RESOLUTION NO. 2006-192

Adopted by the Sacramento City Council

March 14, 2006

CERTIFYING THE ENVIRONMENTAL IMPACT REPORT AND ADOPTING THE MITIGATION MONITORING PROGRAM FOR THE PROPOSED PARKEBRIDGE PROJECT, LOCATED IN SOUTH NATOMAS, SOUTHEAST OF TRUXEL ROAD AND INTERSTATE 80, SACRAMENTO, CALIFORNIA (APN: 225-0160-084, -088, -054, 225-0170-062)

THE CITY COUNCIL OF THE CITY OF SACRAMENTO DOES HEREBY FIND, DETERMINE, AND RESOLVE AS FOLLOWS:

I. CALIFORNIA ENVIRONMENTAL QUALITY ACT FINDINGS

1. The City Council finds that the Environmental Impact Report for the ParkeBridge residential subdivision project (herein EIR) which consists of the Draft EIR, Final EIR (Response to Comments) and Appendices, 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.

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 and the Sacramento Local Environmental Procedures, and constitutes an adequate, accurate, objective and complete Final Environmental Impact Report in accordance with the requirements of CEQA, the State CEQA Guidelines and the Sacramento Local Environmental Procedures.

3. The City Council certifies that the EIR has been presented to it and that the City Council has reviewed it and considered the information contained therein prior to acting on the proposed project.

4. Pursuant to CEQA Guidelines Sections 15091 and 15093, and in support of its approval of the ParkeBridge residential subdivision project, the City Council hereby adopts the attached Findings of Fact and Statement of Overriding Considerations and a Mitigation Monitoring Program to require implementation of all feasible mitigation measures.

II. PROCEDURAL FINDINGS

1. The City of Sacramento caused an Environmental Impact Report ("EIR") on the Project to be prepared pursuant to the California Environmental Quality Act, Public Resources Code, Section 21000 et seq. (CEQA), the CEQA Guidelines, Code of California Regulations, Title XIV, Section 15000 et seq., and the City of Sacramento Environmental Guidelines.

2. A Notice of Preparation (NOP) dated January 28, 2005 and a subsequent NOP dated February 4, 2005 with project figures were filed with the Office of Planning and Research and circulated for public comments for 30 days. A scoping meeting was held on February 14, 2005, regarding the preparation of the EIR.

3. A Notice of Availability (NOA) and Notice of Completion (NOC) and copies of the Draft EIR were distributed to the State Clearinghouse on October 6, 2005 to distribute to those public agencies that have jurisdiction by law with respect to the Project and to other interested parties and agencies. The comments of such persons and agencies were sought.

4. An official forty-five (45) day public review period for the Draft EIR was established by the State Clearinghouse. The public review period began on October 7, 2005 and ended on November 23, 2005.

5. The Notice of Availability (NOA) was distributed to all interested groups, organizations, individuals, and property owners within 500 feet on October 7, 2005. 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, 3rd Floor, Sacramento, California 95814, its business location at that time. The NOA also indicated that the official forty-five day public review period for the Draft EIR would end on November 23, 2005.

6. On October 7, 2005, the Notice of Availability was published in the Daily Recorder, posted at the project site, and filed with the Sacramento County Clerk-Recorder. The Notice of Availability stated that the Draft EIR was available for public review and comment.

7. Following closure of the public comment period, the Final EIR was prepared, including responses to written comments received regarding the Draft EIR, and any changes in the Draft EIR made as a result of the public review of the document. The responses to agency comments regarding the Draft EIR were provided to the commenting agencies on January 13, 2006.

8. Following notice duly and regularly given as required by law, and all interested parties expressing a desire to comment thereon or object thereto having been heard, the EIR and comments and responses thereto having been considered, the City Council makes the following determinations:

A. The EIR consists of the Draft EIR and Final EIR (Responses to Comments) and appendices.

B. The EIR was prepared and completed in compliance with CEQA.

C. The EIR has been presented to the City Council which has reviewed and considered the information therein prior to acting on the ParkeBridge Residential Subdivision Project, and they find that the EIR reflects the independent judgment and analysis of the City of Sacramento.

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

A. The Draft and Final EIR and all documents relied upon or incorporated by reference including:

- City of Sacramento General Plan, City of Sacramento, January, 1988
- Draft Environmental Impact Report City of Sacramento General Plan Update, City of Sacramento, March, 1987
- Findings of Fact and Statement of Overriding Considerations for the Adoption of the Sacramento General Plan Update, City of Sacramento, 1988
- Zoning Ordinance, City of Sacramento

B. The Mitigation Monitoring Plan as corrected February 9, 2006.

C. All staff reports, memoranda, maps, letters, minutes of meetings and other documents relied upon or prepared by City staff relating to the project, including but not limited to, City of Sacramento General Plan and the Draft and Final Environmental Impact Report for the City of Sacramento General Plan Update.

10. The official custodian of the record is the City of Sacramento Development Services Department, Environmental Planning Services, 2101 Arena Boulevard, Suite 200, Sacramento, CA 95834.

III. FINDINGS OF FACT REGARDING THE CONTENTS OF THE ENVIRONMENTAL IMPACT REPORT FOR THE PARKEBRIDGE RESIDENTIAL SUBDIVISION PROJECT

INTRODUCTION

The Environmental Impact Report ("EIR") prepared for the ParkeBridge Residential Subdivision Project ("proposed project") addresses the potential environmental effects associated with a tentative subdivision map for the development of 531 residential units, and associated infrastructure, on an 86.7-acre site in the South Natomas area of Sacramento. The proposed project includes a tentative map to subdivide 113.3± acres, which includes land for a future park that could be developed by the City of Sacramento, and which would be subject to environmental review at the time plans for development have been prepared.

The proposed project is located in South Natomas in the City of Sacramento, southeast of the Interstate 80 (I-80) and Truxel Road interchange. The project site is flat and has historically been used for agriculture. Two irrigation ditches traverse the site – one on the parcel's eastern border and the other through the center of the site.

The proposed project would include the development of a total of 531 residential units on approximately 86.7 acres; approximately 13 of those acres would include open space, drainage corridors, landscape corridors, and infrastructure required to support the proposed uses. The proposed project is divided into four residential villages, as follows: 142 townhouse cluster lots, 135 single-family units (34 foot by 73 foot lots), 154 single-family units (45 foot by 80 foot lots), and 100 single-family units (50 foot by 100 foot lots). A seasonal wetland along the southern portion of the site would be incorporated into the rear yards of future residential lots, but the area would be fenced, and development within the wetland would be restricted while the wetland feature exists. The project includes four neighborhood pocket parks totaling approximately 0.9 acres. In total, the proposed project would result in the development of approximately 86.7 acres.

These findings have been prepared to comply with the requirements of the California Environmental Quality Act ("CEQA") and the CEQA Guidelines (Cal. Code Regs, Title 14, § 15000 *et seq.*).

DEFINITIONS

ADT = average daily traffic
AF = acre feet
AFY = acre feet per year
ANSI = American National Standards Institute
BACT = best available control technology
BMPs = best management practices
BO = Biological Opinion
CAAQS = California Ambient Air Quality Standards
Caltrans = California Department of Transportation
CARB = California Air Resources Board
CCR = California Code of Regulations

CDFG = California Department of Fish and Game
CESA = California Endangered Species Act
CEQA = California Environmental Quality Act
CFR = Code of Federal Regulations
cfs = cubic feet per second
CIWMB = California Integrated Waste Management Board
CLUP = Metropolitan Comprehensive Land Use Plan
CNDDB = California Natural Diversity Database
CNEL = Community Noise Exposure Level
CNPS = California Native Plant Society
CO = carbon monoxide
Corps = Army Corps of Engineers
CVP = Central Valley Project
CWA = Clean Water Act
dB = decibel
dBA = A-weighted decibel, weighted toward the human ear
DEIR = Draft Environmental Impact Report
DHS = California Department of Health Services
DTSC = California Department of Toxic Substances
du = dwelling unit
DWR = California Department of Water Resources
EB = eastbound
EPA = Environmental Protection Agency
FCAA = Federal Clean Air Act
FEIR = Final Environmental Impact Report
FEMA = Federal Emergency Management Agency
FESA = Federal Endangered Species Act
FHWA = Federal Highway Administration
FIRMs = Federal Insurance Rate Maps
gpm = gallons per minute
HCP = Habitat Conservation Plan
I-80 = Interstate 80
ITE = Institute of Transportation Engineers
ITP = Incidental Take Permit
L_{dn} = the Day/Night Average Level, a 24-hour average L_{eq} with a 10 dBA "weighting" added to noise during the hours of 10:00 P.M. to 7:00 A.M. to account for noise sensitivity in the nighttime
L_{eq} = the equivalent energy noise level, the average acoustic energy content of noise for a stated period of time
L_{max} = the maximum instantaneous noise level experienced during a given period of time
L_{min} = the minimum instantaneous noise level experienced during a given period of time
LOS = level of service
MACT = maximum available control technology
MBTA = Migratory Bird Treaty Act
MCL = maximum contaminant level
MEI = maximally exposed individual
MEP = maximum extent practicable
mgd = million gallons per day
msl = mean sea level

MTP = Metropolitan Transportation Plan
NBHCP = Natomas Basin Habitat Conservation Plan
NFIP = National Flood Insurance Program
NO_2 = nitrogen dioxide
NOI = Notice of Intent
NOP = Notice of Preparation
NO_x = nitrogen oxide
NPDES = National Pollution Discharge Elimination System
NUSD = Natomas Unified School District
0_3 = ozone
$PM_{2.5}$ = fine particulate matter 2.5 microns or smaller in diameter
PM_{10} = fine particulate matter 10 microns or smaller in diameter
POU = Place of Use
ppm = parts per million
PUD = Planned Unit Development
RCRA = Resource Conservation and Recovery Act
RD 1000 = Reclamation District 1000
ROG = reactive organic gases
RT = Sacramento Regional Transit
RWQCB = Regional Water Quality Control Board
sf = square feet
SGPU = Sacramento General Plan Update
SIP = State Implementation Plan
SMAQMD = Sacramento Metropolitan Air Quality Management District
SNCP = South Natomas Community Plan
SO_2 = sulfur dioxide
SRRE = Source Reduction and Recycling Element
SVAB = Sacramento Valley Air Basin
SWA = Sacramento Regional County Solid Waste Authority
SWPPP = Stormwater Pollution Prevention Plan
SWRCB = State Water Resources Control Board
TAC = toxic air contaminant
TNBC = The Natomas Basin Conservancy
USBR = United States Bureau of Reclamation
USFWS = United States Fish and Wildlife Service
UWMP = Urban Water Management Plan
v/c = volume-to-capacity ratio
VdB = vibration decibel
VOCs = volatile organic compounds
WB = westbound
WFA = Water Forum Agreement
WSA = Water Supply Assessment
WTP = Water Treatment Plant

PROJECT DESCRIPTION

Introduction

The proposed ParkeBridge residential development project (proposed project) includes a tentative subdivision map for the development of 531 residential units, and associated

infrastructure, on an 86.7-acre site in the South Natomas area of Sacramento. The project applicant is in the process of purchasing 88.6 acres from the Natomas Unified School District (NUSD) and negotiating an agreement with the City of Sacramento to exchange approximately 29 acres (purchased from NUSD) with 25 acres of City land. As a separate project, approximately 28 net acres (from the land exchange) would be developed as a community park in the future by the City and would be planned and evaluated as part of a process separate from the ParkeBridge EIR prior to development by the City. (DEIR, p. 2-1.)

PROJECT LOCATION AND CHARACTERISTICS

The project site is located in South Natomas in the City of Sacramento, southeast of the Interstate 80 (I-80) and Truxel Road interchange.

