

**STAFF REPORT
C33**

A 7
S 6

08/17/17
W 27070
G. Asimakopoulos

GENERAL LEASE – PUBLIC AGENCY USE

APPLICANT:

City of Sacramento

PROPOSED LEASE:

AREA, LAND TYPE, AND LOCATION:

Sovereign land in the Sacramento River, adjacent to Assessor's Parcel Number (APN) 002-0010-023, in Sacramento, Sacramento County.

AUTHORIZED USE:

Construction, use, and maintenance of a stormwater pump station, force main, and outfall discharge structure, including rock slope protection.

LEASE TERM:

20 years, beginning August 17, 2017.

CONSIDERATION:

Public use and benefit; with the State reserving the right at any time to set a monetary rent if the Commission finds such action to be in the State's best interests.

STAFF ANALYSIS AND RECOMMENDATION:

Authority:

Public Resources Code sections 6005, 6216, 6301, 6501.1, and 6503; California Code of Regulations, title 2, sections 2000 and 2003.

Public Trust and State's Best Interests Analysis:

With the Railyards Specific Plan Update (RSPU), the City of Sacramento (City) intends to strengthen its vision of the Railyards as an extension of its downtown area, resulting in a multitude of changes to the Railyards Specific Plan (RSP) originally approved in 2007. Under the RSPU, the City proposes a Kaiser Permanente Medical Center, a Major League Soccer (MLS) Stadium, and a stormwater outfall structure. Staff has determined that a portion of the stormwater outfall structure would be located on State-owned sovereign land. Therefore, the City has applied for a General Lease – Public Agency Use for the construction, use, and maintenance of

STAFF REPORT NO. **C33** (CONT'D)

a stormwater pump station, force main, and outfall discharge structure, including rock slope protection.

The facilities to be constructed would benefit the public by creating a stormwater outfall structure that will safely discharge stormwater flows from the Railyards area into the Sacramento River in compliance with local, state, and federal requirements, and will also help facilitate full development of the Railyards area.

Stormwater drainage for the proposed RSPU would be collected, treated, and conveyed within the RSP Area from east to west. The stormwater would discharge into the Sacramento River on the western edge of the RSP Area via the proposed pump station and outfall structure. The proposed pump station would be located under the Interstate 5 viaduct immediately south of Railyards Boulevard, and the runoff from the proposed RSP Area would be collected in 60-inch and 72-inch-diameter storm drain pipes that would discharge to the pump station wet well. The proposed pump station wet well structure would be 105 feet long and 120 feet wide, with the majority of the structure located underground. A mechanical trash rack at the entrance to the wet well would intercept debris that is not captured by upstream controls. Automatic rakes on the trash racks would deposit any debris into containers for removal. The wet well would be located approximately 50 feet from the existing landside toe of the Sacramento River East Levee at a depth of 30 feet below existing grade, and would have a total volume capacity of 100,000 cubic feet.

The proposed storm water pump station will have a 100-year peak design discharge capacity of approximately 450 cubic feet per second. The discharge force mains would include seven 36-inch-diameter pipes and one 12-inch-diameter pipe laid in parallel formation over the levee to a concrete encased outfall structure along the riverbank. The pipes would discharge at a headwall that would be located within the existing cross section of the Sacramento River levee. The pipes will be set into the existing levee, to minimize the hydraulic impact to the flow of the river. The top of the headwall and the front of the concrete pad will be matched into the existing slope cross-section of the levee and appropriate sized riprap will be added to the base of the front of the concrete pad to ensure minimal erosion during high flow events and easier access during lower flows of the river. The pipe inverts at the discharge headwall would be located at an elevation of 13.10 feet (NAVD 88), which would typically be above the summer water surface to allow for maintenance, but submerged during higher flows in the winter.

STAFF REPORT NO. C33 (CONT'D)

The Commission's responsibility as trustee of the sovereign lands subject to the common law Public Trust Doctrine is to determine if a particular use is consistent with the public need for the lands. That trust also requires the Commission to take action to protect and preserve those lands and to prevent any unauthorized use that deprives the public of access to or use of the land.

The proposed project would provide a public benefit by creating a stormwater outfall that would service the majority of the RSPU area currently under development and allow the City to effectively manage its stormwater flows and comply with existing permits and regulations. The increase in impervious surfaces caused by the planned development within the RSP Area will significantly increase the amount of stormwater runoff in the area. A separate and new stormwater outfall is necessary because the existing City of Sacramento Combined Sewer System does not have adequate capacity. Any further additions of flows will increase the likelihood of system overflows and water pollution events. Construction and operation of a new stormwater outfall is consistent with the City infrastructure planning and local, state and federal requirements.

The proposed lease includes certain provisions protecting the public use of the proposed lease area by requiring the City to obtain necessary permits for the project, and the City has also adopted a Mitigation and Monitoring Program (MMP) to substantially reduce or eliminate potentially significant impacts resulting from the project. The lease does not alienate the State's fee simple interest or permanently impair public rights. The lease requires the City to conduct all repair and maintenance work safely and indemnify the Commission in the event of any liability resulting from the proposed action. The lease does not grant the Lessee exclusive rights to the lease premises, and is also limited to a term of 20 years, which allows the Commission flexibility to determine if the Public Trust needs of the area have changed over time. As such, Commission staff believes this use of public land, by a public agency, for a public benefit is consistent with the common law Public Trust Doctrine (Pub. Resources Code, § 6221).

Climate Change:

Climate change impacts, including sea-level rise, more frequent and intense storm events, and increased flooding and erosion, affect both open coastal areas and inland waterways in California. The lease area is located along the Sacramento River, which is a minimally tidally influenced site vulnerable to flooding at current sea levels; therefore, this area would be at risk of flood exposure given future projection scenarios of sea-level

STAFF REPORT NO. **C33** (CONT'D)

rise. The lease area includes the discharge pipes within the levee, the headwall, the concrete pad, and riprap. The proposed facilities will be within the existing cross section of the levee on State sovereign land.

By 2030, California's coast could see up to 1 foot of sea-level rise (from year 2000 levels), 2 feet by 2050, and possibly more than 5 feet by 2100 (National Research Council 2012). This effect could increase the Sacramento River's inundation levels within the lease area. Rising sea levels can lead to increased flooding through regular inundation and larger flooding events when combined with tidal events and storm surges. These climate change and sea-level rise impacts can also affect erosion and sedimentation rates through increased wave action and scour, which in turn can lead to decreased shoreline stability and structure. In addition, as stated in *Safeguarding California* (California Natural Resources Agency 2014), climate change is projected to increase the frequency and severity of natural disasters related to flooding, drought, and storms (especially when coupled with sea-level rise).

Climate change could have a number of impacts for the region. The amount and timing of snowmelt runoff will likely change such that runoff pulses are earlier in the season and stronger precipitation events will occur over a shorter period of time. This is because warming temperatures will result in more water falling as rain rather than snow, earlier spring snowmelt, and less snowpack overall. In rivers and tidally influenced waterways, more frequent and powerful storms can result in increased flooding conditions and damage from storm-created debris. In addition, there will be greater amounts of runoff because less water will be trapped at higher altitudes in snowpack.

