park uses. Streets, water and sewer lines, dry utilities, and drainage facilities would be installed as part of the proposed development of the Northern Portion.

The Project includes entitlements and other approvals to implement the Panhandle PUD including General Plan Amendments, Community Plan Amendments, Prezoning/Rezoning, Establishment of the Panhandle Planned Unit Development (PUD) including a Schematic Plan and PUD Guidelines, Finance Plan, Inclusionary Housing Plans, Tentative Master Parcel Maps, Small Lot Tentative Subdivision Maps and Subdivision Modifications.

2. General Plan Amendment and Community Plan Amendment for the Southern Portion. The Project includes amendments to the General Plan map and North Natomas Community Plan (NNCP) for the 835-acre Southern Portion. The General Plan Amendments and NNCP Amendments are intended to establish plan consistency among General Plan and Community Plan designations/nomenclature with current land use (built) conditions. Current City of Sacramento General Plan and NNCP designations for the Southern Portion do not correspond to the land use in the existing (built) condition in the Southern Portion. The General Plan and NNCP amendments do not create additional land use capacity. No development entitlements are proposed for the Southern Portion.

3. Pre-zone Portions of the Southern Portion. Approximately ___ acres of the Southern Portion proposed for annexation to the City of Sacramento will be pre-zoned as part of the Project. The areas that will be pre-zoned consist of the City of Sacramento's _____-acre North Area Corporation Yard (NACY), an approximately _____-acre area east of the Panhandle PUD bound by Sotnip Road on the north and Del Paso Road on the south and ___ acres of Del Paso Road along the southern boundary of the Panhandle PUD. These areas will be pre-zoned from the County zoning designation to City zoning designations.

4. Annexation of _____ acres to the City of Sacramento. The Project includes annexation of lands currently within unincorporated County to the City of Sacramento. The area proposed for annexation includes _____ acres including the 594.7-acre Northern Portion, and _____ acres within the Southern Portion consisting of the City of Sacramento's _____-acre North Area Corporation Yard (NACY), an approximately _____-acre area east of the Panhandle PUD bound by Sotnip Road on the north and Del Paso Road on the south and ___ acres of Del Paso Road along the southern boundary of the Panhandle PUD. The lands proposed for annexation are located within the City's Sphere of Influence.

The Panhandle Annexation and Planned Unit Development (PUD) EIR evaluated annexation of the Northern and Southern Portions to the City (1,429 acres). In approving the Project, the Council is proposing to annex a smaller area than was evaluated in the EIR. The Project that the Council is approving includes annexation of an _____ acre area consisting of the Northern Portion (594.7 acres), the North

Area Corporation Yard (NACY) (___ acres), the area between Sotnrip Road and Del Paso Road (_____ acres) and Del Paso Boulevard along the southern portion of the Panhandle PUD (___ acres).

SECTION 2: GENERAL INFORMATION

The Mitigation Monitoring Plan (MMP) includes mitigation for significant impacts identified in the Final EIR. The intent of the Plan is to prescribe and enforce a means for properly and successfully implementing the mitigation measures as identified within the FEIR for this project. Unless otherwise noted, the cost of implementing the mitigation measures as prescribed by this Plan shall be funded by the applicants identified above. This Mitigation Monitoring Plan (MMP) is designed to aid the City of Sacramento in its implementation and monitoring of mitigation measures adopted for the proposed project.

The mitigation measures were taken verbatim from the FEIR and are assigned the same number they have in the document. The MMP describes the actions that must take place to implement each mitigation measure, the timing of those actions, and the entities responsible for implementing and monitoring the actions. The developer will be responsible for fully understanding and effectively implementing the mitigation measures contained within the MMP. The City of Sacramento, along with other applicable local, State or federal agencies, will be responsible for ensuring compliance.

**MITIGATION MONITORING PLAN
PANHANDLE ANNEXATION AND PUD (P05-077)**

Mitigation Measure	Implementing Responsibility	Monitoring Responsibility	Compliance Standards	Timing	Verification of Compliance (Initials and Date)
LAND USE AND OPEN SPACE					
<p>MM 4.1.3 The Panhandle PUD project applicants shall coordinate with the City and LAFCo to identify appropriate off-site lands to be set aside in a permanent conservation easements at a ratio of no less than one acre of land converted to urban use to one-half acre of open space land preserved. This mitigation measure may be satisfied by compliance with other mitigation requirements involving the permanent conservation of agricultural lands and habitat (e.g., MM 4.2.1).</p>	City of Sacramento and LAFCo	City of Sacramento and LAFCo	See text of mitigation measure.	Prior to approval of annexation	
AGRICULTURAL RESOURCES					
<p>MM 4.2.1 The Applicant shall protect one acre of existing farmland of equal or higher quality for each acre of Prime Farmland or Farmland of Statewide Importance that would be converted to non-agricultural uses in the Panhandle PUD. This protection may consist of the establishment of farmland easements or other appropriate mechanisms. The farmland to be preserved shall be located within the County. This mitigation measure may be satisfied by compliance with other mitigation requirements involving the permanent conservation of agricultural lands and</p>	City of Sacramento	City of Sacramento	See text of mitigation measure.	Prior to approval of small lot final maps	

MITIGATION MONITORING PLAN
PANHANDLE ANNEXATION AND PUD (P05-077)

Mitigation Measure	Implementing Responsibility	Monitoring Responsibility	Compliance Standards	Timing	Verification of Compliance (Initials and Date)
<p>habitat.</p> <p>MM 4.2.2c A disclosure statement including the following text shall be recorded against the properties located within the Panhandle PUD: "Residents of property which are adjacent to land which is zoned for agricultural use or which is designated for agricultural use may be subject to inconveniences or discomfort from the pursuit of agricultural operations including but not limited to cultivation, plowing, spraying, fertilizing, pruning, and harvesting which occasionally generates dust, smoke, noise and odor; from the noise, odors, and other features attributed to the keeping of farm animals; and from the conduct of farming activities during typical working hours, as well as late in the evening, early in the morning, or 24-hours a day during certain times and seasons of the year. Residents on adjacent property should be prepared to accept such inconvenience and recognize that these uses will occur. If, however, an agricultural operation is being conducted in a manner which does not appear to be consistent with accepted agricultural practices, any person may file a complaint with the office of the Agricultural Commissioner, located at 4137 Branch Center Road, Sacramento, California."</p>	<p>City of Sacramento</p>	<p>City of Sacramento</p>	<p>See text of mitigation measure.</p>	<p>Prior to approval of the small lot final maps</p>	

**MITIGATION MONITORING PLAN
PANHANDLE ANNEXATION AND PUD (P05-077)**

Mitigation Measure	Implementing Responsibility	Monitoring Responsibility	Compliance Standards	Timing	Verification of Compliance (Initials and Date)
TRAFFIC AND CIRCULATION					
<p>MM 4.4.1 The project applicant shall be required to develop the Panhandle PUD Public Facilities Finance Plan for review and approval by the City of Sacramento. The Panhandle PUD Public Facilities Finance Plan shall identify the financing mechanism(s) for all feasible transportation improvements defined as adopted mitigation measures including, but not limited to, new roadway widenings, traffic signals, and public transit. The project applicant shall coordinate the preparation of the finance plan with the City, County of Sacramento and the Metro Air Park Public Facilities Financing Plan and Greenbriar Finance Plan. All mitigation measures with "fair share" contributions would be implemented through the proposed financing mechanism(s) indicated in the finance plan or by some other mechanism as determined by the City of Sacramento in consultation with the County of Sacramento. The Panhandle PUD Public Facilities Finance Plan shall be approved by the City at the time the project is considered for approval and shall become a condition of approval.</p>	City of Sacramento	City of Sacramento	See text of mitigation measure.	As part of the approval of the Panhandle PUD Public Facilities Finance Plan	
<p>MM 4.4.2a The project applicant shall pay its fair share, currently calculated to be 7.67% (based on</p>	City of Sacramento	City of Sacramento	See text of mitigation measure.	Fees shall be paid at building permit.	