Project Site Land Uses

The site is flat and has historically been used for agriculture. Two irrigation ditches traverse the site - one on the parcel's eastern border and the other through the center of the site. The project site is within Sacramento City limits and is subject to the provisions of the City of Sacramento General Plan. General Plan designations for the site include Low Density Residential (4-15 du/ac), Regional Commercial and Offices, and Parks-Recreation-Open Space. The project site is located within the South Natomas Community Plan (SNCP) area, which is bounded generally by the Sacramento River to the west, the American River to the south, I-80 to the north, and Northgate Boulevard to the east. The SNCP envisions residential development, parks, schools, shopping centers, and office/business uses within the plan area resulting in a high quality mixed-use community. The project site is designated Residential 4-8 du/ac, Residential 7-15 du/ac, Office/Office Park, and Parks/Open Space in the South Natomas Community Plan. Zoning for the site includes low-density residential (R-1A), office (OB), and agriculture (A). Diagrams showing the applicable land use designations for each of the plans are provided in Chapter 4, Land Use. (DEIR, p. 2-1.)

Surrounding Land Uses

The site is bordered on the south by a drainage canal, operated by Reclamation District 1000 (RD 1000), and a low-density single-family housing development, similar in nature to the detached units in the proposed project. Natomas High School is located further to the southwest. There is an undeveloped City parcel to the west, I-80 to the north, and agricultural land to the east. The undeveloped area to the east of the project site is designated by the General Plan and SNCP for office and commercial development. (DEIR, p. 2-1.)

PROJECT OBJECTIVES

The objectives of the proposed project are listed below:

- Provide a residential development, consisting of low- and medium-density housing with a variety of architectural styles that compliments the adjacent residential development.
- Provide public services to meet the needs of the proposed development.

- Promote connectivity with the adjacent development by providing pedestrian and bicycle access between the existing and planned development.
- Provide bicycle facilities on the site as identified in the 2010 City/County Bikeway Master Plan.
- Create places to live that foster neighborliness and a sense of community.
- Provide access to open space and park facilities. (DEIR, p. 2-3.)

PROJECT ELEMENTS

The proposed project would include the development of a total of 531 residential units on approximately 86.7 acres; approximately 13 of those acres would include open space, drainage corridors, landscape corridors, and infrastructure required to support the proposed uses. The proposed project is divided into four residential villages, as follows: 142 townhouse cluster lots, 135 single-family units (34 foot by 73 foot lots), 154 single-family units (45 foot by 80 foot lots), and 100 single-family units (50 foot by 100 foot lots). A seasonal wetland along the southern portion of the site would be incorporated into the rear yards of future residential lots, but the area would be fenced, and development within the wetland would be restricted while the wetland feature exists. The project includes four neighborhood pocket parks totaling approximately 0.9 acres. In total, the proposed project would result in the development of approximately 86.7 acres. (DEIR, p. 2-3.)

The proposed project would require an amendment of the General Plan and SNCP, a rezoning and approval of a tentative subdivision map and subdivision modification to divide the site. The new designations would be parks – recreation – open space, low-density residential, and medium-density residential. The project site is not located in an area that would require design guidelines or review by the City's Design Review Board. (DEIR, p. 2-3.)

Natomas Basin Habitat Conservation Plan Compliance

The project applicant will comply with mitigation prescribed in the Natomas Basin Habitat Conservation Plan. Compliance will be accomplished through acquisition and dedication of mitigation land to the Natomas Basin Conservancy at a rate of one-half acre of habitat for every acre of land developed and payment of applicable mitigation fees to cover the costs of restoring and managing one-half acre of habitat for every acre of land developed. Mitigation fees will be paid to the Natomas Basin Conservancy and replacement habitat will be acquired prior to project development. (DEIR, p. 2-3.)

Infrastructure

Circulation

The proposed project would have four crossings of the RD 1000 canal: two for primarily automobile traffic and two strictly for bicycle and pedestrian traffic. The applicant intends to design the crossing structures to completely span the canal so that there would be no footings or pilings placed within the canal; however, if that is not feasible, culverts could be placed in the canal for the two automobile crossings. During

construction of drainage improvements when District canals and berms were worked on extensively, the canal was not considered jurisdictional waters by the U.S. Army Corps of Engineers (Corps). Primary access to the site would be via Fong Ranch Road (currently Rosin Boulevard) at the western portion of the site. Secondary access to the site would be via an extension of the existing Bridgeford Drive from the subdivision located to the south of the project site. One of the bicycle crossings of the canal would be generally north of Rio Rosa Way and the other would be at the eastern portion of the project site. (DEIR, p. 2-5.)

A system of minor collectors and residential streets is proposed to provide the circulation for the project. All streets within the project site would be built in accordance with City street standards. (DEIR, p. 2-5.)

The proposed extension of Fong Ranch Road ends at the eastern portion of the project site; however, to ensure adequate analysis of traffic impacts that could occur in the future, the Transportation section of the ParkeBridge EIR (Section 5.6) includes analysis of a scenario that includes the extension of Fong Ranch Road to the east to Rosin Court. (DEIR, p. 2-5.)

Water Service

There is no existing water infrastructure on the site. There are, however, a sufficient number of connection points to the existing water main system within the vicinity of the ParkeBridge project to provide sufficient capacity for the proposed project. The proposed project would include connection to existing 8-inch water lines in Bridgeford Drive and Rio Largo Way and to an existing 12-inch water main in Rosin Boulevard to the south of the project site, each of which would be accessed by boring under the RD 1000 canal. No structures would be placed in the canal for connection to water facilities. (DEIR, p. 2-5.)

Storm Drainage

There is no existing storm drain infrastructure on the project site. The storm drain system for the proposed project would convey stormwater to the proposed detention ponds and subsequently to Sump 141. The project includes two detention basins along the eastern portion of the site and a drainage/open space corridor along the length of the southern border. Runoff from the site would be directed to the proposed detention basins and ultimately to Sump 141, south of the project site. (DEIR, p. 2-5.)

Wastewater Service

There is no existing sewer infrastructure on the project site. Improvements for the proposed project would include installation of a 24-inch sewer line along the western border of the project site that would connect to sewer trunk facilities to be constructed by the NUSD south of I-80, and subsequently connect to the facilities being constructed by Opus West Corporation north of I-80. The Opus West Corporation is expected to

complete construction of their portion of the sewer trunk facilities in 2006. The project would also participate in planned downstream sewer lift station improvements to increase the capacity of the temporary sewer facilities. (DEIR, p. 2-5.)

Recreation Facilities

The proposed project would include four parks totaling approximately 0.9 acres along Fong Ranch Road at a central location on the project site that would serve as a focal element and gathering place, with recreational opportunities for residents, including a basketball court and tot lot. The proposed project would also require the dedication of approximately seven acres (or payment of in-lieu fees) to the City to satisfy park dedication requirements, of which four acres would be adjacent to the City community park. Although the park would not be constructed as part of the proposed project, the dedicated acreage would be combined with other adjacent City land that the City would develop to create a 28.1-acre (net) community park on the parcel west of the project site. Although plans have not been developed for the City park, it is anticipated that it would include a baseball complex and other community-serving amenities. (DEIR, p. 2-6.)

A bike trail and parkway would be constructed as part of the proposed project along the southern border of the project site. Approximately 2.41 acres along the drainage canal (south border) would be dedicated as open space. An additional bike trail/landscaped parkway would be located along the northern border of the project site. The trail would travel through the recreation and open space area and provide a link to the detention basin along the eastern border of the project site. As previously stated, there would be two bicycle/pedestrian bridges with access from the bike path that would connect the proposed project with the existing residential development to the south. (DEIR, p. 2-6.)

Project Schedule

It is anticipated that grading for the proposed project would begin in the spring or summer of 2006, followed by the construction of the two vehicular bridges to provide primary and secondary access to the project site, along with the entry feature, most of the main road and required infrastructure (drainage, sewer, detention basin) and required offsite improvements. The four villages would likely be constructed simultaneously, with 10 to 15 houses to be constructed at a time per phase per village. It is anticipated that the project could be completely built out by 2008. (DEIR, p. 2-6.)

Project Approvals

As a public agency principally responsible for approving the proposed project, the City of Sacramento is considered the Lead Agency under the CEQA. The City of Sacramento has the authority to either approve or reject the project. In addition to certification of the EIR, additional entitlements have been requested for the proposed project. The proposed project would require the approvals identified below. (DEIR, p. 2-6.)

City of Sacramento

- Environmental Determination: Environmental Impact Report;
- Mitigation Monitoring Plan;
- Public Infrastructure Agreement between the City and Griffin Industries regarding the development of the site;
- City of Sacramento General Plan Amendment to modify the land use for a portion of the site to allow development of residential uses;
- South Natomas Community Plan Amendment to modify the land use for a portion of the site;
- Rezone;
- Establish Planned Unit Development; and
- Tentative Subdivision Map, subdivision modification, and PUD special permit to subdivide the parcel. (DEIR, p. 2-6 and 2-7.)

Other Agencies

Regional Water Quality Board (Waste Discharge Requirements Permit). (DEIR, p. 2-7.)

IV. BACKGROUND

Environmental Review Process

The City prepared the EIR to satisfy the requirements of CEQA, as well as to provide decision-makers and the public with information that enables them to consider the environmental consequences of the proposed actions. The EIR provides a project-level analysis for the ParkeBridge Project. (DEIR, p. 1-4.)

As a first step in complying with the procedural requirements of CEQA, the City examined whether any aspect of the ParkeBridge Project, either individually or cumulatively, may cause a significant effect on the environment. It was determined that there were potentially significant impacts, and the Notice of Preparation ("NOP") indicated that an EIR would be prepared to analyze these impacts. (DEIR, p. 1-1.)

The scope of the EIR includes environmental issues determined to be potentially significant through preparation of the NOP, Revised NOP, responses to the NOP, scoping meetings, and discussions among the public, consulting staff, and the City of Sacramento. The City filed a NOP with the California Office of Planning and Research ("OPR") as an indication that an EIR would be prepared. During preparation of the EIR, agencies, organizations, and persons who the City believed might have an interest in the ParkeBridge Project were notified. (DEIR, p. 1-1.)

The EIR or a Notice of Availability of the EIR was distributed to agencies that commented on the NOP, responsible and trustee agencies, individuals and

organizations requesting notice, surrounding cities, counties, and other interested parties for a 45-day public review period in accordance with section 15087 of the State CEQA Guidelines. (DEIR, p. 1-1.)

Upon completion of the public review period, written responses to all substantive comments raised with respect to environmental issues were discussed into the Final EIR ("FEIR"). Written responses to comments received from any State or local agencies were made available to these agencies at least ten days prior to the public hearing during which the certification of the EIR was considered. These comments and their responses were included in the FEIR for consideration by the Planning Commission, and the City Council. The process culminated with City Council hearing to consider approval of the ParkeBridge Project.

V. FINDINGS FOR APPROVAL REQUIRED UNDER CEQA

According to Public Resources Code Section 21081, no public agency shall approve or carry out a project for which an EIR has been certified which identifies one or more significant effects on the environment without making specific Findings of Fact ("Findings"). The purpose of the Findings is to establish the connection between the analysis in the EIR and the action of the Lead Agency with regard to approval or rejection of a project. Prior to approval of a project, one of three findings must be made, as follows:

- Changes or alterations have been required in, or incorporated into, the project that avoid or substantially lessen the significant environmental effects as identified in the EIR.

- Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency.

- Specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the FEIR.

Additionally, according to PRC section 21081.6, for projects in which significant impacts will be avoided by mitigation measures, the Lead Agency must include a Mitigation Monitoring Program ("MMP"). The purpose of the MMP is to ensure compliance with required mitigation during implementation of the project.