Conversely, climate-change induced droughts could decrease river levels and flow for extended periods of time. Climate change and sea-level rise will further influence coastal and riverine areas by changing erosion and sedimentation rates. In rivers and tidally influenced waterways, flooding and storm flow will likely increase scour, decreasing bank stability and structure.

The potential for more frequent and stronger storm events may expose the lease area structures to higher flood risks and cause structures to be damaged or cause greater damage as a result of higher flows. Conversely, prolonged drought conditions could lower water levels exposing previously submerged structures to the elements potentially leading to increased wear and tear on surrounding support structures and

STAFF REPORT NO. **C33** (CONT'D)

thereby increasing hazards, and impact the function and utility of the lease area structures.

The bank is currently riprapped, which provides stability and reduces the amount of erosion and scour pressure structures surrounding the Project may experience during future events, but remains at risk of accelerated deterioration from currents and floods. Additional bank protection may be required to protect the proposed outfall structure. Regular maintenance, as required by the terms of the lease, will reduce the likelihood of severe structural degradation or other unforeseen damage.

The combination of these projected conditions could potentially raise the likelihood to damage proposed structures within the lease area during the term of the lease. The proposed outfall structure should be designed and constructed to be adaptable to variable water levels, storms and droughts and other potential climate change impacts, but may require more frequent maintenance to ensure continued function during and after storm seasons and to avoid future damage. Regular maintenance, as required by the terms of the lease, will reduce the likelihood of severe structural degradation or damage. The lease includes an acknowledgment that the lease premises may be subject to the effects of sea-level rise and may require additional maintenance or protection as a result, for which the lessee agrees to be solely responsible.

Conclusion:

For all the reasons above, Commission staff believes the issuance of the proposed lease will not substantially impair the public rights to navigation, fishing, or other Public Trust needs and values at this location, at this time, or for the foreseeable term of the proposed lease, and is in the best interests of the State.

OTHER PERTINENT INFORMATION:

1. This action is consistent with Strategy 1.1 of the Commission's Strategic Plan to deliver the highest levels of public health and safety in the protection, preservation and responsible economic use of the lands and resources under the Commission's jurisdiction.
2. An Environmental Impact Report (EIR), State Clearinghouse No. 2006032058, was prepared for this project by the City of Sacramento and certified on November 14, 2016. Commission staff has reviewed such document and the Mitigation Monitoring Plan (MMP) prepared pursuant to the provisions of the California Environmental Quality Act (CEQA) (Pub Resources Code, § 21081.6) and adopted by the lead agency.

STAFF REPORT NO. **C33** (CONT'D)

3. Findings made in conformance with the State CEQA Guidelines (Cal. Code Regs., tit. 14, §§ 15091, 15096) are contained in Exhibit D, attached hereto.
4. A Statement of Overriding Considerations made pursuant to the State CEQA Guidelines (Cal. Code Regs., tit. 14, § 15093) is contained in Exhibit D, attached hereto.
5. This activity involves lands identified as possessing significant environmental values pursuant to Public Resources Code section 6370 et seq., but such activity will not affect those significant lands. Based upon staff's consultation with the persons nominating such lands and through the CEQA review process, it is staff's opinion that the project, as proposed, is consistent with its use classification.

APPROVALS REQUIRED:

California Department of Fish and Wildlife
California Department of Parks and Recreation
Central Valley Regional Water Quality Control Board
Central Valley Flood Protection Board
U.S. Army Corps of Engineers
U.S. Fish and Wildlife Service
National Marine Fisheries Service

EXHIBITS:

- A. Land Description
- B. Site and Location Map
- C. Mitigation Monitoring Program
- D. Findings and Statement of Overriding Considerations

RECOMMENDED ACTION:

It is recommended that the Commission:

CEQA FINDING:

Find that an EIR, State Clearinghouse No. 2006032058, was prepared by the City of Sacramento and certified on November 14, 2016, and that the Commission has reviewed and considered the information contained therein; that in the Commission's independent judgement, the scope of activities to be carried out under the lease to be issued by this authorization have been adequately analyzed; that none of the events specified in Public Resources Code section 21166 or the State CEQA Guidelines section 15162 resulting in any new or substantially more

STAFF REPORT NO. **C33** (CONT'D)

severe significant impact has occurred; and, therefore no additional CEQA analysis is required.

Adopt the Mitigation Monitoring Program, as contained in Exhibit C attached hereto.

Adopt the Findings, made in conformance with California Code of Regulations, title 14, sections 15091 and 15096, subdivision (h), as contained in Exhibit D, attached hereto.

Adopt the Statement of Overriding Considerations made in conformance with California Code of Regulations, title 14, section 15093, as contained in Exhibit D, attached hereto.

PUBLIC TRUST AND STATE'S BEST INTERESTS:

Find that the proposed lease will not substantially impair the public rights to navigation and fishing or substantially interfere with the Public Trust needs and values at this location at this time or for the foreseeable term of the lease, is consistent with the common law Public Trust Doctrine, and is in the best interests of the State.

SIGNIFICANT LANDS INVENTORY FINDING:

Find that this activity is consistent with the use classification designated by the Commission for the land pursuant to Public Resources Code section 6370 et seq.

AUTHORIZATION:

Authorize issuance of a General Lease – Public Agency Use to City of Sacramento, beginning August 17, 2017, for a term of 20 years, for the construction, use, and maintenance of a stormwater pump station, force main, and outfall discharge structure, including rock slope protection, as described in Exhibit A and shown on Exhibit B (for reference purposes only), attached and by this reference made a part hereof; consideration being the public use and benefit, with the State reserving the right, at any time, to set a monetary rent as specified in the lease if the Commission finds such action to be in the State's best interests.

EXHIBIT A

W 27070

LAND DESCRIPTION

A parcel of tide and submerged land situate in the original bed of the Sacramento River lying adjacent to New Helvetia Rancho, in the County of Sacramento, State of California, more particularly described as follows:

All those lands underlying a proposed Pump Station, Stormwater Outfall, headwall, force main discharge, seven (7) 36" pipes, one (1) 12" pipe and stairs lying adjacent to a parcel as described in Exhibit "A" in that Grant Deed recorded March 26, 1980 in Book 8003-26 Page 478 in Official Records of said County.

EXCEPTING THEREFROM any portion(s) lying landward of the Ordinary High Water Mark of the left bank of the Sacramento River.