**MITIGATION MONITORING PLAN
PANHANDLE ANNEXATION AND PUD (P05-077)**

Mitigation Measure	Implementing Responsibility	Monitoring Responsibility	Compliance Standards	Timing	Verification of Compliance (Initials and Date)
<p>the Panhandle PUD Public Facilities Financing Plan), to install a traffic signal at the SR 99 Northbound Ramps/Elkhorn Boulevard Intersection. This improvement shall be included in either the City of Sacramento Capital Improvement Program, North Natomas Financing Plan, or other reasonable enforceable plan or program that provides for the funding and construction of the improvement to mitigate the impact. The applicant shall fund the revisions necessary to include this improvement in the plans.</p>				<p>consistent with the Panhandle PUD PFFP</p>	
<p>MM 4.4.2b The project applicant shall modify the traffic signal timings at the Natomas Boulevard/Elkhorn Boulevard intersection to provide additional green time for the eastbound and westbound through movements.</p>	<p>City of Sacramento</p>	<p>City of Sacramento</p>	<p>See text of mitigation measure.</p>	<p>Prior to the occupancy of the first building</p>	
<p>MM 4.4.2c The project applicant shall provide an additional left-turn lane on westbound Elkhorn Boulevard to serve vehicles traveling from Elkhorn Boulevard to southbound National Drive (associated with the National Drive/Elkhorn Boulevard intersection).</p>	<p>City of Sacramento</p>	<p>City of Sacramento</p>	<p>See text of mitigation measure.</p>	<p>Prior to the occupancy of the first building</p>	
<p>MM 4.4.2d</p>	<p>City of Sacramento</p>	<p>City of Sacramento</p>	<p>See text of mitigation</p>	<p>Fees shall be paid at building</p>	

MITIGATION MONITORING PLAN
PANHANDLE ANNEXATION AND PUD (P05-077)

Mitigation Measure	Implementing Responsibility	Monitoring Responsibility	Compliance Standards	Timing	Verification of Compliance (Initials and Date)
<p>The project applicant shall pay its fair share, calculated to be 4.16% (based on the Panhandle PUD Public Facilities Financing Plan), to install a traffic signal at the I-5 Southbound Ramps/Del Paso Road intersection. This improvement shall be included in either the City of Sacramento Capital Improvement Program, North Natomas Financing Plan, or other reasonable enforceable plan or program that provides for the funding and construction of the improvement to mitigate the impact. The applicant shall fund the revisions necessary to include this improvement in the plans.</p>			measure.	permit, consistent with the Panhandle PUD PFFF	
<p>MM 4.4.2e The project applicant shall pay its fair share, calculated to be 6.40% (based on the Panhandle PUD Public Facilities Financing Plan), to install a traffic signal at the I-5 Northbound Ramps/Del Paso Road intersection. This improvement shall be included in either the City of Sacramento Capital Improvement Program, North Natomas Financing Plan, or other reasonable enforceable plan or program that provides for the funding and construction of the improvement to mitigate the impact. The applicant shall fund the revisions necessary to include this improvement in the plans.</p>	City of Sacramento	City of Sacramento	See text of mitigation measure.	Fees shall be paid at building permit, consistent with the Panhandle PUD PFFF	
<p>MM 4.4.2f</p>	City of Sacramento	City of Sacramento	See text of mitigation	Fees shall be paid at building	

MITIGATION MONITORING PLAN
PANHANDLE ANNEXATION AND PUD (P05-077)

Mitigation Measure	Implementing Responsibility	Monitoring Responsibility	Compliance Standards	Timing	Verification of Compliance (Initials and Date)
<p>The project applicant shall pay its fair share, calculated to be 10.30% (based on the Panhandle PUD Public Facilities Financing Plan), to provide an additional left-turn lane on eastbound and westbound Del Paso Road (i.e., dual left-turn lanes on both approaches) at the Natomas Boulevard/Truxel Road intersection. This improvement shall be included in either the City of Sacramento Capital Improvement Program, North Natomas Financing Plan, or other reasonable enforceable plan or program that provides for the funding and construction of the improvement to mitigate the impact. The applicant shall fund the revisions necessary to include this improvement in the plans.</p>	City of Sacramento	City of Sacramento	measure.	permit, consistent with the Panhandle PUD PFFP	
<p>MM 4.4.2g The project applicant shall provide the following improvements at the National Drive/Del Paso Road intersection:</p> <ul style="list-style-type: none"> • Provide two additional eastbound left-turn lanes on Del Paso Road (triple left-turn lanes). • Provide an additional eastbound through lane on Del Paso Road. • Provide an additional through lane on northbound National Drive. 	City of Sacramento	City of Sacramento	See text of mitigation measure.	Prior to the occupancy of the first building	
<p>MM 4.4.2h The project applicant shall pay its fair share, calculated to be 27.30% (based on the</p>	City and County of Sacramento	City and County of Sacramento	See text of mitigation measure.	Prior to the occupancy of the first building	

MITIGATION MONITORING PLAN
PANHANDLE ANNEXATION AND PUD (P05-077)

Mitigation Measure	Implementing Responsibility	Monitoring Responsibility	Compliance Standards	Timing	Verification of Compliance (Initials and Date)
<p>Panhandle PUD Public Facilities Financing Plan), to provide a traffic signal at the Del Paso Road/Kenmar Road intersection and provide a westbound left-turn lane to serve vehicles turning from westbound Del Paso Road onto southbound Kenmar Road. This improvement shall be included in either the City of Sacramento Capital Improvement Program, North Natomas Financing Plan, or other reasonable enforceable plan or program that provides for the funding and construction of the improvement to mitigate the impact. The applicant shall fund the revisions necessary to include this improvement in the plans.</p>					
<p>MM 4.4.4 The project applicant shall meet the following requirements: a. Prior to recordation of the first small lot final map for each individual map, the project applicants shall coordinate with the City of Sacramento, Development Services Department to identify the necessary pedestrian and bicycle facilities serving the proposed development. These facilities shall be incorporated into the project and may include sidewalks, STOP signs, in-pavement lighted crosswalks, standard pedestrian and school crossing warning signs, bicycle lanes, bicycle parking, and signs to identify pedestrian and bicycle paths, marked and raised crosswalks, and pedestrian signal</p>	City of Sacramento	City of Sacramento	See text of mitigation measure.	Prior to recordation of each final small lot map.	

**MITIGATION MONITORING PLAN
PANHANDLE ANNEXATION AND PUD (P05-077)**

Mitigation Measure	Implementing Responsibility	Monitoring Responsibility	Compliance Standards	Timing	Verification of Compliance (Initials and Date)
<p>heads.</p> <p>b. Circulation and access facilities to all proposed parks and public spaces shall include sidewalks that meet American with Disability Act standards.</p> <p>c. The project applicant shall provide on-street bicycle lanes within the community. Details on the design of these bicycle lanes shall be prepared in consultation with the City of Sacramento, Development Services Department.</p> <p>d. Bicycle parking facilities shall conform to City standards and shall be located in high visibility areas to encourage bicycle travel.</p>					
<p>MM 4.4.5 The project applicant shall coordinate with Sacramento Regional Transit District (SRTD) and the North Natomas Transportation Management Association (TMA) to provide transit services during peak commute periods. To promote the use of public transit services, the project applicant shall promote the availability of transit services at the time the proposed residences are available for sale. The residents shall be able to use public transit services to the Central Business District</p>	City of Sacramento	City of Sacramento	See text of mitigation measure.	Prior to improvement plan approval.	

**MITIGATION MONITORING PLAN
PANHANDLE ANNEXATION AND PUD (P05-077)**

Mitigation Measure	Implementing Responsibility	Monitoring Responsibility	Compliance Standards	Timing	Verification of Compliance (Initials and Date)
<p>(CBD) where they can transfer to light rail, buses or trains and connect to destinations in the greater Sacramento metropolitan area and the San Francisco Bay Area. Off-peak transit services shall also be considered as development and ridership demands increase. Final design and location of bus stops and shelters shall be prepared in consultation with the City of Sacramento, North Natomas TMA and SRTD and will be subject to the approval of the City and SRTD.</p>	City of Sacramento	City of Sacramento	See text of mitigation measure.	Prior to the issuance of grading permits.	
<p>MM 4.4.6 Prior to the issuance of grading permits for the Panhandle PUD, the project applicant shall prepare a Construction Management Plan that will address construction traffic and ensure acceptable and safe operating conditions on project area roadways. This Plan shall be reviewed and approved by the City and any other affected agency and will contain the following (at a minimum):</p> <ul style="list-style-type: none"> a) Identification of the anticipated mix of construction equipment and vehicles and their proposed staging location. b) Number of truck trips and the daily schedule of truck trips entering and leaving the site. Truck trips shall be scheduled outside the AM and PM peak hours of traffic. c) Prohibition of construction traffic using any of the existing residential 	City of Sacramento	City of Sacramento	See text of mitigation measure.	Prior to the issuance of grading permits.	