CEQA requires that the lead agency adopt mitigation measures or alternatives, where feasible, to substantially lessen or avoid significant environmental impacts that would otherwise occur. Project modification or alternatives are not required, however, where such changes are infeasible or where the responsibility for modifying the project lies with some other agency. (CEQA Guidelines, § 15091, subd. (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, subd. (b); Pub. Resources Code, § 21081, subd. (b))

Public Resources Code section 21061.1 defines "feasible" to mean "capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, social and technological factors."

If a project will result in significant and unavoidable impacts, the agency must state in writing the specific reasons for approving the project based on the FEIR and any other information in the public record. This is termed a "Statement of Overriding Considerations" and is used to explain the specific reasons why the benefits of a proposed project make its unavoidable environmental effects acceptable. The statement is prepared before action to approve the project and certify the EIR is taken and is included as part of these findings.

A Notice of Availability was published on October 7, 2005, providing notice that the Draft EIR had been completed and was available for public review and comment. The Draft EIR was published and circulated for public comments from October 7, 2005 to November 23, 2005. On January 13, 2006 the City provided commenting agencies with the City's responses, and the Final EIR was completed on January 19, 2006, including responses to the comments received on the Draft EIR and the Mitigation Monitoring Plan. (Pub. Resources Code, § 21092.5, subd. (a))

The following documents comprise the EIR:

- The Final Environmental Impact Report for the ParkeBridge Project ("FEIR"), including comments received on the DEIR, responses to those comments, and technical appendices;
- Documents cited or referenced in the Draft and Final EIRs;
- All findings and resolutions adopted by the City in connection with the ParkeBridge Project, and all documents cited or referred to therein;
- All reports, studies, memoranda (including internal memoranda not protected by the attorney-client privilege), maps, staff reports, or other planning documents relating to the Project prepared by the City, consultants to the City, or responsible or trustee agencies with respect to the City's compliance with the requirements of CEQA and with respect to the City's action on the ParkeBridge Project;
- All documents submitted to the City (including the Planning Commission and City Council) by other public agencies or members of the public in connection with the ParkeBridge Project, up through the close of the public hearing(s);
- Any minutes and/or verbatim transcripts of all information sessions, public meetings, and public hearings held by the City in connection with the ParkeBridge Project;

- Any documentary or other evidence submitted to the City at such information sessions, public meetings and public hearings;

- Any documents expressly cited in these findings, in addition to those cited above; and

- Any other materials required for the record of proceedings by Public Resources Code section 21167.6, subdivision (e).

The official custodian of the record is the City of Sacramento Development Services Department, Environmental Planning Services, 2101 Arena Boulevard, Suite 200, Sacramento, CA 95834.

The City Council has relied on all of the documents listed above in reaching its decision on the ParkeBridge Project, even if not every document was formally presented to the City staff as part of the City files generated in connection with the ParkeBridge Project. Without exception, any documents set forth above not found in the ParkeBridge Project files fall into one of two categories. Many of them reflect prior planning or legislative decisions in which the Board was aware in approving the ParkeBridge Project. (See *City of Santa Cruz v. Local Agency Formation Commission* (1978) 76 Cal.App.3d 381, 391-392; *Dominey v. Department of Personnel Administration* (1988) 205 Cal.App.3d 729, 738, fn. 6.) Other documents included the expert advice provided to City Staff or consultants, who then provided advice to the City Council. For that reason, such documents form part of the underlying factual basis for the City's decisions relating to the adoption of the ParkeBridge Project. (See Pub. Resources Code, § 21167.6, subd. (e)(10); *Browning-Ferris Industries v. City Council of City of San Jose* (1986) 181 Cal.App.3d 852, 866; *Stanislaus Audubon Society, Inc. v. County of Stanislaus* (1955) 33 Cal.App.4th 144, 153, 155.)

Public Resources Code section 21002 provides that "public agencies should not approve projects as proposed if there are feasible alternatives or feasible mitigation measures available which would *substantially lessen* the significant environmental effects of such projects[.]" (Emphasis added.) The same statute states that the procedures required by CEQA "are intended to assist public agencies in systematically identifying both the significant effects of proposed projects and the feasible alternatives or feasible mitigation measures which will *avoid* or *substantially lessen* such significant effects." (Emphasis added.) In the event that specific economic, social, or other conditions make infeasible such project alternatives or such mitigation measures, individual projects may be approved in spite of one or more significant effects thereof. (Pub. Resources Code, § 21002.)

Public Resources Code section 21061.1 defines "feasible" to mean "capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, social and technological factors." CEQA Guidelines section 15364 adds another factor: "legal" considerations. (See also *Citizens of Goleta Valley v. Board of Supervisors* ("*Goleta II*") (1990) 52 Cal.3d 553, 565; *City of Del Mar v. City of San Diego* (1982) 133 Cal.App.3d 410, 417 ("feasibility" also encompasses desirability, to the extent that desirability is based on a reasonable balancing of the

relevant economic, environmental, social, and technological factors and whether a particular alternative or mitigation measure promotes the underlying goals and objectives of a project).)

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

The Initial Study prepared for the project, and attached to the Draft EIR as Appendix A, identified the following impacts as being less than significant, and these were not reviewed further in the environmental process: Aesthetics, Light and Glare; Seismicity, Soils and Geology; Hazards; Land Use and Planning; Energy; Public Services; and Recreation. The Draft EIR identified no significant impacts for Hydrology and Water Quality or Water Supply.

These findings constitute the City's best efforts to set forth the evidentiary and policy bases for its decision to approve the proposed project in a manner consistent with the requirements of CEQA. To the extent that these findings conclude that various proposed mitigation measures outlined in the Final EIR are feasible and have not been modified, superseded or withdrawn, the City hereby binds itself to implement these measures. These findings are not merely informational, but rather constitute a binding set of obligations that will come into effect when the City adopts a resolution approving the Project.

VI. POTENTIALLY SIGNIFICANT IMPACTS AND MITIGATION MEASURES

The DEIR identified a number of significant and potentially significant environmental effects (or "impacts") that the proposed project will cause. Some of these significant effects can be fully avoided through the adoption of feasible mitigation measures. Other effects cannot be avoided by the adoption of feasible mitigation measures or alternatives, and thus will be significant and unavoidable. Some of these unavoidable significant effects can be substantially lessened by the adoption of feasible mitigation measures. Other significant, unavoidable effects cannot be substantially lessened or avoided. For reasons set forth in Section X *infra*, however, the City has determined that the significant, unavoidable effects of the proposed project are outweighed by overriding economic, social, and other considerations.

A. AIR QUALITY

Impact 5.1-1: Construction of the proposed project would generate emissions of PM_{10}. This is a *significant impact.* (Less than Significant after Mitigation). (DEIR, p. 5.1-12.)

Finding: This impact can be reduced to a less-than-significant level through implementation of Mitigation Measure 5.1-1. Changes or alterations have been required

in, or incorporated into, the project which mitigate or avoid the significant environmental effect as identified in the DEIR.

Explanation: During the different phases of construction, PM_{10} would be generated. The most PM_{10} would be generated during the grading phase, when heavy-duty equipment would be moving soil and leveling the project site. The SMAQMD Guide specifies a threshold of significance of 50 $\mu g/m^3$ for PM_{10}. The Guide also provides a screening table (Table B.1, Appendix B of the Guide) that prescribes PM_{10} mitigations based on maximum acres graded daily to ensure that the project will be less than significant. The maximum daily acreage allowed in the screening table is 15 acres. PM_{10} mitigations required at the 15 acre level are: keep soil moist at all times; maintain two feet of freeboard space on haul trucks; and use emulsified diesel or diesel catalysts on applicable heavy duty diesel construction equipment.

The proposed project would develop approximately 86.7 acres; the development of the City park would eventually be developed by the City, independent of the proposed project, and therefore, would not contribute emissions associated with construction concurrent with the proposed project. The URBEMIS 2002 emissions modeling program calculates that maximum daily graded acreage is normally 25 percent of the total project acreage. Consequently, URBEMIS 2002 assumes 21 acres as the maximum daily graded acreage. This would place the proposed project outside of the acreage values found in the screening table. The SMAQMD Guide suggests that if daily graded acreages exceed those in the screening table, concentration modeling can be performed to determine if PM_{10} concentrations during grading would exceed the 50 $\mu g/m^3$ outside of the project boundaries. In the case of the proposed project, modeling would almost certainly show that grading emissions would exceed this standard, since grading would occur over the entire site, including at the property line. This would be a *significant impact*.

Instead of performing concentration modeling, the better option is to specify mitigation measures that would ensure that the maximum acres per day graded during construction of the proposed project would be less than significant according to the SMAQMD Guide. Implementation of the following mitigation measure(s) would keep grading within the acreages specified in the Screening Table B.1, and would ensure that mitigations required in the SMAQMD Guide for the specified graded area are implemented, which would reduce this impact to a less-than-significant level. (DEIR, pp. 5.1-12 to 5.1-13.)

Mitigation Measures: Implementation of Mitigation Measure 5.1-1 would ensure that mitigations required in the SMAQMD Guide for the specified graded area are implemented. (DEIR, p. 5.1-13)

Significance After Mitigation: This impact is less than significant after mitigation. (DEIR, p. 5.1-13)

<u>Impact 5.1-2</u> Construction of the proposed project would generate ozone precursors. This is a *significant impact.* (Less than Significant After Mitigation). (DEIR, p. 5.1-13.)

Finding: This impact can be reduced to less-than-significant level through implementation of Mitigation Measure 5.1-2 (a, b, c, and d). Changes or alterations have therefore been required in, or incorporated into, the project which mitigate or avoid the short-term significant environmental effects as identified in the DEIR.

Explanation: In addition to PM_{10} generated by construction, the other criteria pollutants of concern are the ozone precursors ROG and NO_x. The SMAQMD has not developed a threshold of significance for ROG from construction, however, because heavy-duty diesel construction equipment emits low levels of ROG, and because ROG from architectural coatings can be regulated by SMAQMD Rule 442. The SMAQMD has developed a threshold for construction NO_x of 85 pounds per day.

Modeling results for construction of the proposed project, shown in Table 5.1-5 (DEIR, p. 5.1-14), indicate that emissions of NO_x during the grading phase of construction could reach maximum levels of 125.65 pounds per day, levels of NO_x during the building phase could reach maximum levels of 150.76 pounds per day, and maximum levels of NOx during the paving phase could reach maximum levels of 36.34 pounds per day. Inputs for the grading phase take into account mitigation measure 5.1-1 that specifies that the maximum acreage that would be graded in one day would be 15 acres. NO_x emissions during the grading and building phases would be above the 85 pounds-per-day threshold of significance for construction NO_x, and would be a significant impact.

Mitigation measures exist that can reduce emissions of construction NO_x. The SMAQMD recommends standard mitigation for all construction projects. These mitigations are listed below.

With the 20 percent off-road NO_x reduction required by Mitigation Measure 5.1-2 (a), maximum daily amounts of NO_x generated during construction would be lowered to 100.52 pounds per day during grading and 120.59 pounds per day during building construction. These daily maximum amounts would still be above SMAQMD thresholds of significance for construction.

For emissions above thresholds after mitigation has been applied, the SMAQMD allows the payment of an offsite mitigation fee. The fee is used to fund NO_x-reducing projects in the Sacramento Ozone Nonattainment Area such as diesel engine retrofits or re-powers. The fee is calculated by multiplying the amount of emissions above the threshold for each construction phase by the number of days in that phase. The result in tons is multiplied by the current price of reducing one ton of NOx. Payment of this fee would mitigate the proposed project's impact to below SMAQMD thresholds of significance. The residual impact would be less than significant.

Mitigation Measures: As noted above, the SMAQMD allows the payment of an offsite mitigation fee to fund NO_x-reducing projects in the Sacramento Ozone Nonattainment Area. According to the SMAQMD, Mitigation Measure 5.1-2 (a, b, c, and d) would mitigate the proposed project's impact to below SMAQMD threshold of significance.