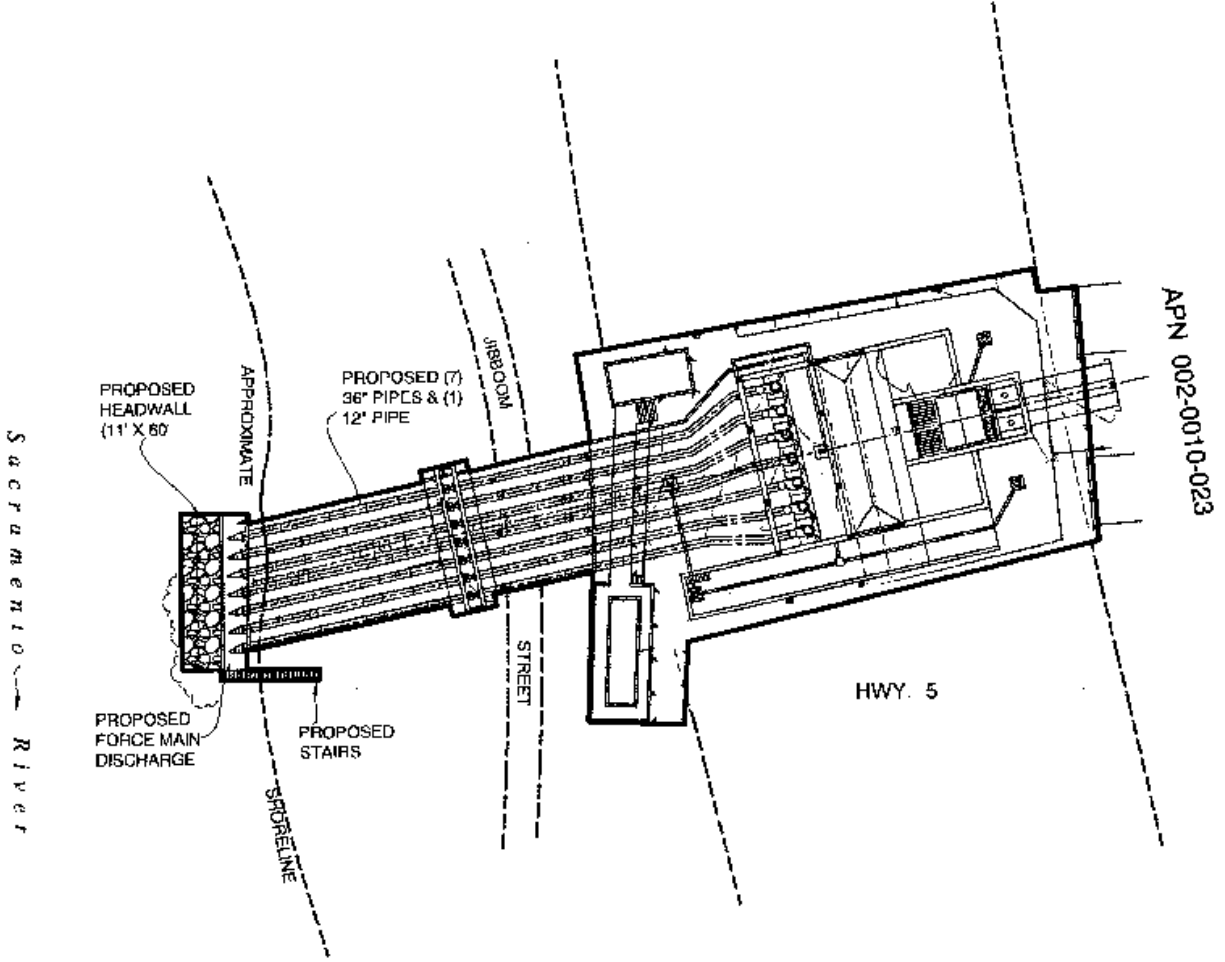
Accompanying plat is hereby made part of this description.

This description is based on Applicant provided design plans by Environmental Science Associates dated November 2016, for a proposed Sacramento Railyards Specific Plan Stormwater Outfall Project, together with any and all appurtenances pertaining thereto, to be built at a later date within the lease time frame. This description is to be updated once final as-built plans are submitted.

END OF DESCRIPTION

Prepared May 10, 2017 by the California State Lands Commission Boundary Unit.