**MITIGATION MONITORING PLAN
PANHANDLE ANNEXATION AND PUD (P05-077)**

Mitigation Measure	Implementing Responsibility	Monitoring Responsibility	Compliance Standards	Timing	Verification of Compliance (Initials and Date)
<p>roadways west of the site or Sorento Road to access the site. All construction traffic shall utilize either Del Paso Road to Elkhorn Boulevard.</p> <p>d) Identification of measures to maintain safe vehicular, pedestrian and bicycle movements in the project area.</p> <p>e) Maintenance of access for emergency vehicles in the project area.</p> <p>f) Provision of manual traffic control (if required).</p> <p>g) Clear demarcation of construction areas along project roadways.</p> <p>h) Provision of this Plan 14 days prior to the commencement of construction.</p>					
<p>MM 4.4.7a The project applicant shall pay its fair share, calculated to be 57.17% (based on the Panhandle PUD Public Facilities Financing Plan), to install a traffic signal at the E. Levee Road/Elkhorn Boulevard Intersection. This improvement shall be included in either the City of Sacramento Capital Improvement Program, North Natomas Financing Plan, or other reasonable enforceable plan or program that provides for the funding and construction of the</p>	City of Sacramento	City of Sacramento	See text of mitigation measure.	Fees shall be paid at building permit, consistent with the Panhandle PUD PFFP	

**MITIGATION MONITORING PLAN
PANHANDLE ANNEXATION AND PUD (P05-077)**

Mitigation Measure	Implementing Responsibility	Monitoring Responsibility	Compliance Standards	Timing	Verification of Compliance (Initials and Date)
<p>improvement to mitigate the impact. The applicant shall fund the revisions necessary to include this improvement in the plans.</p>					
<p>MM 4.4.7b The project applicant shall pay its fair share, calculated to be 12.73% (based on the Panhandle PUD Public Facilities Financing Plan), to modify the traffic signal timings and modify the signal phasing to provide a right-turn overlap phase for the southbound right-turn movement (i.e., the southbound right-turn movement would receive a green arrow when the Del Paso Road eastbound left-turn movement received a green arrow). This would require prohibiting U-turns for the eastbound left-turn movement on Del Paso Road (associated with the Natomas Boulevard/Truxel Road/Del Paso Road intersection). This improvement shall be included in either the City of Sacramento Capital Improvement Program, North Natomas Financing Plan, or other reasonable enforceable plan or program that provides for the funding and construction of the improvement to mitigate the impact. The applicant shall fund the revisions necessary to include this improvement in the plans.</p>	City of Sacramento	City of Sacramento	See text of mitigation measure.	Fees shall be paid at building permit, consistent with the Panhandle PUD PFFP	
<p>MM 4.4.7c The project applicant shall provide a two-way left-turn lane on Del Paso Road at the</p>	City of Sacramento	City of Sacramento	See text of mitigation measure.	Prior to the issuance of the first occupancy	

**MITIGATION MONITORING PLAN
PANHANDLE ANNEXATION AND PUD (P05-077)**

Mitigation Measure	Implementing Responsibility	Monitoring Responsibility	Compliance Standards	Timing	Verification of Compliance (Initials and Date)
Sorento Road intersection.					
MM 4.4.11a The project applicant shall widen Del Paso Road to six lanes from Blackrock Drive to the east through the National Drive intersection. East of National Drive, the project applicant shall widen Del Paso Road to include two-way left-turn lane through the Sorento Road and Kenmar Road intersections.	City of Sacramento	City of Sacramento	See text of mitigation measure.	Prior to the issuance of the first occupancy permit for the Dunmore South subdivision map.	
MM 4.4.11b The project applicant shall provide a stop sign at Intersection 3 (National Drive/Parcel 2) for the westbound approach of Intersection 3 and a southbound left-turn on National Drive to serve vehicles entering Parcel 2 rather than installation of a traffic signal as part of final roadway design of the Panhandle PUD.	City of Sacramento	City of Sacramento	See text of mitigation measure.	Prior to the issuance of the first occupancy permit for the Krumenacher subdivision map.	
MM 4.4.11c The project applicant shall eliminate Intersection 1 and relocate the roadway serving Parcel 1 to the south to become the east leg of Intersection 2 and provide stop signs on the eastbound and westbound approaches as part of final roadway design of the Panhandle PUD.	City of Sacramento	City of Sacramento	See text of mitigation measure.	Prior to the issuance of the first occupancy permit for the Krumenacher subdivision map.	

**MITIGATION MONITORING PLAN
PANHANDLE ANNEXATION AND PUD (P05-077)**

Mitigation Measure	Implementing Responsibility	Monitoring Responsibility	Compliance Standards	Timing	Verification of Compliance (Initials and Date)
<p>MM 4.4.11d The project applicant shall design Intersection 4 to be restricted to right-turns in/out as part of final roadway design of the Panhandle PUD.</p>	City of Sacramento	City of Sacramento	See text of mitigation measure.	Prior to the first certificate of occupancy.	
<p>MM 4.4.11e The project applicant shall eliminate the roadway serving Parcel 9 (west of National Drive as part of final roadway design of the Panhandle PUD.</p>	City of Sacramento	City of Sacramento	See text of mitigation measure.	Prior to the first certificate of occupancy.	
<p>MM 4.4.11f Provide the following lane configurations at the G Way/F Drive/National Drive signalized intersection (as shown in Figure 1 of the Fehr and Peers Technical Memorandum dated May 7, 2007) to accommodate the high school pick-up/drop off area and signalize the intersection.</p> <ul style="list-style-type: none"> • Northbound National Drive: one left-turn lane, one through lane and one combined through/right-turn lane. • Southbound National Drive: one left-turn lane, one through lane and one combined through/right turn lane. • Westbound F Drive: one left-turn lane and one combined through/right-turn 	City of Sacramento	City of Sacramento	See text of mitigation measure.	Prior to the issuance of the first certificate of occupancy for the Krumenacher subdivision map.	

**MITIGATION MONITORING PLAN
PANHANDLE ANNEXATION AND PUD (P05-077)**

Mitigation Measure	Implementing Responsibility	Monitoring Responsibility	Compliance Standards	Timing	Verification of Compliance (Initials and Date)
<p>lane.</p> <ul style="list-style-type: none"> Eastbound G Way: one left-turn lane and one combined through/right-turn lane. 					
<p>MM 4.4.11g Restrict the turning movements at High School driveways A, B, and C to right-turns in/out only (as shown in Figure 1 of the Fehr and Peers Technical Memorandum dated May 7, 2007).</p>	City of Sacramento	City of Sacramento	See text of mitigation measure.	As part of City approval to the Grant Union High School District to obtain access to National Drive.	
<p>MM 4.4.11h Signalize the Main High School Driveway/National Drive intersection and design the access as follows (as shown in Figure 1 of the Fehr and Peers Technical Memorandum dated May 7, 2007):</p> <ul style="list-style-type: none"> Northbound National Drive: one left-turn lane and two through lanes. Southbound National Drive: one right-turn lane and two through lanes. Main High School Driveway: one left-turn lane and one right-turn lane. 	City of Sacramento	City of Sacramento	See text of mitigation measure.	As part of City approval to the Grant Union High School District to obtain access to National Drive.	
<p>MM 4.4.11i</p>	City of Sacramento	City of Sacramento	See text of mitigation	Prior to the issuance of the	

MITIGATION MONITORING PLAN
PANHANDLE ANNEXATION AND PUD (P05-077)