Significance After Mitigation: **This impact is less than significant after mitigation. (DEIR, p. 5.1-14)**

B. BIOLOGICAL RESOURCES

Impact 5.2-2: Development of the proposed project could result in the loss of one active burrowing owl nest burrow. This is a *significant* impact. (Less than Significant After Mitigation). (DEIR, p. 5.2-13.)

Finding: This impact can be reduced to less-than-significant levels through implementation of Mitigation Measure 5.2-2. Changes or alterations have therefore been required in, or incorporated into, the project which mitigate or avoid the short-term significant environmental effect as identified in the DEIR.

Explanation: A pair of burrowing owls was observed during the May and June 2004 surveys, occupying a single nest burrow that would be removed by the extension of Fong Ranch Road across the B-drain into the project site. As burrowing owls and their nests are a State and federal species of concern and, therefore, protected under Section 3503 of the CDFG Code and the Migratory Bird Treaty Act, the loss of one active burrowing owl nest or its occupants would be considered a significant impact.

Mitigation Measures: Once implemented, Mitigation Measure 5.2-2 would reduce the impacts to burrowing owls and their nests to a less-than-significant level through the avoidance of any active burrowing owl nests and the safe exclusion of burrowing owls from any burrows to be destroyed prior to construction of the proposed project.

Significance After Mitigation: **This impact is less than significant after mitigation. (DEIR, p. 5.2-13)**

Impact 5.2-3: Development of the proposed project could result in the loss of individual giant garter snakes and their upland habitat. This is a *significant* impact. (Less Than Significant After Mitigation). (DEIR p. 5.2-13.)

Finding: This impact can be reduced to less-than-significant levels through implementation of Mitigation Measure 5.2-3. Changes or alterations have therefore been required in, or incorporated into, the project which mitigate or avoid the significant environmental effect as identified in the DEIR.

Explanation: No aquatic habitat for the giant garter snake occurs within the project boundaries. However, the B-drain, which lies just outside the project boundaries, represents marginal aquatic habitat for this species. The USFWS considers any upland habitat within 200 feet of suitable aquatic habitat to be potential giant garter snake habitat. Construction of the proposed project would therefore result in the loss of approximately 13 acres of potential upland habitat for giant garter snake. The giant garter snake is listed as threatened under the federal Endangered Species Act, and the loss of individuals or their habitat is prohibited.

As a condition of project approval, the project applicant would be required to comply with the provisions of the Natomas Basin HCP. Compliance would be accomplished through: payment of the required mitigation fee, which has been deemed by the Natomas Basin Conservancy to be sufficient to cover the costs of restoring and managing one-half acre of habitat for every acre of land developed; and acquisition and dedication (by the project applicant) of mitigation land by the project applicant to the Natomas Basin Conservancy at a rate of one-half acre of habitat for every acre of land developed.

Mitigation fees shall be paid to the Natomas Basin Conservancy and replacement habitat acquired prior to project development. These mitigation fees cover impacts to all species covered under the HCP, such that mitigation fees described under Impact 5.2-1 cover Swainson's hawk, burrowing owl and giant garter snake (i.e., mitigation fees are paid only once, not for each species). Mitigation fees cover the loss of giant garter snake habitat, but not the loss of individual giant garter snakes that could be lost during project construction. Therefore, the loss of individual giant garter snakes would be considered a significant impact.

Mitigation Measures: Mitigation Measure 5.2-3 would reduce project related impacts on giant garter snake to a less-than-significant level through protection of individual giant garter snakes, and the preservation and management in perpetuity of suitable giant garter snake upland habitat, contiguous with other areas of suitable habitat for giant garter snake.

Significance After Mitigation: **This impact is less than significant after mitigation. (DEIR, p. 5.2-14)**

C. NOISE

Impact 5.4-2: **The proposed project would expose new sensitive receptors to freeway noise levels. This is a *significant* impact. (Less Than Significant After Mitigation).** (DEIR, p. 5.4-13.)

Finding: This impact can be reduced to less-than-significant levels through implementation of Mitigation Measure 5.4-2. Changes or alterations have therefore been required in, or incorporated into, the project which mitigate or avoid the significant environmental effect as identified in the DEIR.

Explanation: The major source of noise that new residences built as part of the proposed project would be exposed to is the traffic on I-80. Lots closest to I-80 are approximately 100 feet from the edge of the freeway. Noise from I-80 was monitored at two locations in the northern portion of the project site, one measurement at 25 feet from the edge of the freeway, and one approximately 150 feet from the edge of the freeway. The results of this monitoring are shown in Table 5.4-2 (DEIR, p. 5.4-5). As shown in the table, noise levels from I-80 could reach 72 L_{eq} at the lot line of the residences closest to I-80. This would be in excess of the 60 dB exterior standard for residential uses found in the City of Sacramento General Plan. Moreover, freeway noise from I-80 would not necessarily be less during nighttime hours or weekends.

While traffic volumes may be less during these times, this would also result in less congested conditions where traffic would move at greater speeds. As vehicle speeds increase, vehicle roadway noise likewise increases. Consequently, noise from the freeway could potentially reach maximum levels during times when residents would be more likely to be home.

As shown in Table 5.4-2, freeway noise could reach 72 L_{eq} at 25 feet from the edge of the freeway. While freeway noise would fluctuate based on traffic flow conditions, this monitored 72 dBA L_{eq} is a good representation of average freeway noise levels from I-80 throughout the day. Consequently, it can be assumed that 24-hour L_{dn} values would be in the 70 - 73 dBA L_{dn} range at 25 feet as well. Because freeway noise decreases at a rate of about 3 dBA per doubling of distance, freeway noise levels at the nearest proposed residences, approximately 80 feet from the freeway edge, would be in the 65-68 dBA range. This would be above the City of Sacramento noise standard levels for residential development.

A solid wall can attenuate noise up to 40 dBA. Assuming, as a worst-case scenario that the sound wall would only reduce noise from I-80 by 5 dB, the resulting traffic noise levels at the property line of the residences nearest the freeway would be 60 – 63 dBA L_{dn}. This would still be in excess of the City's exterior standards for residential uses. To effectively attenuate freeway noise and ensure that noise levels would not be above the 60 dBA exterior standard at the residences, a sound wall would need to achieve a reduction in sound levels of approximately 10 dBA. Caltrans recommends that a barrier achieve a noise transmission loss of 10 dBA greater than the desired noise reduction. Caltrans also recommends that the barrier be tall enough to remove the "line of sight" between the noise source and the receptor.

Besides sound walls, the only other feasible mitigation measure available to reduce noise would be providing more distance between the noise source and the most affected receptors. Transportation noise attenuates at approximately 3 dBA per doubling of distance. The noise monitoring performed for this project, however, show that noise from I-80 is close to 60 dBA at approximately 150 feet from the freeway. Consequently, in order for freeway noise to be within acceptable standards, the nearest housing would need to be placed about 150-200 feet away from the edge of the freeway. This would substantially reduce the development potential of the site and would not be necessary if an effective sound wall were constructed. However, because the proposed sound wall may not attenuate freeway noise with enough effectiveness to ensure compliance with the General Plan noise standards for residential uses, this would be a significant impact.

Mitigation Measures: As discussed above, noise can be effectively attenuated by building a sound wall between the freeway and the nearest residences that would achieve approximately a 10 dBA reduction in noise. Caltrans recommends that a sound barrier achieve a transmission loss 10 dBA greater than the desired noise reduction. Consequently, a sound wall that would reduce noise by 20 dBA would satisfy Caltrans requirements and lower freeway noise to less than significant levels. Typical concrete sound walls four inches thick or more can produce transmission loss of over 30 dBA. Mitigation Measure 5.4-2 would ensure that the 60 dBA L_{dn} exterior standard for

residential uses is not exceeded and would reduce the impact to a less-than-significant level.

Significance After Mitigation: **This impact is less than significant after mitigation. (DEIR, p. 5.4-14)**

D. SOLID WASTE

Impact 5.5-1: The proposed project could require or result in the construction of new landfills or the expansion of existing facilities or generate more than 500 tons of solid waste per year. This is considered a *significant* impact. (Significant and Unavoidable)

Finding: While project alternatives could avoid or reduce the impact, these would not achieve the project objectives, and there are specific economic, legal, social, technological or other considerations that make infeasible the mitigation measures or project alternatives as identified in the EIR. The effects therefore remain significant and unavoidable.

Explanation: The proposed project includes the development of residential and open space uses on a site that is currently undeveloped. Construction of the proposed project would generate solid waste and increase demand on disposal facilities.

Construction activities can, for a short period of time, generate significant amounts of waste. The CIWMB does not have a specific generation rate for construction waste. The construction waste could be disposed of at a variety of landfills including Lockwood Landfill or Kiefer Landfill. As discussed in the Environmental Setting (DEIR, p. 5.5-1), these landfills have adequate capacity and accept construction waste. In addition, the proposed project would be required to submit verification of construction recycling in the form of information about the hauler and facility, diversion percentage, and weigh tickets. Construction materials targeted for diversion include wood waste, scrap metal, cardboard, and sheetrock.

The proposed project would result in a 0.6 percent increase in contributions from Sacramento to Lockwood Landfill (from 800 tons/day). The landfill has 32.5 million tons of capacity remaining, is currently working on expansion plans, and has no estimated closure date.

In accordance with Sacramento City Code 17.72, the proposed project would be required to participate in the City's residential curbside recycling program, which would reduce the amount of solid waste generated. Recycling programs can reduce the amount of solid waste by 50 to 80 percent, depending on the aggressiveness of the program.

Assuming no recycling plan is in place, the proposed project would generate approximately 1,752 tons of solid waste per year. This would increase Sacramento's total solid waste disposal by approximately 0.35 percent (from 500,291 total tons). With participation in the required recycling programs, the proposed project's solid waste stream would be further reduced (the amount of reduction would depend on the type and effectiveness of the recycling program).

Because the proposed project's waste stream would represent a small portion of the City's overall waste stream, and the City of Sacramento's waste is distributed among a variety of landfills that have substantial capacity remaining, the proposed project would not require the expansion or construction of landfills. However, the proposed project would generate more than 500 tons of solid waste per year. Therefore, this would be a significant impact.

Mitigation Measures: Implementation of a recycling program would not guarantee a reduction below 500 tons per year. Because there is no mitigation available to reduce project solid waste generation to below 500 tons per year, this impact would be significant and unavoidable.

Significance After Mitigation: **This impact is significant and unavoidable after mitigation. (DEIR, p. 5.5-5)**

E. TRANSPORTATION AND CIRCULATION

Impact 5.6-2: The proposed project would generate trips that would exacerbate already existing unacceptable operations at I-80 westbound and eastbound mainline segments between Norwood Avenue and Northgate Boulevard. This is considered a *significant* impact. (Significant and Unavoidable)

Finding: While project alternatives could avoid or reduce the impact, these would not achieve the project objectives, and there are specific economic, legal, social, technological or other considerations that make infeasible the mitigation measures or project alternatives as identified in the EIR. The effects therefore remain significant and unavoidable.

Explanation: As described in the DEIR, because the State facilities in the area are already operating at an unacceptable Level of Service (LOS), the DEIR determined that the contribution of project-generated traffic would be significant. While the addition of High-Occupancy Vehicle (HOV) lanes would improve the traffic operations to a certain extent, it will not improve the traffic operations for the facilities identified as having significant unavoidable impacts to a less-than-significant level and would not fully mitigate the cumulative traffic impacts in the subject section of the I-80 mainline. However, to improve the traffic operations in the area, the applicant has expressed a willingness to contribute towards the HOV lanes project on the subject segment of I-80 mainline, provided that such contribution is reasonable.