APN 002-0010-023

EXHIBIT A

Page 2 of 2

MJJ 5/10/2017

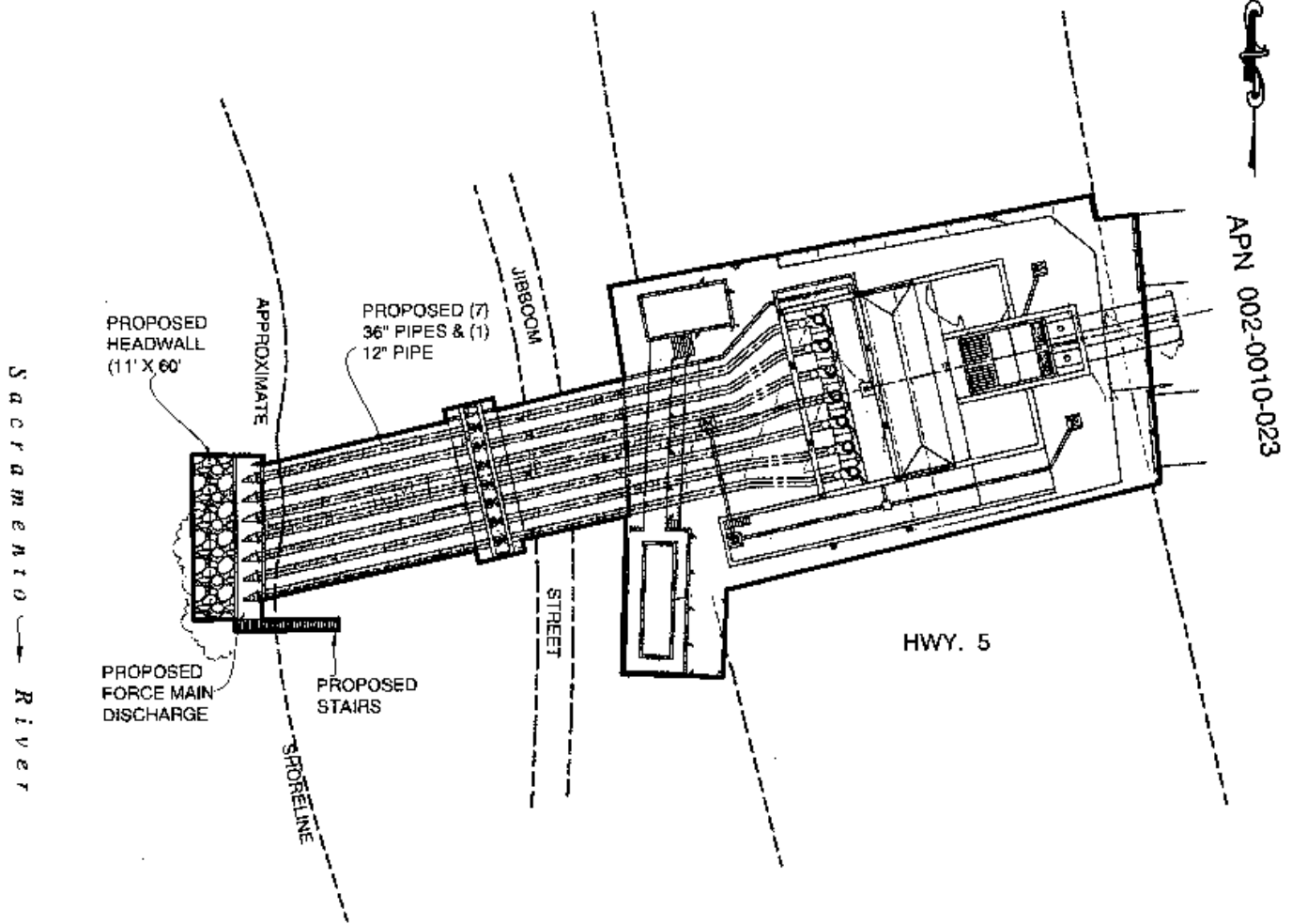
LAND DESCRIPTION PLAT
 W 27070, CITY OF SACRAMENTO
 SACRAMENTO COUNTY

CALIFORNIA STATE
 LANDS COMMISSION



NO SCALE

SITE



APN 002-0010-023

PROPOSED STORMWATER OUTFALL & PUMP FACILITY, SACRAMENTO

NO SCALE

LOCATION



MAP SOURCE: USGS QUAD

Exhibit B

W 27070
 CITY OF SACRAMENTO
 APN 002-0010-023
 GENERAL LEASE -
 PUBLIC AGENCY USE
 SACRAMENTO COUNTY



SITE

MJJ 5/10/2017

This Exhibit is solely for purposes of generally defining the lease premises, is based on unverified information provided by the Lessee or other parties and is not intended to be, nor shall it be construed as, a waiver or limitation of any State interest in the subject or any other property.

EXHIBIT C
CALIFORNIA STATE LANDS COMMISSION
MITIGATION MONITORING PROGRAM
SACRAMENTO RAILYARDS SPECIFIC PLAN UPDATE, KP MEDICAL CENTER,
MLS STADIUM, AND STORMWATER OUTFALL PROJECT
(W27070, State Clearinghouse No. 2006032058)

The California State Lands Commission (Commission) is a responsible agency under the California Environmental Quality Act (CEQA) for the Sacramento Railyards Specific Plan Update, KP Medical Center, MLS Stadium, and Stormwater Outfall Project (Project). The CEQA lead agency for the Project is City of Sacramento (City).

In conjunction with approval of this Project, the Commission adopts this Mitigation Monitoring Program (MMP) for the implementation of mitigation measures for the portion(s) of the Project located on Commission lands. The purpose of a MMP is to impose feasible measures to avoid or substantially reduce the significant environmental impacts from a project identified in an Environmental Impact Report (EIR) or a Mitigated Negative Declaration (MND). State CEQA Guidelines section 15097, subdivision (a), states in part:¹

In order to ensure that the mitigation measures and project revisions identified in the EIR or negative declaration are implemented, the public agency shall adopt a program for monitoring or reporting on the revisions which it has required in the project and the measures it has imposed to mitigate or avoid significant environmental effects. A public agency may delegate reporting or monitoring responsibilities to another public agency or to a private entity which accepts the delegation; however, until mitigation measures have been completed the lead agency remains responsible for ensuring that implementation of the mitigation measures occurs in accordance with the program.

The portion of the Project occurring within and subject to the jurisdiction of the Commission involves the construction of a stormwater outfall along the left bank levee of the Sacramento River, north of the I Street Bridge and south of the Sacramento River water intake structure, south of the Jibboom Street building. This stormwater outfall is a component of the larger Railyards Specific Plan Update, KP Medical Center, MLS Stadium, and Stormwater Outfall Project adjacent to the Sacramento River in the city of Sacramento, Sacramento County.

The lead agency has certified a Subsequent EIR, State Clearinghouse No. 2006032058, has adopted a MMP for the whole of the Project (see Exhibit C, Attachment C-1), and remains responsible for ensuring that implementation of the mitigation measures occurs in accordance with its program. The Commission's action and authority as a responsible agency apply only to the mitigation measures listed in Table C-1 below. The full text of each mitigation measure, as set forth in the MMP

¹ The State CEQA Guidelines are found at California Code of Regulations, title 14, section 15000 et seq.

prepared by the CEQA lead agency and listed in Table C-1, is incorporated by reference in this Exhibit C.

Table C-1. Project Impacts and Applicable Mitigation Measures

Potential Impact	Mitigation Measure (MM) ²
Impact 4.2-2	MM-4.2-2 (a),(b),(c)
Impact 4.2-8	MM-4.2-8 (a),(b),(c)
Impact 4.3-2	MM-4.3-2 (a)
Impact 4.3-3	MM-4.3-3
Impact 4.3-6	MM-4.3-6
Impact 4.3-7	MM-4.3-7
Impact 4.3-8	MM-4.3-8
Impact 4.3-9	MM-4.3-9
Impact 4.3-11	MM-4.3-11
Impact 4.3-12	MM-4.3-12
Impact 4.3-15	MM-4.3-15
Impact 4.3-16	MM-4.3-16
Impact 4.3-17	MM-4.3-17
Impact 4.4-1	MM-4.4-1 (c),(d)
Impact 4.4-7	MM-4.4-7
Impact 4.4-8	MM-4.4-8
Impact 4.4-10	MM-4.4-10
Impact 4.8-1	MM-4.8-1
Impact 4.8-3	MM-4.8-3
Impact 4.8-4	MM-4.8-4
Impact 4.8-7	MM-4.8-7
Impact 4.8-8	MM-4.8-8
Impact 4.8-9	MM-4.8-9

² See Attachment C-1 for the full text of each MM taken from the MMP prepared by the CEQA lead agency.

ATTACHMENT C-1

Mitigation Monitoring Program Adopted by the City of Sacramento

**TABLE 4-1
SACRAMENTO RAILYARDS SPECIFIC PLAN UPDATE, KP MEDICAL CENTER, MLS STADIUM, & STORMWATER OUTFALL MITIGATION MONITORING PLAN**