Mitigation Measure	Implementing Responsibility	Monitoring Responsibility	Compliance Standards	Timing	Verification of Compliance (Initials and Date)
<p>Provide the lane configurations identified below at the A Drive/National Drive intersection and signalize the "T" intersection (as shown in Figure 1 of the Fehr and Peers Technical Memorandum dated May 7, 2007).</p> <ul style="list-style-type: none"> • Northbound National Drive: one through lane and one combined through/right-turn lane. • Southbound National Drive: one left-turn lane and two through lanes. • Westbound A Drive: one left-turn lane and one right-turn lane. 			measure.	first certificate of occupancy for the Dunmore Central subdivision map.	
<p>MM 4.4.11j Restrict the outbound movements from "T or X" Drive and "S" Drive to right-turns out to National Drive (as shown in Figure 1 of the Fehr and Peers Technical Memorandum dated May 7, 2007).</p>	City of Sacramento	City of Sacramento	See text of mitigation measure.	Prior to the issuance of the first certificate of occupancy for the Dunmore Central subdivision map.	
AIR QUALITY					
<p>MM 4.5.1a Prior to the issuance of grading permits for the Panhandle PUD, project applicant shall prepare a construction mitigation plan and implement air quality emission reduction</p>	City of Sacramento/ SMAQMD	City of Sacramento/ SMAQMD	See text of mitigation measure.	The fee will be paid in total or as tentative maps get approved prior to issuance of any grading	

**MITIGATION MONITORING PLAN
PANHANDLE ANNEXATION AND PUD (P05-077)**

Mitigation Measure	Implementing Responsibility	Monitoring Responsibility	Compliance Standards	Timing	Verification of Compliance (Initials and Date)
<p>measures. The construction mitigation plan shall be reviewed and approved by SMAQMD staff prior to beginning construction. At a minimum, the construction mitigation plan shall include the following measures:</p> <p>The following measures shall be included to reduce NO_x and visible emissions from heavy-duty diesel equipment.</p> <p>a. The project shall provide a plan for approval by the City, in consultation with SMAQMD, demonstrating that the heavy-duty (>50 horsepower), off-road vehicles to be used in the construction project, including owned, leased, and subcontractor vehicles, will achieve a project-wide fleet-average 20-percent NO_x reduction and 45-percent particulate reduction compared to the most recent CARB fleet average at the time of construction. Acceptable options for reducing emissions include the use of late-model engines, low-emission diesel products, alternative fuels, particulate matter traps, engine retrofit technology, after-treatment products, and/or such other options as become available.</p> <p>b. The project applicant shall submit to the City and SMAQMD a comprehensive inventory of all off-road construction equipment, equal to or greater than 50 hp, that will be used an aggregate of 40 or more</p>				<p>permit and/or ground disturbance.</p>	

**MITIGATION MONITORING PLAN
PANHANDLE ANNEXATION AND PUD (P05-077)**

Mitigation Measure	Implementing Responsibility	Monitoring Responsibility	Compliance Standards	Timing	Verification of Compliance (Initials and Date)
<p>hours during any portion of the project. The inventory shall be updated and submitted monthly throughout the duration of the project, except that an inventory shall not be required for any 30-day period in which no construction operations occur. At least 48 hours before subject heavy-duty off-road equipment is used, the project representative shall provide the SMAQMD with the anticipated construction timeline including start date, and the name and phone number of the project manager and onsite foreman.</p> <p>c. The project shall ensure that emissions from off-road, diesel-powered equipment used on the project site do not exceed 40-percent opacity for more than 3 minutes in any 1 hour, as determined by an on-site inspector trained in visual emissions assessment. Any equipment found to exceed 40-percent opacity (or Ringlemann 2.0) shall be repaired immediately, and the SMAQMD shall be notified of non-compliant equipment within 48 hours of identification. A visual survey of all in-operation equipment shall be made at least weekly, and a monthly summary of visual survey results shall be submitted to SMAQMD throughout the duration of the construction project, except that the monthly summary shall not be required for any 30-day period in which no construction operations occur. The monthly summary shall include the</p>					

**MITIGATION MONITORING PLAN
PANHANDLE ANNEXATION AND PUD (P05-077)**

Mitigation Measure	Implementing Responsibility	Monitoring Responsibility	Compliance Standards	Timing	Verification of Compliance (Initials and Date)
<p>quantity and type of vehicles surveyed, as well as the dates of each survey. The SMAQMD and/or other officials may conduct periodic site inspections to determine compliance.</p> <p>d. The project applicant shall pay into the SMAQMD's construction mitigation fund to offset construction-generated emissions of NO_x that exceed SMAQMD's daily emission threshold of 85 lbs/day. The project applicant shall coordinate with the SMAQMD for payment of fees into the Heavy-Duty Low-Emission Vehicle Program designed to reduce construction related emissions within the region. Fees shall be paid based upon the SMAQMD NO_x Reduction Fee in place at the time of fee payment. That fee is currently \$14,300/ton of NO_x emissions generated, but will likely change over time. This fee shall be paid prior to issuance of grading permits. Detailed construction information for the proposed project is not yet available. However, based upon the preliminary URBEMIS emissions modeling, the expected payment for remaining construction related NO_x emissions over the significance threshold is \$3,202,578. This amount was derived from an estimate of the total unmitigated emissions over the SMAQMD's thresholds. If the projected construction equipment or construction phases or the disturbed area change, the</p>					

**MITIGATION MONITORING PLAN
PANHANDLE ANNEXATION AND PUD (P05-077)**

Mitigation Measure	Implementing Responsibility	Monitoring Responsibility	Compliance Standards	Timing	Verification of Compliance (Initials and Date)
<p>applicant shall coordinate with the SMAQMD to determine if the mitigation fee needs to be recalculated or lowered if project-specific construction information is provided that demonstrates different emissions than estimated in the EIR.</p> <p>e. All heavy-duty equipment shall be properly tuned and maintained in accordance with manufacturers' specifications. Construction equipment will utilize the Best Available Technology (BAT) so as to minimize vehicle emissions to the extent possible. This may include the use of diesel particulate filters and cooled exhaust gas recirculation or equivalent measures on all off-road and on-road diesel equipment in the construction phase of the project. The project proponent will review amendments to CARB and SMAQMD regulations and City of Sacramento ordinances during construction, and comply immediately with newly adopted regulations, including those for equipment idling, which would reduce the cumulative release of pollutants.</p>					
<p>MM 4.5.1b As recommended by the SMAQMD, the Panhandle PUD shall reduce fugitive dust emissions by implementing the measures listed below:</p>	City of Sacramento Development Services Department/ SMAQMD	City of Sacramento Development Services Department/ SMAQMD	See text of mitigation measure.	Throughout all stages of construction	

**MITIGATION MONITORING PLAN
PANHANDLE ANNEXATION AND PUD (P05-077)**

Mitigation Measure	Implementing Responsibility	Monitoring Responsibility	Compliance Standards	Timing	Verification of Compliance (Initials and Date)
<ul style="list-style-type: none"> • All disturbed areas, including storage piles that are not being actively used for construction purposes, as well as any portions of the construction site that remain inactive longer than a period of 3 months, shall be effectively stabilized of dust emissions using water, a chemical stabilizer or suppressant, or vegetative ground cover. Soil shall be kept moist at all times. Alternatively, non-toxic soil stabilizers shall be applied to all inactive construction areas in accordance with manufacturer's specifications. • During clearing, grading, earth-moving, or excavation operations, fugitive dust emissions shall be controlled by watering exposed surfaces two times per day, watering haul roads three times per day or paving of construction roads, or other dust-preventive measures. All onsite unpaved roads and offsite unpaved access roads shall be effectively stabilized of dust emissions using water or a chemical stabilizer or suppressant. • All vehicles hauling dirt, sand, soil or other loose material shall be covered or should maintain at least two feet of freeboard in accordance with the requirements of California Vehicle Code Section 23114. • All operations shall limit or expeditiously 					

**MITIGATION MONITORING PLAN
PANHANDLE ANNEXATION AND PUD (P05-077)**

Mitigation Measure	Implementing Responsibility	Monitoring Responsibility	Compliance Standards	Timing	Verification of Compliance (Initials and Date)
<p>remove the accumulation of project-generated mud or dirt from adjacent public streets at least once every 24 hours when operations are occurring.</p> <ul style="list-style-type: none"> • Onsite vehicle speeds on unpaved roads shall be limited to 15 mph. • Excavation and grading activities shall be suspended when winds exceed 20 mph. 					
<p>MM 4.5.2 The project applicant shall implement the following measures to offset construction-related air quality impacts.</p> <ul style="list-style-type: none"> a) Onsite diesel-powered stationary construction equipment, such as electrical power generators, shall be located at the furthest distance from nearby receptors. b) Onsite diesel-powered mobile equipment shall not be left idling for periods of longer than five minutes. c) Onsite diesel powered equipment shall be fitted with diesel particulate filters. 	City of Sacramento	City of Sacramento	See text of mitigation measure.	Throughout all stages of construction	
<p>MM 4.5.3 Prior to the issuance of grading permits, the project applicant will coordinate with the SMAQMD and the City of Sacramento and develop a project Air Quality Mitigation Plan</p>	City of Sacramento and SMAQMD	City of Sacramento and SMAQMD	See text of mitigation measure.	Prior to issuance of grading permits	