Impact 5.6-6(b): The proposed project would generate trips that would contribute to unacceptable operations at the intersection of Truxel Road and San Juan Road during the AM peak hour under the Cumulative Plus Project condition. This is considered a significant impact. (Significant and Unavoidable)

Finding: While project alternatives could avoid or reduce the impact, these would not achieve the project objectives, and there are specific economic, legal, social, technological or other considerations that make infeasible the mitigation measures or project alternatives as identified in the EIR. The effects therefore remain significant and unavoidable.

Explanation: The addition of a second right-turn lane to the westbound San Juan Road approach to Truxel Road would reduce the impact to a less-than-significant level, but right-of-way constraints render this mitigation measure infeasible.

Impact 5.6-7: The proposed project would generate trips that would contribute to unacceptable operations on the I-80 westbound and eastbound mainline between Norwood Avenue and Northgate Boulevard during both AM and PM peak hours; I-80 eastbound mainline between I-5 and Truxel Road during the PM peak hour; and I-80 westbound mainline between Northgate Boulevard and Truxel Road during the PM peak hour under the Cumulative Plus Project condition. This is considered a significant impact. (Significant and Unavoidable)

Finding: While project alternatives could avoid or reduce the impact, these would not achieve the project objectives, and there are specific economic, legal, social, technological or other considerations that make infeasible the mitigation measures or project alternatives as identified in the EIR. The effects therefore remain significant and unavoidable.

Explanation: As described in the DEIR, because the State facilities in the area are already operating at an unacceptable Level of Service (LOS), the DEIR determined that the contribution of project-generated traffic would be significant. While the addition of HOV lanes would improve the traffic operations to a certain extent, it will not improve the traffic operations for the facilities identified as having significant unavoidable impacts to a less-than-significant level and would not fully mitigate the cumulative traffic impacts in the subject section of the I-80 mainline. However, to improve the traffic operations in the area, the applicant has expressed a willingness to contribute towards the HOV lanes project on the subject segment of I-80 mainline, provided that such contribution is reasonable.

Impact 5.6-8: The proposed project would generate trips that would contribute to unacceptable operations at the I-80 westbound off ramp to Truxel Road, which operates at LOS F during the PM peak hour, and the upstream freeway mainline between Northgate Boulevard and Truxel Road, which operates at LOS E during the PM peak hour under the Cumulative Plus Project condition. This is considered a significant impact. (Significant and Unavoidable)

Finding: While project alternatives could avoid or reduce the impact, these would not achieve the project objectives, and there are specific economic, legal, social, technological or other considerations that make infeasible the mitigation measures or project alternatives as identified in the EIR. The effects therefore remain significant and unavoidable.

Explanation: As described in the DEIR, because the State facilities in the area are already operating at an unacceptable Level of Service (LOS), the DEIR determined that the contribution of project-generated traffic would be significant. While the addition of HOV lanes would improve the traffic operations to a certain extent, it will not improve the traffic operations for the facilities identified as having significant unavoidable impacts to a less-than-significant level and would not fully mitigate the cumulative traffic impacts in the subject section of the I-80 mainline. However, to improve the traffic operations in the area, the applicant has expressed a willingness to contribute towards the HOV lanes project on the subject segment of I-80 mainline, provided that such contribution is reasonable.

VI. GROWTH INDUCEMENT

CEQA requires a discussion of the ways in which the Project could be growth inducing. CEQA also requires a discussion of ways in which a project may remove obstacles to growth, as well as ways in which a project may set a precedent for future growth. CEQA Guidelines Section 15126.2, subdivision (d), identifies a project as growth inducing if it fosters economic or population growth, or the construction of additional housing, either directly or indirectly, in the surrounding environment. New population from ParkeBridge Project represents a direct form of growth. A direct form of growth may have a secondary effect of expanding the size of local markets and inducing additional economic activity in the area. Examples of development that would indirectly facilitate growth include the installation of new roadways or the construction or expansion of water delivery/treatment facilities. The Project's growth-inducing impacts are discussed below.

Elimination of Obstacles to Growth

The elimination of physical obstacles to growth is considered a growth-inducing effect. The proposed project would occur in an urban area. The project site is surrounded by development and planned development. Infrastructure to serve the site must be extended from the existing developments around the site; however, the extension of this infrastructure would not permit development outside of the project site. Because the proposed project is infill development, no obstacles to growth would be eliminated.

Economic Effects

The proposed project, as a residential subdivision, would not include any long-term employment generating uses. Short-term, temporary employment would be created during the construction of the proposed project. However, in addition to the employment generated directly by the proposed project, additional local employment can be generated through what is commonly referred to as the "multiplier effect." The

multiplier effect tends to be greater in regions with larger diverse economies due to a decrease in the requirement to import goods and services from outside the region.

Two different types of additional employment are tracked through the multiplier effect. *Indirect* employment includes those additional jobs that are generated through the expenditure patterns of residents and direct employment associated with the project. For example, residents and construction workers would spend money in the local economy, and the expenditure of that money would result in additional jobs. Indirect jobs tend to be in relatively close proximity to the places of employment and residence.

The multiplier effect also calculates *induced* employment. Induced employment follows the economic effect of employment beyond the expenditures of the employees within the proposed project area to include jobs created by the stream of goods and services necessary to support the proposed project. For example, when a manufacturer buys products or sells products, the employment associated with those inputs or outputs are considered *induced* employment.

Likewise, when a resident from the project goes out to lunch, the person who serves the project resident lunch holds a job that was *indirectly* caused by the proposed project. When the server then goes out and spends money in the economy, the jobs generated by this third-tier effect are considered *induced* employment.

The multiplier effect also considers the secondary effect of employee expenditures. Thus, it includes the economic effect of the dollars spent by those employees who support the employees of the project.

Increased future employment generated by resident and employee spending ultimately results in physical development of space to accommodate those employees. It is the characteristics of this physical space and its specific location that will determine the type and magnitude of environmental impacts of this additional economic activity. Although the economic effect can be generally predicted, the actual environmental implications of this type of economic growth are too speculative to predict or evaluate, since they can be spread throughout the Sacramento metropolitan region and beyond.

It should be noted that, while the proposed project would contribute to direct, indirect, and induced growth in the area, the project is located in a developed area with a variety of resident-serving uses. Residential and mixed use development of the South Natomas area is a goal of the City's General Plan and the South Natomas Community Plan.

Impacts of Induced Growth

While growth in the South Natomas area of the City is an intended consequence of the proposed project, growth induced directly and indirectly by the proposed project could also affect the greater Sacramento area. Potential impacts associated with induced growth in the area could include: traffic congestion; air quality deterioration; loss of

agricultural land and open space; loss of habitat and wildlife; impacts on utilities and services, such as fire and police protection, water, recycled water, wastewater, solid waste, energy, and natural gas; and increased demand for commercial and retail services. The construction of additional housing and indirect and induced employment would further contribute to the stated environmental effects. (DEIR, p. 7-4 and 7-5.)

VII. SIGNIFICANT IRREVERSIBLE ENVIRONMENTAL EFFECTS

The State CEQA Guidelines mandate that an EIR address any significant irreversible environmental changes which would be involved if the proposed project is implemented. (CEQA Guidelines, § 15126.2, subd. (c).) An impact would fall into this category if:

- The project would involve a large commitment of nonrenewable resources;
- The primary and secondary impacts of a project would generally commit future generations to similar uses (e.g. a highway provides access to a previously remote area);
- The project involves uses in which irreversible damage could result from any potential environmental accidents associated with the project; or
- The phasing of the proposed consumption of resources is not justified (e.g., the project involves a wasteful use of energy).

Development of the proposed project would result in the continued commitment of the project site to urban development, thereby precluding any other uses for the lifespan of the project. Restoration of the site to a less developed condition would not be feasible given the degree of disturbance, the urbanization of the area, and the level of capital investment.

CEQA Guidelines also require a discussion of the potential for irreversible environmental damage caused by an accident associated with the project. While the project would result in the use, transport, storage, and disposal of hazardous wastes, as described in the Initial Study (Hazards and Hazardous Materials), all activities would comply with applicable State and federal laws related to hazardous materials, which significantly reduces the likelihood and severity of accidents that could result in irreversible environmental damage.

Implementation of the proposed project would result in the long-term commitment of resources to urban development. The most notable significant irreversible impacts are increased generation of pollutants; and the short-term commitment of non-renewable and/or slowly renewable natural and energy resources, such as mineral resources and water resources during construction activities. Operations associated with future uses would also consume natural gas and electrical energy. These irreversible impacts, which are, as yet, unavoidable consequences of urban growth, are described in detail in the appropriate sections of the EIR.

Resources that would be permanently and continually consumed by project implementation include water, electricity, natural gas, and fossil fuels; however, the amount and rate of consumption of these resources would not result in the unnecessary, inefficient, or wasteful use of resources. With respect to operational activities, compliance with all applicable building codes, as well as mitigation measures, planning policies, and standard conservation features, would ensure that all natural resources are conserved to the maximum extent possible. It is also possible that new technologies or systems will emerge, or will become more cost-effective or user-friendly, to further reduce the reliance upon nonrenewable natural resources. Nonetheless, construction activities related to the proposed project would result in the irretrievable commitment of nonrenewable energy resources, primarily in the form of fossil fuels (including fuel oil), natural gas, and gasoline for automobiles and construction equipment.

Specific details regarding the type of appliances to be included in the residential units are not available at this time. Because the project is infill development, however, it would not require the loss of additional natural resources associated with the extension of infrastructure (such as roads, pipelines, etc.) through undeveloped areas. (DEIR pp. 7-2 and 7-3)

VIII. CONSISTENCY WITH APPLICABLE PLANS

CEQA Guidelines Section 15125, subdivision (d), requires that any inconsistencies between a proposed project and applicable general plans and regional plans be discussed. The following discussion addresses consistency of the proposed project with the relevant City General Plan and South Natomas Community Plan (SNCP).

The project supports the General Plan goals and policies are designed to ensure quality, affordable residential development, and the provision of adequate park space. In addition, the project adheres to the residential requirements outlined in the SNCP. The project would be compatible with existing and planned land uses in an urban environment. However, the proposed project would require a General Plan amendment to modify the location of residential and park uses, and to replace the office uses with residential use. Because the General Plan is not intended to be a static document, this amendment, in and of itself, would not be considered an inconsistency. Therefore, the ParkeBridge residential subdivision project would be consistent with the City's General Plan Policies and the SNCP (DEIR, pp. 4-12 and 4-13). As such, the project is requesting a General Plan Amendment and a Community Plan Amendment to modify the location of residential and park uses, and to replace office uses with residential uses. A rezone from Office (OB-PUD) and Agriculture (A) to Residential (R-2A-PUD, RD-5) and Open Space (OS) is also needed.

The existing General Plan land use designation for the existing site is Low Density Residential, Regional Commercial and Offices, and Parks-Recreation-Open Space (DEIR, p. 2-1). As such, the proposed project's modification of the location of residential and park uses, and to replace office uses with residential uses would be compatible with existing and planned land use designations (DEIR, p. 4-13.).

Further, because the project includes a tentative subdivision map for the development of 531 residential units and associated infrastructure in the South Natomas Community Plan area, the project is consistent with the goals and policies of the General Plan (Residential Land Use – Goal A, Policy 6; Goal B, Policy 3; Goal C, Policies 4 and 7; Goal D, Policy 2, Goal E, Policies 1 and 2; Conservation and Open Space – Goal A; Goal D, Policy 1; Managed Production of Resources – Goal A; Parks and Recreation Service – Goal A, Policies 3, 5, and 9)(DEIR, pp. 4-8 and 4-9).

The existing SNCP land use designation for the site is residential, office, and park/open spaces uses (DEIR, p. 4-10). The existing site is currently zoned OB-PUD and A (DEIR, pp. 4-13). Because the project would require an amendment to the SNCP and rezone to modify the location of residential use of the site, the project would not otherwise conflict with the SNCP or Zoning.