Impact	Mitigation Measure	Action(s)	Component	Implementing Party	Timing	Monitoring Party
4.1 Aesthetics, Light, and Glare						
4.1-1: The implementation of the RSPU, including the potential development of large-floor plate and high-rise buildings in the RSP Area east of I-5, could alter public views.	4.1-1 <i>Within Lot 46, the maximum street-wall height for structures facing 7th Street shall be 35 feet in height.</i>	Incorporate street-wall height requirements into design for structures facing 7 th Street	RSPU	Project applicant	Prior to approval of site plan and design review	City of Sacramento Community Development Department
4.1-2: The potential development of high-rise buildings adjacent to the riverfront could conflict with the character of the riverfront between Old Sacramento and the Jibboom Street Bridge.	4.1-2 <i>For development within the allowable footprints on Lot 35, the following base height, bulk and massing requirements shall be added to the RSPU Design Guidelines and enforced through the SPD and the City's Site Plan and Design Review permit process:</i> <ul style="list-style-type: none"> • <i>On the southern development lot, any portion of a building within 80 feet of the required setback from the riverbank shall be no greater than 35 feet in height.</i> 	Incorporate requirements for base height, bulk and massing for Lot 35, as described in Mitigation Measure 4.1-2.	RSPU	Project applicant	Prior to approval of site plan and design review	City of Sacramento Community Development Department
4.1-3: The proposed projects could create substantial new sources of light.	4.1-3(a)	Identify light fixtures to be used on Construction Plans and demonstrate that the fixtures minimize spill over.	RSPU, MLS	Project applicant	Prior to approval of site plan and design review for applicable projects	City of Sacramento Community Development Department
	i. <i>East of 6th Street, all exterior lighting and advertising (including signage) shall be directed onto the specific location intended for illumination (e.g., parking lots, driveways, and walkways) and shielded away from adjacent properties and public rights-of-way to minimize light spillover onto adjacent areas. Light structures for surface parking areas, vehicular access ways, and walkways shall not exceed a height of 25 feet. Monument lighting and night-lit signage is prohibited on building facades that face existing residential neighborhoods.</i>					
	ii. <i>Prior to issuance of a Site Plan and Design Review Permit for each specific development project, the applicant shall submit a lighting plan to the Development Services Department for review and approval. The plan shall specify the lighting type and placement to ensure that the effects of security and other outdoor lighting are minimized on adjacent uses and do not create spillover effects.</i>	Prepare and submit lighting plan to the City of Sacramento Development Services Department	RSPU, MLS	Project applicant	Prior to approval of site plan and design review of each applicable development project	City of Sacramento Community Development Department
	iii. <i>Landscape illumination and exterior sign lighting shall follow the City Code.</i>	Demonstrate that lighting plan complies with City Code	RSPU, MLS	Project applicant	Prior to approval of site plan and design review of each applicable development project	City of Sacramento Community Development Department
	4.1-3(b)	Identify light fixtures to be used on Construction Plans and demonstrate that the fixtures minimize spill over.	MLS	Project applicant	Prior to approval of site plan and design review	City of Sacramento Community Development Department
	i. <i>The project applicant shall require construction contractors to ensure that all lighting related to construction activities shall be shielded or directed to restrict any direct illumination onto property located outside of the Stadium project site boundaries that is improved with light-sensitive uses.</i>					
	ii. <i>Prior to issuance of a building permit, the project applicant shall submit to the Community Development Department a signage and lighting design plan for the Stadium which establishes lighting design standards and guidelines. The lighting design plan shall, at a minimum:</i> <ul style="list-style-type: none"> – <i>Require exterior lighting included within the Stadium to incorporate fixtures and light sources that focus light on-site to minimize spillover light;</i> 	Prepare and submit signage and lighting design plan to the City of Sacramento Community Development Department, consistent with the requirements described in Mitigation Measure 4.1-3(b).	MLS	Project applicant	Prior to issuance of building permit	City of Sacramento Community Development Department

RSPU = Railyards Specific Plan Update; KP MC = Kaiser Permanente Medical Center; MLS = Major League Soccer Stadium; SO = Stormwater Outfall

**TABLE 4-1
SACRAMENTO RAILYARDS SPECIFIC PLAN UPDATE, KP MEDICAL CENTER, MLS STADIUM, & STORMWATER OUTFALL MITIGATION MONITORING PLAN**

Impact	Mitigation Measure	Action(s)	Component	Implementing Party	Timing	Monitoring Party
	<ul style="list-style-type: none"> - <i>Ensure that project lighting shall not cause more than two foot-candles of lighting intensity or direct glare from the light source at any residential property. This would preclude substantial spillover light from bright lighting sources; and</i> - <i>Require that for exterior LED lighting, all light emitting diodes used within the integral electronic display shall have a horizontal beam spread of maximum 165 degrees wide and 65 degrees vertically, and shall be oriented downwards to the plaza/street, rather than upwards.</i> 					
	<ul style="list-style-type: none"> iii. <i>Prior to issuance of a building permit for the Stadium signage displays, the project applicant shall retain a lighting design expert who shall develop plans and specifications for the proposed lighting displays, establish maximum luminance levels for the displays, and install and test the displays to insure compliance with all City lighting regulations and these mitigation measures.</i> 	Design and test lighting and signage to comply with City Code	MLS	Project applicant	Prior to issuance of building permit	City of Sacramento Community Development Department
	<ul style="list-style-type: none"> iv. <i>The project applicant shall comply with City Code Section 8.072.010, which establishes regulations regarding the use of searchlights.</i> 	Comply with City Code Section 8.072.010 regarding use of searchlights	MLS	Project applicant	During events/operation	City of Sacramento Community Development Department
4.1-4: The proposed projects could create a new source of glare.	4.1-4 <i>Highly reflective mirrored glass walls shall not be used as a primary building material (no more than 35 percent) for building facades adjacent to major roadways. Instead, low emission (Low-E) glass shall be used in order to reduce the reflective qualities of the building, while maintaining energy efficiency.</i>	Include low emission (Low-E) glass specifications on Construction Plans.	RSPU	Project applicant	Prior to site plan and design review	City of Sacramento Community Development Department
4.1-6: The proposed projects could cause an introduction of building height and mass that conflicts with the character of the Sacramento River riverfront between Old Sacramento and Discovery Park.	4.1-6 <i>Implement Mitigation Measure 4.1-2.</i>	See Mitigation Measure 4.1-2	See Mitigation Measure 4.1-2	See Mitigation Measure 4.1-2	See Mitigation Measure 4.1-2	See Mitigation Measure 4.1-2
4.1-8: The proposed projects could contribute to cumulative sources of glare.	4.1-8 <i>Implement Mitigation Measure 4.1-4.</i>	See Mitigation Measure 4.1-8	See Mitigation Measure 4.1-8	See Mitigation Measure 4.1-8	See Mitigation Measure 4.1-8	See Mitigation Measure 4.1-8
4.2 Air Quality						
4.2-2: Construction of the Proposed Project would result in short-term emissions of NOx, PM10 and PM2.5.	4.2-2(a) <i>City approval of any grading or improvement plans shall include the following SMAQMD Basic Construction Emission Control Practices:</i> <ul style="list-style-type: none"> • <i>All exposed surfaces shall be watered two times daily. Exposed surfaces include, but are not limited to soil piles, graded areas, unpaved parking areas, staging areas, and access roads.</i> • <i>Cover or maintain at least two feet of free board space on haul trucks transporting soil, sand, or other loose material on the site. Any haul trucks that would be traveling along freeways or major roadways shall be covered.</i> 	Include construction site and equipment specifications identified in Mitigation Measure 4.2-2(a) on Grading and Construction Plans.	RSPU, KPMC, MLS, SO	Project applicant	Prior to issuance of demolition or grading permit	City of Sacramento Community Development Department, Sacramento Metropolitan Air Quality Management District (SMAQMD)

RSPU = Railyards Specific Plan Update; KPMC = Kaiser Permanente Medical Center; MLS = Major League Soccer Stadium; SO = Stormwater Outfall