**MITIGATION MONITORING PLAN
PANHANDLE ANNEXATION AND PUD (P05-077)**

Mitigation Measure	Implementing Responsibility	Monitoring Responsibility	Compliance Standards	Timing	Verification of Compliance (Initials and Date)
<p>(AQMP). In accordance with the North Natomas Community Plan, the AQMP shall reduce ozone precursor emissions associated with new residential development by a minimum of 20 percent compared to the single occupant vehicle baseline. Emissions associated with new non-residential developments shall reduce ozone precursor emissions by a minimum of 15 percent, with achievement of 50 percent to the extent feasible, compared to the single occupant vehicle baseline (North Natomas Community Plan 1994). Project applicants shall coordinate with the SMAQMD to determine the specific mitigation measures to be included in the AQMP. The AQMP shall be reviewed and endorsed by SMAQMD staff prior to issuance of grading permits. Grading permits shall not be issued for the project unless the project applicant has received a letter of endorsement for the project AQMP from the SMAQMD.</p> <p>Available measures to be included in the AQMP include, but are not limited to the following:</p> <p><u>Bicycle/Pedestrian/Transit Measures:</u></p> <ul style="list-style-type: none"> a. Short-term and long-term bicycle parking facilities b. End of trip facilities: showers, lockers, and changing space c. Proximity to bicycle path/bicycle 					

MITIGATION MONITORING PLAN
PANHANDLE ANNEXATION AND PUD (P05-077)

Mitigation Measure	Implementing Responsibility	Monitoring Responsibility	Compliance Standards	Timing	Verification of Compliance (Initials and Date)
<p>lanes: located within 1/2 mile of Class I or II bicycle lanes and include comparable network that connects to the off-site lanes</p> <p>d. Pedestrian network internally linking all uses and connecting to existing and planned external streets and pedestrian facilities contiguous with the site</p> <p>e. Pedestrian/bicycle safety and traffic calming measures in excess of City requirements.</p> <p><u>Parking Measures:</u></p> <p>a. Employee and/or customer paid parking system</p> <p>b. Parking reduction less than code</p> <p>c. Parking lot design with pedestrian pathways between transit facilities and building entrances</p> <p>d. Off-street parking</p> <p><u>Site Design Measures:</u></p> <p>a. High density office or mixed-use proximate to transit</p> <p>b. Orient toward existing transit, bicycle, or pedestrian corridor</p> <p>c. High density residential development</p> <p>d. Multiple and direct street routing (grid style)</p> <p>e. Affordable housing component</p> <p><u>Mixed-Use Measures:</u></p> <p>a. Urban, suburban and other mixed-use</p>					

**MITIGATION MONITORING PLAN
PANHANDLE ANNEXATION AND PUD (P05-077)**

Mitigation Measure	Implementing Responsibility	Monitoring Responsibility	Compliance Standards	Timing	Verification of Compliance (Initials and Date)
<p><u>Building Component Measures:</u></p> <ul style="list-style-type: none"> a. No fireplaces or woodburning stoves b. Include ozone destruction catalyst on air conditioning system c. Install Energy Star labeled roof materials d. Exceed Title 24 energy requirements by 20 percent e. Provide shade and/or use light-colored materials and open grid pavement for at least 30 percent of the project's non-roof impervious surfaces f. Green roof <p><u>TDM and Miscellaneous Measures:</u></p> <ul style="list-style-type: none"> a. Include permanent transit management association membership and funding b. Provide complimentary electric lawnmower to each residential buyer 					
<p>MM 4.5.5 The project applicant shall implement the following measures to reduce exposure of sensitive receptors to odorous emissions to a less than significant level:</p> <ul style="list-style-type: none"> • Land uses that have the potential to emit objectionable odorous emissions (e.g., dry cleaning establishments, restaurants, and gasoline stations) shall be located as far away as possible from existing and proposed sensitive 	City of Sacramento	City of Sacramento	See text of mitigation measure.	Prior to approval of Special Use Permits	

MITIGATION MONITORING PLAN

PANHANDLE ANNEXATION AND PUD (P05-077)

Mitigation Measure	Implementing Responsibility	Monitoring Responsibility	Compliance Standards	Timing	Verification of Compliance (Initials and Date)
<p>receptors or downwind of nearby receptors.</p> <ul style="list-style-type: none"> If an odor-emitting facility is to occupy space in the commercial/convenience area, odor control devices shall be installed to reduce the exposure of receptors to objectionable odorous emissions. The SMAQMD shall be consulted to determine applicable/feasible control devices to be installed. 					
<p>NOISE</p> <p>MM 4.6.1</p> <p>Throughout all stages of project construction, project applicants for the Panhandle PUD and potential future City infrastructure upgrades for the Southern Portion shall reduce construction noise by implementing the following measures:</p> <ol style="list-style-type: none"> Construction activities shall comply with the requirements of local noise control ordinance. Accordingly, construction activities (excluding activities that would result in a safety concern to the public or construction workers) shall be limited to between the daytime hours of 7 a.m. and 6 p.m., Monday through Saturday, and between 9 a.m. and 6 p.m. on Sunday. Construction equipment shall be properly maintained and equipped with noise-reduction intake and exhaust mufflers 	City of Sacramento	City of Sacramento	See text of mitigation measure.	Throughout all stages of construction.	

MITIGATION MONITORING PLAN
PANHANDLE ANNEXATION AND PUD (P05-077)

Mitigation Measure	Implementing Responsibility	Monitoring Responsibility	Compliance Standards	Timing	Verification of Compliance (Initials and Date)
<p>and engine shrouds, in accordance with manufacturers' recommendations. Equipment engine shrouds shall be closed during equipment operation.</p> <p>c. When not in use, motorized construction equipment shall not be left idling.</p>					
<p>MM 4.6.2 A landscaped noise barrier shall be constructed along the southern boundary of the existing residential parcels that are located east of the proposed project site and within line-of-sight and 200 feet of the centerline of Del Paso Road. The sound barrier shall be constructed to a minimum height of 6 feet and shall be of solid construction with no visible air gaps between building materials or at the base of the structure. This barrier would be placed along the property lines of residential parcels along Del Paso Road between Sorrento Road and Carey Road and one residential parcel east of Carey Road. This will require modification of the existing driveway access for the residence at the northeastern corner of Sorrento Road and Del Paso Road to obtain access to Sorrento Road rather than Del Paso Road. This wall shall be installed with required traffic improvements to Del Paso Road.</p>	<p>City of Sacramento</p>	<p>City of Sacramento</p>	<p>See text of mitigation measure.</p>	<p>Prior to the issuance of the first occupancy permit for the Dunmore South subdivision map</p>	

**MITIGATION MONITORING PLAN
PANHANDLE ANNEXATION AND PUD (P05-077)**

Mitigation Measure	Implementing Responsibility	Monitoring Responsibility	Compliance Standards	Timing	Verification of Compliance (Initials and Date)
<p>MM 4.6.3 Prior to approval of special permits and/or development plan review, site-specific acoustical analysis shall be conducted to determine predicted noise impacts attributable to the proposed subsequent project taking into account site-specific conditions (e.g., site design, location of structures, building characteristics). Each future non-residential use shall be required to conduct a noise analysis with the application of each special use permit and/or development plan review. Mitigation measures shall be identified to reduce existing (power line noise) and project-related noise impacts at noise-sensitive receptors that meets City noise standards (interior and exterior). Mitigation measures may include, but are not limited to the following:</p> <p><u>Residential Land Uses</u></p> <ul style="list-style-type: none"> • All residential units be equipped with air conditioning sufficient to adequately cool the residential unit in summer conditions with doors and windows closed. • Use of increased noise-attenuation measures in building construction (e.g., dual-pane, sound-rated windows; mechanical air systems; exterior wall insulation, etc.). • All window openings on the south, west, north and east facades in residential 	<p>City of Sacramento</p>	<p>City of Sacramento</p>	<p>See text of mitigation measure.</p>	<p>Prior to approval of special permits and/or development plan review.</p>	

MITIGATION MONITORING PLAN
PANHANDLE ANNEXATION AND PUD (P05-077)