The project would also comply with the Natomas Basin Multi-species Habitat Conservation Plan. With implementation of the project, the project applicant will comply with mitigation prescribed in the plan through the acquisition and dedication of mitigation land to the Natomas Basin conservancy at a rate of one-half acre of habitat for every acre of land developed and payment of applicable mitigation fees to cover the costs of restoring and managing one-half acre of habitat for every acre of land developed. (DEIR, p. 2-3.)

The City hereby finds that the ParkeBridge Project is consistent with the General Plan and the SNCP for the reasons set forth in the EIR, in the staff reports, and in these findings. The City further finds that the Project is not inconsistent with any mandatory and fundamental General Plan or SNCP policies.

IX. PROJECT ALTERNATIVES

Where a lead agency has determined that, even after the adoption of all feasible mitigation measures, a project as proposed will still cause one or more significant adverse environmental effects that cannot be substantially lessened or avoided, the agency, prior to approving the project as mitigated, must first determine whether, with respect to such impacts, there remain any project alternatives that are both environmentally superior and feasible within the meaning of CEQA. As noted earlier in these Findings, an alternative may be "infeasible" if it fails to fully promote the lead agency's underlying goals and objectives with respect to the project. Thus, "feasibility" under CEQA encompasses "desirability" to the extent that desirability is based on a reasonable balancing of the relevant economic, environmental, social and technological factors. (*City of Del Mar*, *supra*, 133 Cal.App.3d at p. 417; see also *Sequoyah Hills*, *supra*, 23 Cal.App.4th at p. 715.)

In short, CEQA requires that the lead agency adopt mitigation measures or alternatives, where feasible, to substantially lessen or avoid significant environmental impacts that would otherwise occur. Project modifications or alternatives are not required, however,

where such changes are infeasible or where the responsibility of modifying the project lies with some other agency. (CEQA Guidelines, § 15091, subds. (a), (b).)

The detailed discussion in Section VIII demonstrates that nearly every significant effect identified in the EIR has been at least substantially lessened, if not fully avoided, by the adoption of feasible mitigation measures. The ParkeBridge Project would nevertheless result in significant and unavoidable direct and cumulative impacts. Specifically, the ParkeBridge Project would result in significant and unavoidable impacts on the following:

5.5-1 The proposed project would generate more than 500 tons per year of solid waste.

5.6-2 Freeway Mainline: the proposed project would contribute to unacceptable conditions on the I-80 mainline between Northgate and Norwood during the PM peak hour (EB) and AM peak hour (WB). (DEIR, p. 3-2)

Overall, the ParkeBridge Project would result in the following significant and unavoidable cumulative impacts:

Cumulative Scenario Without Fong Ranch Road Extension

5.6-6 Intersections: the proposed project would exacerbate unacceptable conditions at the Truxel/San Juan intersection (AM peak hour).

5.6-7 Freeway Mainline: the proposed project would contribute to unacceptable conditions on the I-80 mainline EB and WB between Norwood Avenue and Northgate Boulevard during both the AM and PM peak hours; EB between I-5 and Truxel Road during the PM peak hour; and WB between Northgate Boulevard and Truxel Road during the AM peak hour.

5.6-8 Freeway Ramps: the proposed project would contribute to unacceptable conditions on the WB I-80 off-ramp to Truxel Road. (DEIR, p. 3-2)

The City can fully satisfy its CEQA obligations by determining whether any alternatives identified in the EIR are both feasible and environmentally superior with respect to these impacts. If the City determines that no alternative is both feasible and environmentally superior with respect to the significant and unavoidable impacts identified in the EIR, the City may approve the ParkeBridge Project as mitigated, after adopting a statement of overriding considerations. As illustrated below, no identified alternative qualifies as both feasible and environmentally superior with respect to these unmitigable impacts.

A. Alternatives Considered and Dismissed from Further Consideration as Infeasible.

Consistent with CEQA, primary consideration was given to alternatives that would reduce significant impacts while still meeting most of the project objectives. Those alternatives that would have impacts identical to or more severe than the proposed

project, or that would not meet most of the project objectives, were rejected from further consideration. The alternatives included in the DEIR were derived after the establishment of significance thresholds for those issue areas with significant and unavoidable post-construction impacts: operational air emissions, solid waste generation, and traffic. Alternatives exceeding the significance thresholds for the aforementioned issue areas would not substantially lessen any significant environmental impacts identified in Chapter 5 of the EIR and were rejected from further analysis. Although any number of alternatives could be designed that could result in the reduction or elimination of project impacts, a total of four representative alternatives was evaluated in the Draft EIR.

B. Summary of Alternatives Considered

- The **No Project/No Development Alternative** assumes the proposed project will not be developed. The project site would remain agricultural land and would not be developed in the future.
- The **No Project/Existing Land Use Designation Alternative** assumes development of the project site based on the current zoning designations, there would be a total of 296 residential units, 33.4 acres of park/open space, and approximately 331,000 square feet of office use on 30.1 acres.
- The **Reduced Density Alternative** assumes the land swap between the City and Griffin Industries does not occur. Under this alternative, the western corner of the project site would be developed with residential units; the northern strip bordering I-80 would remain in the City's possession for potential development as a park. A total of 366 residential units would be constructed.
- The **Off-Site Alternative** assumes the development of 531 residential units at an alternate location in the South Natomas area.

(DEIR, p. 6-3)

Each of the alternatives is described in more detail, below, followed by an assessment of the alternative's impacts relative to the proposed project. The focus of this analysis is the difference between the alternative and the proposed project, with an emphasis on addressing the significant impacts identified under the proposed project. For each issue area, the analysis indicates which mitigation measures would be required of the alternative and which significant and unavoidable impacts would be avoided. In some cases, the analysis indicates what additional mitigation measures, if any, would be required for the alternative being discussed, and what significant and unavoidable impacts would be more (or less) severe. Unless otherwise indicated, the level of significance and required mitigation would be the same for the alternative as for the proposed project and no further statement of the level of significance is made. (DEIR, p. 6-4.)

Alternative 1 – No Project/No Development Alternative

CEQA requires the evaluation of the comparative impacts of the "No Project" alternative (CEQA Guidelines Section 15126.6(e)(1)). The No Project/No Development Alternative describes an alternative in which no development would occur on the project site and the uses on the site would remain the same as under existing conditions. Under Alternative 1, the site would remain in its current condition as agricultural land. The site-specific impacts of the No Project/No Development alternative are best described by the existing conditions presented in the environmental setting sections of Chapter 5 of this Draft EIR.

The No Project/No Development Alternative would produce no changes on the project site, which would effectively eliminate all project impacts identified in the DEIR. 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 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.

Mitigation That Would No Longer Be Required

None of the mitigation measures identified in this EIR would be required under the No Project/No Development Alternative.

Significant and Unavoidable Impacts That Would No Longer Occur

None of the significant and unavoidable impacts identified in this EIR would occur under the No Project/No Development Alternative.

Relationship of the No Project/No Development Alternative to the Project Objectives

The No Project Alternative would be environmentally superior to the proposed project, because none of the environmental impacts identified in Chapter 5 would occur. However, the No Project/No Development Alternative would not achieve any of the project objectives; in particular, the alternative would fail to develop a residential community.

Alternative 2 – No Project/Existing Land Use Designation Alternative

A "no action" alternative assumes that future conditions on the site would be that which is reasonably expected to occur under the City's General Plan, South Natomas Community Plan, and zoning ordinance, consistent with available infrastructure and community services. For this discussion, development under existing land use designations would serve as the basis for the No Project/Current Land Use Designation Alternative. As discussed in Chapter 4, Land Use, current zoning districts for the site

include low-density residential (R-1A-PUD), office (OB-PUD), and agriculture (A). The No Project/Current Land Use Designation Alternative could accommodate 296 residential units, 33.4 acres of park/open space, and 331,000 square feet of office use (assuming approximately 11,000 square feet per acre).

Development consistent with the current designations would result in many similar impacts as the proposed project. The entire site would be graded and developed, which would result in similar impacts on biological resources and drainage. Construction related impacts associated with noise and air quality would also be similar, and mitigation would be necessary to address short-term impacts. The illustrative site plan shown in Figure 6-1 includes development of the wetland portion of the project site. A plan could be designed to avoid the wetland feature. If the wetland feature were developed under this alternative, it would result in additional impacts on biological resources and would require mitigation beyond that identified for the proposed project or a reduction in the number of units (eliminating development of the wetland area). The wetland area could be developed, but would require permitting from the U.S. Army Corps of Engineers (Section 404 permit). Assuming 296 units and 331,000 square feet of office use, the Current Land Use Designation Alternative would generate approximately 4.3 tons of solid waste per day (assuming 1 pound per 100 square feet per day for office solid waste generation), less solid waste than the proposed project, but it would still exceed the 500 tons/year threshold, resulting in a significant and unavoidable impact.

The proposed project would contribute to unacceptable conditions at the intersection of Truxel and San Juan Roads and off-ramps and sections of I-80 in the project vicinity. As shown in Table 6-3, Alternative 2 would result in approximately 50 percent more total daily trips than the proposed project. Consequently, this alternative would likely result in substantially more severe impacts than the proposed project. While office uses generate traffic that is generally in the reverse direction as the residential uses on the site (office traffic would generally be entering the site in the am peak hour and leaving the site in the pm hour), because the roadways impacted by the proposed project are already operating at an unacceptable level, these would likely also be impacted by this alternative. Therefore, because this alternative would result in greater trip generation than the proposed project, this impact would be more severe than the proposed project.

Mitigation That Would No Longer Be Required

All of the mitigation measures identified in this EIR would be required under the Existing Land Use Development Alternative. Additional mitigation could be required if the office-generated traffic results in impacts that would not occur under the proposed project.

Significant and Unavoidable Impacts That Would No Longer Occur

Because the Existing Land Use Development Alternative would result in a generally more intense use of the site than the proposed project, it is likely that all of the significant and unavoidable impacts identified for the proposed project would occur under this alternative. Solid waste generation would be reduced under this alternative,

but it would remain a significant and unavoidable impact. Traffic generation would be greater under this alternative, which could result in additional localized traffic impacts and would also contribute to air emissions, though likely not to a significant level.

Relationship of the No Project/Existing Land Use Designation Alternative to the Project Objectives

The No Project/Current Land Use Designation Alternative would achieve the project objectives related to creating a residential community with adequate services and facilities. As shown, the Current Land Use Designation Alternative would result in the construction of residential use on the existing wetland. If the wetland were developed, it would result in a larger impact on biological resources than under the proposed project, although impacts on biological resources would likely be reduced to a less-than-significant level with compliance with requirements of the Section 404 permit. Avoiding development in the wetland area in this alternative could be achieved by reducing the number of units for the alternative or increasing the density. In the eastern portion of the site, 33 acres would remain available for development as a park; however, because the plan depicted is intended to maximize the number of residential units, the Current Land Use Designation Alternative would not provide any pocket parks or open space within the residential neighborhoods, conflicting with the stated goal to provide access to these amenities. The number of units would be required to be reduced or the density increased in order to accommodate additional park areas. However, payment of park in-lieu fees and/or dedication of land would satisfy the requirement for parks, and would result in a less-than-significant impact.

The types of housing provided under this alternative would be limited to lower density because the office component would generate more traffic than a comparable amount of residential, thereby increasing the traffic impact compared to the proposed project. Because the housing would generally be limited to low-density, this alternative would not be consistent with the project goal to provide low- and medium-density housing. Providing an equivalent amount of medium-density housing would not be consistent with the adjacent low-density residential development. Further, the project goal is to develop a residential project, so the office component would be inconsistent with that goal.