**TABLE 4-1
SACRAMENTO RAILYARDS SPECIFIC PLAN UPDATE, KP MEDICAL CENTER, MLS STADIUM, & STORMWATER OUTFALL MITIGATION MONITORING PLAN**

Impact	Mitigation Measure	Action(s)	Component	Implementing Party	Timing	Monitoring Party
	<ul style="list-style-type: none"> Use wet power vacuum street sweepers to remove any visible trackout mud or dirt onto adjacent public roads at least once a day. Use of dry power sweeping is prohibited. Limit vehicle speeds on unpaved roads to 15 miles per hour. All roadways, driveways, sidewalks, parking lots shall be paved as soon as possible. In addition, building pads shall be laid as soon as possible after grading unless seeding or soil binders are used. Minimize idling time either by shutting equipment off when not in use or reducing the time of idling to 5 minutes (as required by the state airborne toxics control measure [Title 13, Section 2485 of the California Code of Regulations]). Provide clear signage that posts this requirement for workers at the entrances to the site. Maintain all construction equipment in proper working condition according to manufacturer's specifications. The equipment shall be checked by a certified mechanic and determine to be running in proper condition before it is operated. 					
	<p>4.2-2(b) City approval of any grading or improvement plans shall include the following SMAQMD Enhanced Exhaust Control Practices:</p> <ul style="list-style-type: none"> Provide 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 Proposed Project to the City and the SMAQMD. The inventory shall include the horsepower rating, engine model year, and projected hours of use for each piece of equipment. The construction contractor shall provide the anticipated construction timeline including start date, and name and phone number of the project manager and on-site foreman. This information shall be submitted at least 4 business days prior to the use of subject heavy-duty off-road equipment. The inventory shall be updated and submitted monthly throughout the duration of the Proposed Project, except that an inventory shall not be required for any 30-day period in which no construction activity occurs. Provide a plan in conjunction with the equipment inventory, approved by the SMAQMD, demonstrating that the heavy-duty (50 horsepower or more) off-road vehicles to be used in the construction project, including owned, leased, and subcontractor vehicles, will achieve a project wide fleet-average 20% NOx reduction and 45% particulate reduction compared to the most recent CARB fleet average. Acceptable options for reducing emissions may include use of late model engines, low-emission diesel products, alternative fuels, engine retrofit technology, after-treatment products, and/or other options as they become available. 	<p>Include construction equipment specifications listed in Mitigation Measure 4.2-2(b) on Grading and Construction Plans.</p>	<p>RSPU, KPMC, MLS, SO</p>	<p>Project applicant</p>	<p>Prior to issuance of demolition permit or grading permit</p>	<p>City of Sacramento Community Development Department, Sacramento Metropolitan Air Quality Management District (SMAQMD)</p>

RSPU = Railyards Specific Plan Update; KPMC = Kaiser Permanente Medical Center; MLS = Major League Soccer Stadium; SO = Stormwater Outfall

**TABLE 4-1
SACRAMENTO RAILYARDS SPECIFIC PLAN UPDATE, KP MEDICAL CENTER, MLS STADIUM, & STORMWATER OUTFALL MITIGATION MONITORING PLAN**

Impact	Mitigation Measure	Action(s)	Component	Implementing Party	Timing	Monitoring Party
	<ul style="list-style-type: none"> Emissions from all off-road diesel powered equipment used on the project site shall not exceed 40% opacity for more than three minutes in any one hour. Any equipment found to exceed 40 percent opacity (or Ringelmann 2.0) shall be repaired immediately, and the City 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. The SMAQMD and/or other officials may conduct periodic site inspections to determine compliance. Nothing in this measure shall supersede other SMAQMD or state rules or regulations. If at the time of granting of each building permit, the SMAQMD has adopted a regulation applicable to construction emissions, compliance with the regulation may completely or partially replace this mitigation. Consultation with the SMAQMD prior to construction will be necessary to make this determination. 					
	<p>4.2-2(c) City approval of any grading or improvement plans shall include the following SMAQMD Fugitive Dust Control Practices:</p> <ul style="list-style-type: none"> Water exposed soil with adequate frequency for continued moist soil. Suspend excavation, grading, and/or demolition activity when wind speeds exceed 20 mph. Install wind breaks (e.g., plant trees, solid fencing) on windward side(s) of construction areas. Plant vegetative ground cover (fast-germinating native grass seed) in disturbed areas as soon as possible. Water appropriately until vegetation is established. Install wheel washers for all exiting trucks, or wash off all trucks and equipment leaving the site. Treat site accesses to a distance of 100 feet from the paved road with a 6 to 12-inch layer of wood chips, mulch, or gravel to reduce generation of road dust and road dust carryout onto public roads. Post a publicly visible sign with the telephone number and person to contact at the lead agency regarding dust complaints. This person shall respond and take corrective action within 48 hours. The phone number of the District shall also be visible to ensure compliance. 	Include SMAQMD Fugitive Dust Control Practices on grading or improvement plans as described in Mitigation Measure 4.2-2(c).	RSPU, KPNC, MLS, SO	Project applicant	Prior to approval of grading or improvement plans	City of Sacramento Community Development Department, Sacramento Metropolitan Air Quality Management District (SMAQMD)
	<p>4.2-2(d) The project applicants shall pay into the SMAQMD's construction mitigation fund to offset construction-generated emissions of NOx that exceed SMAQMD's daily emission threshold of 85 lbs/day. Fees shall be paid to SMAQMD based upon the previously agreed upon Railyards Specific Plan fee of \$2,603 per acre developed.</p>	Provide proof of payment of SMAQMD fees to the City of Sacramento Community Development Department. Amount of payment shall be directly correlated to acreage of development per project proposed.	RSPU	Project applicant	Prior to issuance of grading or building permit for each development project	City of Sacramento Community Development Department, Sacramento Metropolitan Air Quality Management District (SMAQMD)

RSPU = Railyards Specific Plan Update; KPNC = Kaiser Permanente Medical Center; MLS = Major League Soccer Stadium; SO = Stormwater Outfall

**TABLE 4-1
SACRAMENTO RAILYARDS SPECIFIC PLAN UPDATE, KP MEDICAL CENTER, MLS STADIUM, & STORMWATER OUTFALL MITIGATION MONITORING PLAN**