Mitigation Measure	Implementing Responsibility	Monitoring Responsibility	Compliance Standards	Timing	Verification of Compliance (Initials and Date)
<p>units located adjacent to Del Paso Road, National Drive and Elkhorn Boulevard shall be constructed with windows rated STC 30 or better, unless landscaped noise barriers mitigate the traffic noise exposure impact.</p> <ul style="list-style-type: none"> Incorporate landscaped noise barriers between residential land uses located adjacent to noise-generating sources, when necessary, to reduce exterior noise levels within outdoor activity areas to within acceptable levels. <p><u>Parks</u></p> <ul style="list-style-type: none"> Limit use of amplified public address/sound systems to the community park sites and only during community sports and social events. Design public address/sound systems to direct sound away from residential areas. Provide advance written notification to future PUD residents within 200 feet of park sites planned with sports fields regarding noise associated with upcoming sporting and other special events. <p><u>Commercial Land Uses</u></p> <ul style="list-style-type: none"> Limit material deliveries, landscape maintenance, waste-collection activities, and the operation of noise-generating stationary equipment (e.g., portable generators, compressors, and compactors) to between the hours of 					

MITIGATION MONITORING PLAN

PANHANDLE ANNEXATION AND PUD (P05-077)

Mitigation Measure	Implementing Responsibility	Monitoring Responsibility	Compliance Standards	Timing	Verification of Compliance (Initials and Date)
<p>7:00 a.m. and 10:00 p.m.</p> <ul style="list-style-type: none"> Noise-generating stationary equipment associated with proposed commercial land uses, including portable generators, compressors, and compactors, should be enclosed or acoustically shielded to reduce noise-related impacts to nearby dwelling units. Material loading and unloading areas at commercial land uses should be shielded from line-of-sight of nearby residential dwellings. Include noise-reduction features (e.g., sound barriers, truck-to-dock seals, increased setback distances/shielding) in the design of material loading and unloading areas at commercial land uses. <p><u>Schools</u></p> <ul style="list-style-type: none"> Incorporate landscaped noise barriers between residential lots immediately adjacent to school noise-generating sources (e.g., parking lots and sports facilities) to reduce exterior noise levels. Provide advance written notification to future PUD residents within 1,000 feet of the planned middle school/high school stadium regarding noise associated with upcoming sporting and other special events. 					
MM 4.6.5	City of	City of	See text of	Prior to approval	

MITIGATION MONITORING PLAN

PANHANDLE ANNEXATION AND PUD (P05-077)

Mitigation Measure	Implementing Responsibility	Monitoring Responsibility	Compliance Standards	Timing	Verification of Compliance (Initials and Date)
As part of improvement plans for land uses along Del Paso Road, Elkhorn Boulevard, National Drive and Club Center Drive, landscape noise barriers and/or other subsequent project design features (e.g., building orientation and construction for proposed multi-family PUD parcels 28 and 29) shall be identified that demonstrates compliance with City noise standards (interior and exterior).	Sacramento	Sacramento	mitigation measure.	of improvement plans for individual projects	
HAZARDS/RISK OF UPSET					
MM 4.7.2a Prior to the demolition of existing structures in the Panhandle PUD, the project applicant shall have the buildings evaluated for the presence of asbestos containing materials and lead paint. Should these materials be identified, they shall be removed by a licensed and certified contractor using methods that would prohibit accidental release.	City of Sacramento	City of Sacramento	See text of mitigation measure.	Prior to issuance of demolition permits	
MM 4.7.2b Should unknown contamination or underground storage tanks be discovered during construction activities, construction activities shall cease and the project applicant shall notify the City and Sacramento County Environmental Management Department. Discovered contamination shall be remediated to local, state and federal standards. This requirement shall be noted on all project	City of Sacramento	City of Sacramento	See text of mitigation measure.	During construction activities	

**MITIGATION MONITORING PLAN
PANHANDLE ANNEXATION AND PUD (P05-077)**

Mitigation Measure	Implementing Responsibility	Monitoring Responsibility	Compliance Standards	Timing	Verification of Compliance (Initials and Date)
improvement plans.					
<p>MM 4.7.4 As part of site-specific design of the Panhandle PUD detention basins and park water features, a Vector Control Plan shall be developed to the satisfaction of the Sacramento-Yolo Mosquito and Vector Control District. The Vector Control Plan shall specify mosquito control measures to be used (e.g., biological agents, pesticides, larvacides, circulating water) as well as identification of maintenance program to ensure control measures are maintained.</p>	Sacramento-Yolo Mosquito and Vector Control District	Sacramento-Yolo Mosquito and Vector Control District	See text of mitigation measure.	Prior to improvement plan approval for detention basins and park sites containing water features	
BIOLOGICAL RESOURCES					
<p>MM 4.8.2a The project applicant shall participate and implement all species-specific avoidance, minimization, and mitigation measures of the Natomas Basin Habitat Conservation Plan. This shall include provision of evidence that applicable fees and/or land dedication requirements have been met and that all preconstruction and avoidance measures are included in all improvement plans.</p>	City of Sacramento and Natomas Basin Conservancy	City of Sacramento and Natomas Basin Conservancy	See text of mitigation measure.	Prior to improvement plan or building permit approval.	
<p>MM 4.8.2b If tree removal or ground disturbance occurs between March 15 and August 31, a qualified biologist shall conduct a survey to</p>	City of Sacramento	City of Sacramento	See text of mitigation measure.	Prior to approval of grading permits.	

**MITIGATION MONITORING PLAN
PANHANDLE ANNEXATION AND PUD (P05-077)**

Mitigation Measure	Implementing Responsibility	Monitoring Responsibility	Compliance Standards	Timing	Verification of Compliance (Initials and Date)
<p>identify the location of active nests used by migratory birds including raptors.</p> <p>a) If an active migratory bird nest is located, the location will be identified on a map. No construction shall occur within a 100 foot-wide buffer established around the nest, in consultation with CDFG.</p> <p>b) If an active raptor nest is located, the location will be identified on a map. No construction should occur within a 250 foot-wide buffer established around the nest. If construction must occur, the biologist will monitor the nesting bird's activity to determine if the disturbance results in nest abandonment. If construction is affecting the nesting birds, construction within the buffer will cease until the nesting is completed.</p>					
<p>MM 4.8.3 To compensate for anticipated and future wetland impacts, a mitigation and monitoring plan will be prepared for submittal to the USACOE with the Section 404 permit application, the RWQCB with the 401 application, and to the CDFG with the Section 1602 Streambed Alteration Agreement permit application. The</p>	City of Sacramento	City of Sacramento	See text of mitigation measure.	Prior to approval of grading permits impacting areas requiring mitigation.	

**MITIGATION MONITORING PLAN
PANHANDLE ANNEXATION AND PUD (P05-077)**

Mitigation Measure	Implementing Responsibility	Monitoring Responsibility	Compliance Standards	Timing	Verification of Compliance (Initials and Date)
<p>mitigation plan will identify impacts on all jurisdictional features and mitigation measures that will be implemented to achieve the "no net loss" (i.e., the same amount of wetland resources lost to site development shall be replaced/created). This may include creation of stream or wetland resources off-site as determined acceptable to the City, USACOE, RWQCB and CDFG.</p>					
<p>MM 4.8.4a The following measures shall be implemented to avoid impacts to trees to be retained. These measures shall be included in project improvement plans.</p> <ul style="list-style-type: none"> a) No grade cuts greater than one foot shall occur within the driplines of heritage trees, and no grade cuts whatsoever shall occur within five feet of their trunks; b) No fill greater than one foot shall be placed within the driplines of heritage trees and no fill whatsoever shall be placed within five feet of their trunks; c) No trenching whatsoever shall be allowed within the driplines of heritage trees. If it is absolutely necessary to install underground utilities within the driplines of a heritage tree, the trench shall be either bored or drilled; 	City of Sacramento	City of Sacramento	See text of mitigation measure.	During construction activities.	