Alternative 3 - Reduced Density Alternative

This alternative assumes that there would be no land exchange between the applicant and the City. Under this scenario, the northern portion of the site along I-80 would not be owned by the project applicant, leaving the remainder of the site for development by the project applicant. This alternative includes residential uses in the western corner and southern half of the project site, with 366 dwelling units on approximately 84 acres. An illustrative plan showing how this alternative could be achieved is shown in Figure 6-2. This alternative would be a reduction from the 531 units included in the proposed project. The northern parcel, bordering I-80, would remain in the City's control, and it is assumed that at least some portion of that parcel would be developed with a park;

however, it could be developed - as it is designated - with office uses, with park uses, or a combination of the two.

The portion of the project site that would be developed with residential uses under the Reduced Density Alternative would be the same as the proposed project, so impacts associated with grading (air quality, noise) would be the same. Construction-related impacts would be the same as the proposed project, requiring mitigation for temporary noise and air quality impacts. The Reduced Density Alternative would result in fewer residents in the project site. This alternative would produce less solid waste (3.29 tons per day) and generate less traffic than the proposed project; however, this alternative would still result in a significant and unavoidable impact related to solid waste, as it would exceed the 500 tons per year standard. As shown in Table 6-4, Alternative 3 would generate approximately 25 percent fewer trips than the proposed project. However, because the significant traffic impacts identified for the proposed project occur at intersections and road segments that operate at unacceptable levels without the project, this alternative would also contribute to and exacerbate those conditions. Under this alternative, the northern portion of the project site adjacent to I-80 would be under control of the City. Although Figure 6-2 shows that area developed as a park, because that area is designated for office use, it could be developed with office uses. If that area were to be developed as a park, the overall impacts generated from this site would be less intense than the proposed project. However, if a portion of that area were to be developed as office use, the impact associated with development of the site under this alternative could be equal to or more severe than the proposed project, depending on the amount of office use developed.

Mitigation That Would No Longer Be Required

All of the mitigation measures identified in this EIR would be required under the Reduced Density Alternative.

Significant and Unavoidable Impacts That Would No Longer Occur

Although the Reduced Density Alternative would result in a less intense use of the site than the proposed project, it is likely that all of the significant and unavoidable impacts identified for the proposed project would occur under this alternative. Solid waste generation would be reduced under this alternative, but it would remain a significant and unavoidable impact. Traffic generation would also be reduced under this alternative, which would result in a reduced effect on local traffic conditions than the proposed project. However, this alternative would contribute traffic to roadways, intersections, and freeway facilities that operate at unacceptable levels under baseline conditions and would thus increase delays and/or exacerbate the unacceptable baseline conditions, although at a lesser level than the proposed project.

Relationship of the Reduced Density Alternative to the Project Objectives

The residential uses included in the Reduced Density Alternative would achieve the project objectives of providing a community with low and medium density residential units with pedestrian and bicycle connections to the adjacent community. Depending

on design, this alternative may not include pocket parks within the neighborhood, thus conflicting with the project objective regarding provision of parks. This objective could be achieved by further reducing the number of units or increasing density to allow for the provision of parks.

Alternative 4 – Off-Site Alternative

The off-site alternative assumes development of 531 residential units on another site within the South Natomas area. It is assumed that this alternative would be developed with a similar density as the proposed project. Although a specific site has not been selected for this alternative, there are other locations within the South Natomas area that are designated for residential use, including the area west of Truxel Road at I-80 and the area north of West El Camino Avenue at I-80. However, because this alternative would include the same number of units as the proposed project, impacts related to population would be the same as those of the proposed project, such as solid waste generation and water demand. Similarly, because the number of units would be the same, this alternative would generate the same volume of traffic as the proposed project. Depending on the location of the alternative, there could be negative effects on local streets due to traffic generated by this alternative. It is also likely that this alternative would have a similar effect on existing unacceptable levels of service on portions of I-80, similar to the proposed project. Specific impacts on biological resources that would occur as a result of an off-site alternative are not known, but the potential for special-species habitat or wetlands in the South Natomas area, and therefore the potential for impacts, exists. However, any development in South Natomas would be required to comply with the Natomas Basin Habitat Conservation Plan, which would reduce biological resource impacts to a less-than-significant level.

For the purposes of this analysis, it is assumed that a drainage plan would be prepared for any alternative location and the plan would be reviewed and approved by the City, which would ensure a less-than-significant impact related to drainage.

Mitigation That Would No Longer Be Required

Because the area and intensity of construction under this alternative would be the same as the proposed project, all construction-related mitigation would still be required. In addition, it is likely that the biological mitigation measures would be required, at a minimum, on any alternate site. For an off-site location not adjacent to the freeway, noise mitigation identified for the proposed project could be avoided. Mitigation measures for traffic would be site-specific, so they would vary from the proposed project. Traffic mitigation would apply to specific roads and intersections surrounding the off-site location and because traffic would be added in South Natomas, which is already largely developed, the intensity of mitigation would likely be similar to the proposed project.

Significant and Unavoidable Impacts That Would No Longer Occur

As stated above, because the level of development for this alternative would be the same as the proposed project, the same impacts would likely occur. Traffic impacts,

however, would be specific to the location and would therefore, differ from the proposed project. The intersection of San Juan and Truxel Road may not be affected by an off-site alternative. Nonetheless, because the project would include the same number of units, the traffic generation would be the same and similar impacts would likely occur at any alternative location in a developed area. For instance, it is likely that an off-site alternative would add traffic to the local freeways that are already impacted. In addition, because the South Natomas area is largely developed, it is possible that traffic added to local streets at another location could result in new impacts on local streets adjacent to the site.

Relationship of the Off-Site Alternative to the Project Objectives

The off-site alternative could achieve the objectives of the proposed project. However, potential conflicts could exist at the alternate location that is not present at the proposed project site; for example, adequate infrastructure to provide services and utilities may not be in place.

Environmentally Superior Alternative

An EIR is required to identify the environmentally superior alternative from among the range of reasonable alternatives that are evaluated. Section 15126.6 (e) of the CEQA Guidelines requires that an environmentally superior alternative be designated and states that "if the environmentally superior alternative is the "no project" alternative, the EIR shall also identify an environmentally superior alternative among the other alternatives."

From the alternatives evaluated for the ParkeBridge project, the environmentally superior alternative would be Alternative 1 – the No Project/No Development Alternative. This alternative would avoid all significant impacts associated with the proposed project. However, in accordance with the CEQA Guidelines, an environmentally superior alternative must also be selected from the remaining alternatives. Development of the site according to the existing designations, as shown in Alternative 2, would result in a more intense development of the site due to traffic generated by office uses. An off-site alternative (Alternative 4) would result in similar impacts, only at a different location. Therefore, the environmentally superior alternative would be the reduced-density alternative (Alternative 3), assuming that the City would develop park uses on the northern portion of the site, with no office uses.

X. STATEMENT OF OVERRIDING CONSIDERATIONS

As set forth in the preceding sections, the City's approval of the ParkeBridge residential subdivision project, will result in significant adverse environmental impacts that cannot be avoided even with the adoption of all feasible mitigation measures. Despite the occurrence of these effects, however, the City chooses to approve the ParkeBridge project because, in its view, the economic, social, and other benefits that the ParkeBridge project will generate will render the significant effects acceptable.

The following statement identifies why, in the City's judgment, the benefits of the ParkeBridge project as approved outweigh their unavoidable significant effects. Thus, even if a court were to conclude that not every reason is supported by substantial evidence, the City would stand by its determination that each individual reason is sufficient. The substantial evidence supporting the various benefits can be found in the preceding findings, which are incorporated by reference into this section, and into the documents found in the Record of Proceedings, as defined above.

The City finds that each impact previously identified and briefly explained above is acceptable because mitigation measures have been required to reduce these impacts to the extent feasible, and on balancing the benefits to be realized by approval of the ParkeBridge project against the remaining environmental risks, the following economic, social, and other considerations outweigh the impacts and support approval of the ParkeBridge project:

The ParkeBridge residential subdivision project would provide housing and limit sprawl.

The adoption and implementation of the ParkeBridge project will provide for the development of up to 531 new residential units. (DEIR, p. 2-3.) The proposed residential units are divided into four residential villages, as follows: 142 townhome cluster lots, 135 single family units (34 foot by 73 foot lots), 154 single-family units (45 foot by 80 foot lots), and 100 single family units (50 foot by 100 foot lots). By providing housing in an infill site in close proximity to the City's core, the Project helps limit sprawl.

The ParkeBridge residential subdivision would provide open space, new recreational facilities, and accommodate land to be developed as a community park for future and existing residents.

The project will provide four parks totaling approximately 0.9 acres along Fong Ranch Road that would serve as a focal element and gathering place, with recreational opportunities. The project would also dedicate 4 acres of the site to be developed by the City, in combination with other adjacent land, to create a 28.1 acre community park on the parcel west of the project site. Also, approximately 2.41 acres along the drainage canal would be dedicated open space. These new facilities will provide recreational opportunities for future residents and the nearby surrounding residential community.

The ParkeBridge residential subdivision project would provide bicycle facilities on site as identified in the 2010 City/County Bikeway Master Plan, which would promote connectivity with adjacent development.

Development of the ParkeBridge residential subdivision includes a bikeway and parkway trail that would be constructed as part of the project along the southern border of the project site. An additional bike trail/landscaped parkway would be within the project site. The trail would travel through the recreation and open space area and provide a link to the detention basin along the eastern border of the project site. These bikeways would be 10 feet in width. Two bicycle/pedestrian bridges with access from the bike path would connect the proposed project with the existing residential

development to the south. Off-street bicycle and pedestrian pathways would also be adjacent to internal residential streets.

The ParkeBridge residential subdivision project would be consistent with the City's General Plan Policies, the South Natomas Community Plan ("SNCP"), and the Natomas Basin Multi-species Habitat Conservation Plan.

With implementation of the proposed project, residential development would be compatible with existing and planned land uses in an urban environment. (DEIR, p. 4-12.) The proposed project would require a General Plan amendment to modify the location of residential and park uses, and to replace the office uses with residential use. Because the General Plan is not intended to be a static document, this amendment, in and of itself, would not be considered an inconsistency. Therefore, the project would be consistent with the City's General Plan Policies and the SNCP (DEIR, pp. 4-12 and 4-13). As such, the project is requesting a General Plan Amendment and a Community Plan Amendment to modify the location of residential and park uses, and to replace office uses with residential uses. A rezone from Office (OB-PUD) and Agriculture (A) to Residential (R-2A-PUD, RD-5) and Open Space (OS) is also needed. The existing General Plan land use designation for the existing site is Low Density Residential, Regional Commercial and Offices, and Parks-Recreation-Open Space (DEIR, p. 2-1). As such, the proposed project's modification of the location of residential and park uses and replacement of office uses with residential uses would be compatible with existing and planned land use designations (DEIR, p. 4-13.).

Further, because the project includes a tentative subdivision map for the development of 531 residential units and associated infrastructure in the South Natomas Community Plan area, the project is consistent with the goals and policies of the General Plan (Residential Land Use – Goal A, Policy 6; Goal B, Policy 3; Goal C, Policies 4 and 7; Goal D, Policy 2, Goal E, Policies 1 and 2; Conservation and Open Space – Goal A; Goal D, Policy 1; Managed Production of Resources – Goal A; Parks and Recreation Service – Goal A, Policies 3, 5, and 9)(DEIR, pp. 4-8 and 4-9).

The existing SNCP land use designation for the site is residential, office, and park/open spaces uses (DEIR, p. 4-10). The existing site is currently zoned OB-PUD and A (DEIR, pp. 4-13). Because the project would require an amendment to the SNCP and rezone to modify the location of residential use of the site, the project would not otherwise conflict with the SNCP or Zoning.

The project would also comply with the Natomas Basin Habitat Conservation Plan. With implementation of the project, the project applicant will comply with mitigation prescribed in the Plan through the acquisition and dedication of mitigation land to the Natomas Basin Conservancy at a rate of one-half acre of habitat for every acre of land developed and payment of applicable mitigation fees to cover the costs of restoring and managing one-half acre of habitat for every acre of land developed. (DEIR, p. 2-3.)