Impact	Mitigation Measure	Action(s)	Component	Implementing Party	Timing	Monitoring Party
4.2-7: Implementation of the proposed projects could alter wind speed at ground level (pedestrian level).	<p>4.2-7 <i>The following measures are recommended to assure that future buildings developed in the RSP Area do not cause hazardous wind conditions for pedestrians in areas of substantial public use:</i></p> <p>1) <i>New buildings with heights of more than 85-feet shall be evaluated by a qualified wind expert to determine the potential to cause a new wind hazard or aggravate an existing wind hazard for pedestrians in areas of substantial public use. Based on a review of wind conditions, other development in the vicinity, and the project design, the evaluator may have sufficient evidence to form a professional opinion about the potential for the project to cause a hazardous wind environment. If sufficient evidence is available to conclude that no wind hazards will be created, no further mitigation is required. If sufficient evidence to establish safe pedestrian conditions is not available, the City shall require wind-tunnel testing to provide the evidence that a wind hazard would not result in public areas.</i></p> <p>2) <i>If required wind tunnel testing identifies wind hazards, the qualified wind expert shall work with the City and/or project proponent to develop corrective measures such as building design changes, protective structures, or landscaping modifications to help reduce pedestrian-level wind speeds to acceptable levels. The City shall require implementation of such corrective measures as a condition of the building permit.</i></p>	For buildings that meet the criteria described in Mitigation Measure 4.2-7, retain a qualified wind expert to evaluate potential wind hazards, as described in Mitigation Measure 4.2-7(1).	RSPU, KPMC	Project applicant	Prior to issuance of a building permit	City of Sacramento Community Development Department
		For wind hazards identified in wind hazard testing, incorporate corrective measures developed in consultation with qualified wind expert and the City of Sacramento Community Development Department, into building designs and construction plans, as described in Mitigation Measure 4.2-7(2).	RSPU, KPMC	Project applicant	Prior to issuance of a building permit	City of Sacramento Community Development Department.
4.2-8: The proposed projects could contribute to cumulative increases in short-term (construction) emissions.	<p>4.2-8 <i>Implement Mitigation Measures 4.2-2(a) through 4.2-2(d).</i></p>	See Mitigation Measures 4.2-2(a) through 4.2-2(d).	See Mitigation Measures 4.2-2(a) through 4.2-2(d).	See Mitigation Measures 4.2-2(a) through 4.2-2(d).	See Mitigation Measures 4.2-2(a) through 4.2-2(d).	See Mitigation Measures 4.2-2(a) through 4.2-2(d).
4.3 Biological Resources						
4.3-2: Development of the proposed projects could result in the loss of potential nesting habitat for Swainson's hawk, white-tailed kite, purple martin, and other sensitive and/or protected bird species.	<p>4.3-2(a) <i>The project applicant shall conduct any tree removal activities required for project construction outside of the migratory bird and raptor breeding season (February 1 through August 31) where feasible. For any construction activities that will occur between February 1 and August 31, the applicant shall conduct preconstruction surveys in suitable nesting habitat within 500 feet of the construction area for nesting raptors and migratory birds. Surveys shall be conducted by a qualified biologist. In addition, all trees slated for removal during the nesting season shall be surveyed by a qualified biologist no more than 48-hours before removal to ensure that no nesting birds are occupying the tree. For Swainson's hawk nesting habitat, surveys shall be conducted in accordance with the Swainson's Hawk Technical Advisory Committee's Recommended Timing and Methodology for Swainson's Hawk Nesting Surveys in California's Central Valley).</i></p> <p><i>If active nests are found during the survey, the applicant shall implement appropriate mitigation measures to ensure that the species will not be adversely affected, which will include establishing a no-work buffer zone as, approved by CDFW, around the active nest.</i></p>	<p>Conduct nesting surveys prior to tree removal.</p> <p>Conduct any tree removal and construction activities according to the protocol described in Mitigation Measure 4.3-2(a).</p> <p>Include tree removal timing and/or tree protection requirements on Grading and Construction Plans</p>	RSPU, KPMC, MLS, SO	Project applicant	Between February 1 and August 31, conduct surveys no more than 48-hours before tree removal	City of Sacramento Community Development Department, California Department of Fish and Wildlife (CDFW)

RSPU = Railyards Specific Plan Update; KPMC = Kaiser Permanente Medical Center; MLS = Major League Soccer Stadium; SO = Stormwater Outfall

**TABLE 4-1
SACRAMENTO RAILYARDS SPECIFIC PLAN UPDATE, KP MEDICAL CENTER, MLS STADIUM, & STORMWATER OUTFALL MITIGATION MONITORING PLAN**

Impact	Mitigation Measure	Action(s)	Component	Implementing Party	Timing	Monitoring Party
	<i>Measures may include, but would not be limited to:</i>					
	(1) <i>Maintaining a 500-foot buffer around each active raptor nest. No construction activities shall be permitted within this buffer. For migratory birds, a no-work buffer zone shall be established, approved by CDFW, around the active nest. The no-work buffer may vary depending on species and site specific conditions as approved by CDFW.</i>	Establish 500-buffer around active raptor nests.	RSPU, KPMC, MLS, SO	Project applicant	Establish buffer no more than 48-hours before tree removal; leave buffer in place through construction of each applicable development project	City of Sacramento Community Development Department, California Department of Fish and Wildlife (CDFW)
	(2) <i>Depending on conditions specific to each nest, and the relative location and rate of construction activities, it may be feasible for construction to occur as planned within the buffer without impacting the breeding effort. In this case (to be determined on an individual basis), the nest(s) shall be monitored by a qualified biologist during construction within the buffer. If, in the professional opinion of the monitor, the project would impact the nest, the biologist shall immediately inform the construction manager. The construction manager shall stop construction activities within the buffer until the nest is no longer active.</i>	Monitor nesting activity within the 500-foot buffer	RSPU, KPMC, MLS, SO	Project applicant	Monitor active nests through construction of each applicable development project	City of Sacramento Community Development Department, California Department of Fish and Wildlife (CDFW)
	4.3-2(b) <i>If three years of consecutive surveys of the suitable habitat (i.e., weep holes) within the I Street Bridge viaduct, I-5 elevated structure within the RSP Area, or the proposed new I Street Bridge over the Sacramento River do not indicate purple martins use of the area as breeding habitat, then no further mitigation is required. The following mitigation shall only be required if purple martin have been documented nesting in the suitable habitat (i.e., weep holes) within the I Street Bridge viaduct, or the I 5 elevated structure within the RSP Area, or the proposed new I Street Bridge for at least one of three previous years prior to development within 500 feet of aforementioned areas.</i>	Determine presence/absence of purple martins within identified geography.	RSPU	Project applicant	Prior to site plan and design review for individual projects	City of Sacramento Community Development Department, California Department of Fish and Wildlife (CDFW)
	<i>Prior to construction within 500 feet of an active purple martin colony (active within the past three years), the applicant shall retain a qualified biologist to prepare and then shall implement a Purple Martin Monitoring and Management Plan (PMMMP), to the satisfaction of the City. The PMMMP shall be enforced by the City in areas of suitable habitat (i.e., weep holes) within 500 feet of the I Street Bridge viaduct, or the elevated structure of Interstate 5 within the RSP Area. The PMMMP shall identify land use and building design requirements, landscape design and maintenance requirements, and management actions for the protection, enhancement, creation, and/or replacement of purple martin habitat within the RSP Area. Performance of the PMMMP shall be based on land use, and building design standards, landscape design, and maintenance criteria, and management actions that benefit purple martin. The PMMMP shall be tailored to the status and nesting locations of purple martins onsite at the time of plan creation, and will include at minimum the criteria below, or equivalent measures to conserve, protect, and restore purple martin habitat.</i>	Retain a qualified biologist to prepare and implement a Purple Martin Monitoring and Management Plan (PMMMP) as described in Mitigation Measure 4.3-2(b), if necessary. Follow recommendations of the PMMMP.	RSPU	Project applicant	Prior to site plan and design review for individual projects	City of Sacramento Community Development Department, California Department of Fish and Wildlife (CDFW)