**MITIGATION MONITORING PLAN
PANHANDLE ANNEXATION AND PUD (P05-077)**

Mitigation Measure	Implementing Responsibility	Monitoring Responsibility	Compliance Standards	Timing	Verification of Compliance (Initials and Date)
<p>d) No irrigation system shall be installed within the driplines of preserved native oak tree(s), which may be detrimental to the preservation of the native oak tree(s) unless specifically authorized by the approving body.</p> <p>e) Landscaping beneath native oak trees may include non-plant materials such as boulders, cobbles, wood chips, etc. The only plant species which shall be planted within the driplines of oak trees are those which are tolerant of the natural semi-arid environs of the trees. Limited drip irrigation approximately twice per summer is recommended for the understory plants.</p>					
<p>MM 4.8.4b Where it is not possible to avoid impacts to heritage trees, tree replacement will be provided consistent with the City Tree Preservation Ordinance to the satisfaction of the City.</p>	City of Sacramento	City of Sacramento	See text of mitigation measure.	Prior to the issuance of grading permits.	
CULTURAL AND PALEONTOLOGICAL RESOURCES					
<p>MM 4.9.2a Should any cultural resources, such as structural features, unusual amounts of bone or shell, artifacts, or architectural</p>	City of Sacramento Planning Department	City of Sacramento Planning Department	See text of mitigation measure.	As a condition of project approval, and implemented during	

MITIGATION MONITORING PLAN
PANHANDLE ANNEXATION AND PUD (P05-077)

Mitigation Measure	Implementing Responsibility	Monitoring Responsibility	Compliance Standards	Timing	Verification of Compliance (Initials and Date)
<p>remains be encountered during development activities, work shall be suspended within 50 feet of the discovery and the City of Sacramento Planning Department shall be immediately notified. At that time, the City will coordinate any necessary investigation of the discovery with an appropriate specialist (e.g., archaeologist or architectural historian). The project proponent shall be required to implement any mitigation necessary for the protection of cultural resources.</p> <p>The City and the project applicant shall consider mitigation recommendations presented by a qualified archeologist for any unanticipated discoveries. The City and the project applicant shall consult and agree upon implementation of a measure or measures that the City and project applicant deem feasible and appropriate. Such measures may include avoidance, preservation in place, excavation, documentation, curation, data recovery, or other appropriate measures.</p>	City of Sacramento Planning Department	City of Sacramento Planning Department		construction activities.	
<p>MM 4.9.2b If human remains are discovered, all work must stop in the immediate vicinity of the find, and the County Coroner must be notified, according to Section 5097.98 of the State Public Resources Code and Section 7050.5 of California's Health and Safety Code. If the remains are determined to be</p>	City of Sacramento Planning Department	City of Sacramento Planning Department	See text of mitigation measure.	As a condition of project approval, and implemented during construction activities.	

**MITIGATION MONITORING PLAN
PANHANDLE ANNEXATION AND PUD (P05-077)**

Mitigation Measure	Implementing Responsibility	Monitoring Responsibility	Compliance Standards	Timing	Verification of Compliance (Initials and Date)
<p>Native American, the coroner will notify the Native American Heritage Commission, and the procedures outlined in CEQA Section 15064.5(d) and (e) shall be followed.</p>					
<p>MM 4.9.3 Should any potentially unique paleontological resources (fossils) be encountered during development activities, work shall be suspended within 50 feet of the discovery and the City of Sacramento Planning Department shall be immediately notified. At that time, the City will coordinate any necessary investigation of the discovery with a qualified paleontologist. The project proponent shall be required to implement any mitigation necessary for the protection of paleontological resources. The City and the project applicant shall consider the mitigation recommendations of the qualified paleontologist for any unanticipated discoveries. The City and the project applicant shall consult and agree upon implementation of a measure or measures that the City and project applicant deem feasible and appropriate. Such measures may include avoidance, preservation in place, excavation, documentation, curation, data recovery, or other appropriate measures.</p>	City of Sacramento Planning Department	City of Sacramento Planning Department	See text of mitigation measure.	As a condition of project approval, and implemented during construction activities.	
GEOLOGY AND SOILS					
MM 4.10.2a	City of	City of	See text of	Prior to issuance	

**MITIGATION MONITORING PLAN
PANHANDLE ANNEXATION AND PUD (P05-077)**

Mitigation Measure	Implementing Responsibility	Monitoring Responsibility	Compliance Standards	Timing	Verification of Compliance (Initials and Date)
<p>Prior to issuance of a grading permit, a geotechnical report shall be prepared by a qualified geotechnical engineer. The report shall contain specific design and engineering recommendations for the construction of buildings and infrastructure. The design of critical structures shall take into account the existing on-site seismic parameters, sub-surface conditions, soil movement and surface drainage conditions in order to reduce seasonal fluctuations in soil moisture content.</p>	<p>Sacramento</p>	<p>Sacramento</p>	<p>mitigation measure.</p>	<p>of grading permits</p>	
<p>MM 4.10.2b The measures outlined in the project geotechnical report and/or subsequent geotechnical reports shall be implemented throughout all stages of construction, at the direction of the City engineer, to prevent significant impacts associated with geologic instability. A geotechnical engineer shall be present on-site during earthmoving activities to ensure that requirements outlined in the geotechnical reports are adhered to for proper fill and compaction of soils. If construction work is necessary during the wet weather months (e.g., October through April), the project applicant shall consult with the City engineer and a qualified civil engineer to implement any additional recommendations provided, as conditions warrant. These recommendations would include but not be limited to (1) allowing a</p>	<p>City of Sacramento</p>	<p>City of Sacramento</p>	<p>See text of mitigation measure.</p>	<p>Throughout all stages of construction</p>	

**MITIGATION MONITORING PLAN
PANHANDLE ANNEXATION AND PUD (P05-077)**

Mitigation Measure	Implementing Responsibility	Monitoring Responsibility	Compliance Standards	Timing	Verification of Compliance (Initials and Date)
<p>prolonged drying period before attempting grading operations at any time after the onset of winter rains; and (2) implementing aeration or lime treatment, to allow any low-permeability surface clay soils intended for use as engineered fill to reach a moisture content that would permit the specified degree of compaction to be achieved.</p>					
<p>HYDROLOGY AND WATER QUALITY</p>					
<p>MM 4.11.1 As part of approval of each small lot final map and/or each subsequent project, the project applicant shall demonstrate that drainage facilities are consistent with the Drainage Report for the Panhandle PUD (Civil Engineering Solutions, 2006) as approved by the City's Department of Utilities, and adequately attenuate increased drainage flows consistent with City standards. During construction of the Panhandle PUD, sub-grades within 300 feet of the levee shall not be left below the existing grades between November 1st and April 15th. This demonstration may take the form of plans and/or reports and will also be required for future development of the Southern Portion. Prior to recording a master parcel map or each small lot final map, the project applicant shall construct the drainage facilities or provide the drainage assurances for the construction of drainage facilities.</p>	City of Sacramento	City of Sacramento	See text of mitigation measure.	Prior to Small Lot Final Map Approval or Improvement Plan Approval for Individual Projects.	

**MITIGATION MONITORING PLAN
PANHANDLE ANNEXATION AND PUD (P05-077)**

Mitigation Measure	Implementing Responsibility	Monitoring Responsibility	Compliance Standards	Timing	Verification of Compliance (Initials and Date)
<p>MM 4.11.2a Drainage facilities shall be designed to meet or exceed storm water quality requirements set forth in City Standards pertaining to regional storm water quality control in association with NPDES Stormwater Permit No. CA502597. Water quality control may consist of pollutant source control, water quality treatment through Best Management Practices or a combination of both measures. Water quality control features as part of drainage facilities shall be reviewed and approved by the City prior to approval of improvement plans for the site.</p>	City of Sacramento	City of Sacramento	See text of mitigation measure.	Prior to Improvement Plan approval.	
<p>MM 4.11.2b The project applicant shall prepare a SWPPP in conformance with the California Stormwater Quality Association Construction Handbook (Construction Handbook), City standards (Grading, Erosion, and Sediment Control Ordinance and Stormwater Management and Discharge Control Code), NPDES Stormwater Permit No. CA502597 and in compliance with the requirements of the State General Construction Activity Storm Water Permit (CGP) for each construction activity in the Panhandle area (Northern and Southern portions). The Construction Handbook provides general guidance for selecting and implementing BMPs that will</p>	City of Sacramento	City of Sacramento	See text of mitigation measure.	Prior to Issuance of grading permits.	