XI. MITIGATION AND MONITORING PLAN

A Mitigation and Monitoring Plan ("MMP") was prepared for the project and approved by the City by the same resolution that has adopted these findings. (See Pub. Resources Code, § 21081.6, subd. (a)(1); CEQA Guidelines, § 15097.) The City will use the MMP to track compliance with project mitigation measures. The MMP is included in the EIR and will remain available for public review during the compliance period.

INTRODUCTION

The California Environmental Quality Act (CEQA) requires review of any project that could have significant adverse effects on the environment. In 1988, CEQA was amended to require reporting on and monitoring of mitigation measures adopted as part of the environmental review process. This Mitigation Monitoring Plan (MMP) is designed to aid the City of Sacramento in its implementation and monitoring of measures adopted from the ParkeBridge Residential Subdivision DEIR.

MITIGATION MEASURES

The mitigation measures are taken from the ParkeBridge Residential Subdivision DEIR, including the Initial Study included as Appendix A of the DEIR, and are assigned the same number they had in the DEIR. 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.

MMP COMPONENTS

The components of each monitoring form are addressed briefly, below.

Impact: This column summarizes the impact stated in the DEIR.

Mitigation Measure: All mitigation measures that were identified in the ParkeBridge Residential Subdivision DEIR are presented, and numbered accordingly. The mitigation measures from the Initial Study are identified by topic and number.

Action: For every mitigation measure, one or more actions are described. These are the center of the MMP, as they delineate the means by which EIR measures will be implemented, and, in some instances, the criteria for determining whether a measure has been successfully implemented. Where mitigation measures are particularly detailed, the action may refer back to the measure.

Implementing Party: This item identifies the entity that will undertake the required action.

Timing: Each action must take place prior to the time at which a threshold could be exceeded. Implementation of the action must occur prior to or during some part of approval, project design or construction or on an ongoing basis. The timing for each measure is identified.

Monitoring Party: The City of Sacramento is responsible for ensuring that most mitigation measures are successfully implemented. Within the City, a number of departments and divisions would have responsibility for monitoring some aspect of the overall project. Occasionally, monitoring parties outside the City are identified; these parties are referred to as "Responsible Agencies" by CEQA.

PARKEBRIDGE RESIDENTIAL SUBDIVISION
MITIGATION MONITORING PLAN AS CORRECTED 2/9/06

Impact	Mitigation Measure	Action	Implementing Party	Timing	Monitoring Party
Initial Study – 1. Aesthetics, Light, and Glare					
1(c) Project could create new sources of light or glare.	AE-1 All light standards shall be shielded and directed such that adjacent properties are not illuminated.	Design lighting system to avoid lighting of adjacent properties.	Project developer	Prior to the approval of final development plans and specifications.	City of Sacramento Building Division
Initial Study – 4. Cultural Resources					
4(a) – (e). Project construction could uncover paleontological artifacts or unique geologic resources, or disturb human remains.	CR-1 (a) In the event that any prehistoric or historic subsurface archeological features or deposits, including locally darkened soil ("midden"), that could conceal cultural deposits, animal bone, obsidian and/or mortar are discovered during construction-related earth-moving activities, all work within 50 meters of the resources shall be halted and the City shall consult with a qualified archeologist to assess the significance of the find. Archaeological test excavations shall be conducted by a qualified archaeologist to aid in determining the nature and integrity of the find. If the find is determined to be significant by the qualified archaeologist, representatives of the City and the qualified archaeologist shall meet to determine the appropriate course of action. All significant cultural materials recovered shall be subject to scientific analysis, professional museum curation, and a report shall be prepared by the qualified archaeologist according to current professional standards. (b) If a Native American site is discovered, the evaluation process shall include consultation with the appropriate Native American(s) representatives. If Native American archaeological, ethnographic, or spiritual resources are involved, all identification and treatment shall be conducted by qualified archaeologists who are certified by the Society of Professional Archaeologists (SOPA) and/or meet the federal standards as stated in	Verify that bid documents and contracts include provisions to cease excavation in the event of discovery of paleontological resources; excavation plan to be created and resources shall be donated to an appropriate cultural center, if required.	Project developer	Prior to excavation; on-going as needed during construction; if applicable, excavation plan shall be prepared and adopted prior to any excavation being undertaken after discovery.	City of Sacramento Development Services Department

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PARKEBRIDGE RESIDENTIAL SUBDIVISION
MITIGATION MONITORING PLAN AS CORRECTED 2/9/06

Impact	Mitigation Measure	Action	Implementing Party	Timing	Monitoring Party
	the Code of Federal Regulations (36 C.F.R. 61), and Native American representatives who are approved by the local Native American community as scholars of the cultural traditions. In the event that no such Native American is available, persons who represent tribal governments and/or organizations in the locale in which resources could be affected shall be consulted. If historic archaeological sites or historic architectural features are involved, all identification and treatment is to be carried out by qualified historical archaeologists or architectural historians. These individuals shall meet either Register of Professional Archaeologists (RPA) or 36 C.F.R. 61 requirements. (c) The project proponent shall retain a qualified archaeologist to conduct a workshop on the identification of subsurface cultural resources for all construction workers for the proposed project involved with grading, trenching and/or digging. The workshop shall be completed prior to the commencement of any earth working or other construction activities. The project proponent shall provide to the City verification of compliance by all contractors and construction workers involved with grading, trenching, and/or prior to the issuance of any building permits. (d) Any identified cultural resource shall be recorded on the appropriate DPR 523 form by a qualified professional. (e) If a human bone or bone of unknown origin is found during construction, all work shall stop in the vicinity of the find and the County Coroner shall be contacted immediately. If the remains are determined to be Native American, the coroner shall notify the Native American Heritage Commission who shall notify the person most likely believed to be a descendent. The most				

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PARKEBRIDGE RESIDENTIAL SUBDIVISION
MITIGATION MONITORING PLAN AS CORRECTED 2/9/06

Impact	Mitigation Measure	Action	Implementing Party	Timing	Monitoring Party
	likely descendant shall work with the contractor to develop a program for reinternment of the human remains and any associated artifacts. No additional work is to take place within the immediate vicinity of the find until the identified appropriate actions have taken place.				
	DEIR Section 5.1 Air Quality				
5.1-1 Project construction could generate emissions of PM_{10}.	5.1-1 The project applicant shall ensure that no more than 15 acres of the proposed project site are disturbed on any day. During grading, the proposed project shall also: • Keep soil moist at all times. • Maintain two feet of freeboard space on haul trucks. • Use emulsified diesel or diesel catalysts on applicable heavy duty diesel construction equipment.	Verify that project contractor construction bid documents and contracts include demolition activity measures; periodic field inspections during construction.	Project developer/ contractor	Prior to issuance of a grading or building permit; on-going during construction.	City of Sacramento Building Division; City of Sacramento Building Inspector
5.1-2 Project construction could generate emissions of ozone precursors.	5.1-2 (a) The project shall provide a plan for approval by 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 time of construction. (b) The project representative shall submit to SMAQMD a comprehensive inventory of all off-road construction equipment, equal to or greater than 50 horsepower, that will be used an aggregate of 40 or more hours during any portion of the construction project. The inventory shall include the horsepower rating, engine production year, and projected hours of use or fuel throughput for each piece of equipment. The	Verify that project contractor construction bid documents and contracts include construction practices recommended by the SMAQMD; periodic field inspections during construction; pay fee to SMAQMD.	Project developer/ contractor	Prior to issuance of a grading or building permit; on-going during construction.	City of Sacramento Building Division; City of Sacramento Building Inspector

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	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 activity occurs. At least 48 hours prior to the use of subject heavy-duty off-road equipment, the project representative shall provide SMAQMD with the anticipated construction timeline, including start date and name and phone number of the project manager and on-site foreman. (c) The project shall ensure that emissions from all off-road diesel powered equipment used on the project site do not exceed 40 percent opacity for more than three minutes in any one hour. Any equipment found to exceed 40 percent opacity (or Ringelmann 2.0) shall be repaired immediately and SMAQMD shall be notified within 48 hours of identification of non-compliant equipment. A visual survey of all in-operation equipment shall be made at least weekly, and a monthly summary of the visual survey results shall be submitted throughout the duration of the project, except that the monthly summary shall not be required for any 30-day period in which no construction activity occurs. The monthly summary shall include the quantity and type of vehicles surveyed as well as the dates of each survey. (d) Once mitigation measures 5.1-2 (a) – (c) are applied, an offsite mitigation fee will be paid to SMAQMD to reduce residual construction emissions above SMAQMD thresholds. The fee will be based on the SMAQMD's current price per ton of NOx reduction.				

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Impact	Mitigation Measure	Action	Implementing Party	Timing	Monitoring Party
DEIR Section 5.2 Biological Resources					
5.2-2 The project could result in the loss of one active burrowing owl nest burrow.	5.2-2 The project proponent shall hire a qualified biologist to conduct a pre-construction burrowing owl survey. If nesting owls are found, no disturbance shall be allowed within 160-feet of the active nest burrow between February 1 and August 31. Outside the nesting season, and/or upon confirmation by the qualified biologist that all young have fledged and left an active nest, burrowing owls present in the burrow shall be excluded from the burrow(s) by a qualified biologist through a passive relocation as outlined in the California Burrowing Owl Consortium's April 1993 Burrowing Owl Survey Protocol and Mitigation Guidelines. Once the burrows have been cleared, they must be hand-excavated and collapsed prior to project construction.	Verify schedule for construction in the area of the active nest; demonstrate retention of a qualified biologist to clear burrows.	Project developer, qualified biologist	Prior to excavation.	City of Sacramento Development Services Department
5.2-3 Development of the proposed project could result in the loss of individual giant garter snakes and their upland habitat.	5.2-3 The project applicant shall hire a qualified (i.e., permitted) biologist to monitor the project site to prevent the accidental loss of any giant garter snakes during construction. If any giant garter snakes are found, construction shall be halted until the biologist moves the snake to a safe location outside the construction area.	Demonstrate retention of qualified biologist to monitor presence of giant garter snakes.	Project developer, qualified biologist	Prior to issuance of a grading or building permit; on-going during construction.	City of Sacramento, Development Services Department
DEIR Section 5.3 Hydrology and Water Quality					
No mitigation required.					
DEIR Section 5.4 Noise					
5.4-2 The project would expose new sensitive receptors to freeway noise levels.	5.4-2 The project applicant shall ensure that the sound wall adjacent to Interstate 80 would be at least seven feet above the grade of the backyard of the nearest residences, and would achieve a 20 dBA transmission loss.	Verify that project design for sound wall meets requirements of mitigation.	Project developer	Prior to the issuance of a building permit.	City of Sacramento Development Services Department
DEIR Section 5.5 Solid Waste					
No mitigation required.					

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Impact	**Mitigation Measure**	**Action**	**Implementing Party**	**Timing**	**Monitoring Party**
DEIR Section 5.6 Transportation and Circulation					
5.6-11 The project could contribute to unacceptable operations at local intersections (Northgate Boulevard and Rosin Court) under Cumulative with Fong Ranch Road conditions.	5.6-11 (e) Add a second left-turn lane creating dual left turn lanes to the eastbound approach.	Provide funding for noted improvements.	Project developer	Prior to building occupancy.	City of Sacramento Department of Development Engineering and Finance

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Adopted by the City of Sacramento City Council on March 14, 2006 by the following vote:

Ayes: Councilmembers Cohn, Fong, McCarty, Pannell, Sheedy, Tretheway, Waters and Mayor Fargo.

Noes: None.

Abstain: None.

Absent: Councilmember Hammond.

Heather Fargo

Mayor Heather Fargo

Attest:

Shirley Concolino

Shirley Concolino, City Clerk