MITIGATION MONITORING PLAN
PANHANDLE ANNEXATION AND PUD (P05-077)

Mitigation Measure	Implementing Responsibility	Monitoring Responsibility	Compliance Standards	Timing	Verification of Compliance (Initials and Date)
<p>eliminate or reduce the discharge of pollutants from construction sites to receiving waters and for developing and implementing storm water pollution prevention plans that document the selection and implementation of BMPs for a particular construction project. The site specific SWPPP must describe the site, including a description of the erosion and sediment controls proposed (BMPs for water quality), the means of waste disposal, implementation of approved local plans, control measures of post-construction sediment and erosion, maintenance responsibilities, and non-storm water management controls. The developer shall file a Notice of Intent with the State Water Resources Control Board. The Waste Discharge Identification Number and a copy of the SWPPP shall be provided to the City prior to approval of grading improvement plans for the site.</p> <p>The project applicant shall retain a copy of the approved SWPPP on the construction site. BMPs identified in the SWPPP shall be utilized in all project site development activities. Implementation of appropriate, effective water quality controls will ensure no increase in turbidity, sediment or other pollutant loads into downstream facilities over predevelopment conditions during construction and will ensure that storm water discharges that will result with implementation of the project are in</p>					

**MITIGATION MONITORING PLAN
PANHANDLE ANNEXATION AND PUD (P05-077)**

Mitigation Measure	Implementing Responsibility	Monitoring Responsibility	Compliance Standards	Timing	Verification of Compliance (Initials and Date)
compliance with all current requirements.					
<p>MM 4.11.2c Grading and construction activities will need to conform to the requirements set forth in the City's Grading, Erosion and Sediment Control Ordinance, including the submittal of grading and erosion and sediment control plans to the City prior to approval of grading or improvement plans for the site.</p>					
<p>MM 4.11.3 The following mitigation measures shall apply in the event that levees currently providing adequate flood protection to the Panhandle Area are decertified by the U.S. Army Corps of Engineers and can no longer provide 100-year floodzone protection. The City anticipates that after any such decertification but before recertification of the levees, FEMA intends to remap the Panhandle Area as a special flood hazard area (likely as an AE, AR, or A99 Zone). Each designation contains specific building and design requirements for new above-ground-level development.</p> <p>If the Panhandle Area is remapped by FEMA into an AE Zone, AR Zone, or A99 Zone, then (1) the City shall require development within the project site to comply with all applicable building and</p>	City of Sacramento	City of Sacramento	See text of mitigation measure.	Prior to Improvement Plan Approval and Issuance of Building Permits.	

**MITIGATION MONITORING PLAN
PANHANDLE ANNEXATION AND PUD (P05-077)**

Mitigation Measure	Implementing Responsibility	Monitoring Responsibility	Compliance Standards	Timing	Verification of Compliance (Initials and Date)
<p>design regulations identified by FEMA and by the City of Sacramento's Floodplain Management Ordinance in existence at the date of issuance of building permits pertaining to the applicable remapped zone; (2) the project applicant shall participate in a funding mechanism such as an assessment district established by SAFCA and/or the City for the purpose of implementing measures that would provide no less than 100-year flood protection for the Panhandle Area, or for that portion of the Natomas Basin requiring re-certification for 100-year flood protection including the Panhandle Area provided that such funding mechanism is (i) based on a nexus study; (ii) is regional in nature; (iii) is proportionate, fair, and equitable; and (iv) complies with all applicable laws and ordinances; and (3) the requirements of the applicable FEMA zone and corresponding requirements under the City of Sacramento's Floodplain Management Ordinance shall be satisfied prior to the issuance of building permits for the project. Homeowners within the floodzone shall maintain federal flood insurance, as required under the applicable FEMA and City of Sacramento Floodplain Management Ordinance regulations.</p> <p>These mitigation measures shall terminate upon the first recertification of the levees by the U.S. Army Corps of Engineers. Under any of these three scenarios (AE, AR, or</p>					

MITIGATION MONITORING PLAN

PANHANDLE ANNEXATION AND PUD (P05-077)

Mitigation Measure	Implementing Responsibility	Monitoring Responsibility	Compliance Standards	Timing	Verification of Compliance (Initials and Date)
A99 Zone), homebuilders within the floodzone area shall disclose to all prospective buyers, lenders, bondholders and insurers of property through written disclosure, prior to the sale of units, that the U.S. Army Corps of Engineers has determined that the levees protecting the Natomas Basin may not provide flood protection from a 100-year or greater storm event until the levees are recertified as providing 100-year storm protection.	City of Sacramento	City of Sacramento			
MM 4.11.4 As part of the final design of the project detention basins, soil borings shall be taken at representative locations within the detention basins to analyze the subsurface soils that are present and the elevation of the subsurface water table. If these soil borings identify shallow groundwater within two (2) feet of the proposed bottom elevation of detention basins or within the detention basins, a liner and/or additional water quality control features may be incorporated into the design of the detention basin, subject to City review and approval.	City of Sacramento	City of Sacramento	See text of mitigation measure.	Prior to Improvement Plan Approval.	
VISUAL RESOURCES					
MM 4.12.2 The Panhandle PUD Guidelines shall include provisions for landscape buffer treatments along the site's border with Sorento Road. The Panhandle PUD	City of Sacramento	City of Sacramento	See text of mitigation measure.	Prior to approval of improvement plans for the PUD.	

**MITIGATION MONITORING PLAN
PANHANDLE ANNEXATION AND PUD (P05-077)**

Mitigation Measure	Implementing Responsibility	Monitoring Responsibility	Compliance Standards	Timing	Verification of Compliance (Initials and Date)
<p>Guidelines shall include provisions for landscape buffer treatments along the site's eastern edge, west of Sorento Road. The buffer treatment shall involve elements such as landscaping, walls, berms and fences along the length of Sorento Road adjacent to the PUD, to provide visual screening of the Panhandle PUD site (no walls or visual obstruction shall be placed along the park site associated with PUD Parcel 41).</p>	City of Sacramento	City of Sacramento	See text of mitigation measure.	Prior to approval of special permits.	
<p>MM 4.12.3a A lighting plan shall be developed and provided with special permits and/or development plan review for the Panhandle PUD to ensure that all lights are low intensity, fully hooded, back shielded and directed away from residential areas to reduce the light "spillage" and glare, and prohibit the illumination from breaking the horizontal plane.</p>	City of Sacramento	City of Sacramento	See text of mitigation measure.	Prior to approval of special permits and building permits for commercial uses.	
<p>MM 4.12.3b Outdoor lighting for commercial uses and community parks/sports facilities in the Panhandle PUD shall be designed to be turned off when not in use where security and safety is not a concern. This requirement shall be included in lighting plans submitted to the City as part of the improvement plans.</p>	City of Sacramento	City of Sacramento	See text of mitigation measure.	Prior to approval of the	
<p>MM 4.12.3c Light fixtures for sports fields that are</p>	City of Sacramento	City of Sacramento	See text of mitigation measure.	Prior to approval of the	

**MITIGATION MONITORING PLAN
PANHANDLE ANNEXATION AND PUD (P05-077)**

Mitigation Measure	Implementing Responsibility	Monitoring Responsibility	Compliance Standards	Timing	Verification of Compliance (Initials and Date)
<p>planned to be lighted in the Panhandle PUD shall be directed away from residential areas to reduce light "spillage" and glare. Light fixtures shall be designed to limit illumination to the sports fields and shall demonstrate that the illumination of adjacent residential properties will not exceed 1.0 foot-candles.</p>			measure.	improvement plans for applicable parks.	
PUBLIC SERVICES AND UTILITIES					
<p>MM 4.13.1.1a The project applicant shall pay the necessary project-specific fire service impact fees associated with fire protection services, as outlined in the project's Finance Plan.</p>	City of Sacramento	City of Sacramento	See text of mitigation measure.	Prior to issuance of building permits	
<p>MM 4.13.1.1b The Panhandle PUD Finance Plan shall include all necessary public facility improvements (e.g., fire, law enforcement, water, wastewater, parks, roadways and libraries) intended to solely serve the PUD as well as its fair-share contribution to public facilities that serve the North Natomas Community Plan area. The Panhandle PUD Finance Plan shall ensure that public facilities and equipment required to service the PUD are in place concurrent with site development.</p>	City of Sacramento	City of Sacramento	See text of mitigation measure.	Prior to final approval of the Panhandle PUD Finance Plan	
<p>MM 4.13.4.1a Connection to the CSD-1 sewer system for</p>	CSD-1 and City of Sacramento.	CSD-1 and City of Sacramento.	See text of mitigation measure.	Prior to issuance of individual building permits	