RSPU = Railyards Specific Plan Update; KPMC = Kaiser Permanente Medical Center; MLS = Major League Soccer Stadium; SO = Stormwater Outfall

**TABLE 4-1
SACRAMENTO RAILYARDS SPECIFIC PLAN UPDATE, KP MEDICAL CENTER, MLS STADIUM, & STORMWATER OUTFALL MITIGATION MONITORING PLAN**

Impact	Mitigation Measure	Action(s)	Component	Implementing Party	Timing	Monitoring Party
	<ul style="list-style-type: none"> • Land Use and Building Design Criteria: <ul style="list-style-type: none"> – Prohibit buildings that obstruct flight path to and from nest sites within 120 feet of nesting locations. – Maintain a minimum of 21 feet of vertical space beneath weep holes – Maintain 230 feet of perching wire within 200 feet of the colony • Landscape Design and Maintenance Requirements: <ul style="list-style-type: none"> – Prohibit trees taller than nest height within 330 feet of nest sites – Limit tree plantings within 500 feet of the site to those that produce suitable nesting material (pine species). Areas beneath trees shall not be landscaped, and litter material left in place for next material use by birds – Ensure suitable nesting material is available for martin use. If no nest material is available for martins, place nesting material (straw, pine needles, etc.) within area for use by purple martin during the breeding bird season – Prohibit planting of ornamental fruit bearing trees within 500 feet of purple martin nests, including the colonization of weedy fruit-bearing trees such as privet • Management Actions: <ul style="list-style-type: none"> – Install, or cause to be installed, and/or maintain to ensure good working order, nest guards on weep holes where purple martin are known to nest, subject to approval from the facility's owner 	Design buildings and landscaping to meet the setback requirements, provision of perching wire, and nesting material as described.	RSPU	Project applicant	Prior to site plan and design review	City of Sacramento Community Development Department, California Department of Fish and Wildlife (CDFW)
		Install and/or maintain nest guards	RSPU	Project applicant	Prior to site plan and design review through nest abandonment	City of Sacramento Community Development Department, California Department of Fish and Wildlife (CDFW)
4.3-3: The proposed projects could result in impacts to special-status fish species and degradation of designated critical habitat.	<p>4.3-3 To avoid, minimize, or compensate for potential impacts to protected and sensitive riverine species and critical habitat, and prevent impacts to special-status fish species the following actions shall be undertaken by the project applicant:</p> <p>a) Unless prior approval is granted by NMFS, USFWS, and/or CDFW, (as applicable) in-water work shall be restricted to the August 1 to October 31 period to avoid/minimize construction impacts to special-status fish species.</p> <p>b) Project-related impacts to riverine (e.g., valley-foothill) riparian vegetation shall be minimized by replacing lost vegetation onsite at a minimum ratio of 1:1, along the Sacramento River, if feasible. Mitigation and/or restoration plans for all habitats that require revegetation, habitat creation, restoration, and enhancement shall be approved by the regulatory agencies, as applicable, and shall include construction specifications; irrigation schedules; planting palettes (showing container stock/box plantings, cutting specifications, and seed mixes); monitoring, maintenance, and remediation schedules; and success criteria, assurances and contingency measures. Revegetation specifications, species</p>	Conduct in-water work between August 1 and October 31	SO	Project applicant	Prior to issuance of building permit	City of Sacramento Community Development Department, NMFS, USFWS, and CDFW
		Replace vegetation at 1:1 ratio at a minimum. Document restoration activities. Monitor restoration sites for three to five years.	SO	Project applicant	Restoration immediately following construction completion; monitoring for three to five years post-restoration	City of Sacramento Community Development Department, NMFS, USFWS, and CDFW

RSPU = Railyards Specific Plan Update; KP MC = Kaiser Permanente Medical Center; MLS = Major League Soccer Stadium; SO = Stormwater Outfall

**TABLE 4-1
SACRAMENTO RAILYARDS SPECIFIC PLAN UPDATE, KP MEDICAL CENTER, MLS STADIUM, & STORMWATER OUTFALL MITIGATION MONITORING PLAN**

Impact	Mitigation Measure	Action(s)	Component	Implementing Party	Timing	Monitoring Party
	<p><i>composition and density shall be developed by an experienced restoration ecologist. The restoration sites shall be evaluated to ensure that required revegetation has been performed in areas where temporary construction has been completed. A report documenting restoration efforts shall be submitted by the applicant to the City and applicable regulatory agencies. If necessary, remedial revegetation should occur during the same rainy season that the remedial recommendation is made. Restoration sites shall be monitored by qualified restoration ecologists for three to five years, or until success criteria are achieved. Restoration plans shall be included in the final construction documents. Grading and revegetation activities shall comply with applicable regulations and mitigation measures identified in this EIR pertaining to dust, air emissions, noise, water quality and other potential environmental effects. Alternatively, if approved by regulatory agencies, the applicant may purchase mitigation credits from approved mitigation banks. Final mitigation ratios and locations are to be established in consultation with the regulatory agencies prior to riverbed disturbing activities and detailed mitigation requirements will be identified in the final regulatory agency permits.</i></p>					
	<p>c) <i>To the extent feasible, the project applicant shall plant riparian vegetation and install biotechnical features, such as brush piles, logs, and root wads, to replace habitat impacted by construction of the outfall structure. These structures shall compensate for potential impacts associated with increased predation around the new structure. Specific measures shall include elements that contribute to nearshore cover in the immediate vicinity of the structure to increase the potential for juvenile fish while discouraging occupancy of the same structures by predaceous species. The precise amount and relative value of affected riparian and cover habitat would be determined during project-level analysis of proposed activities.</i></p>	Plant riparian vegetation and install biotechnical features.	SO	Project applicant	Immediately following construction completion	City of Sacramento Community Development Department, NMFS, USFWS, and CDFW
	<p>d) <i>Mitigation of riverine habitat would occur through creation, restoration, enhancement, and/or preservation of this habitat type within an approved off-site location and/or mitigation bank at a ratio to be established in consultation with the regulatory agencies. Mitigation banking would involve using mitigation credits from mitigation banks approved by the regulatory agencies. Final mitigation ratios and locations are to be established in consultation with the regulatory agencies prior to riverbed disturbing activities and detailed mitigation requirements will be identified in the final regulatory agency permits.</i></p>	Enhance riverine habitat or purchase mitigation credits.	SO	Project applicant	Prior to riverbed disturbing activities	City of Sacramento Community Development Department, NMFS, USFWS, and CDFW
	<p>e) <i>The cofferdam sheetpiles at the outfall structure construction site shall be installed using a vibratory hammer where possible to minimize underwater sound pressure levels to the greatest extent feasible and associated effects to sensitive fish species. If impact pile driving is required, sound pressure levels shall be managed (through operational controls) to achieve single-strike sound levels less than 206 dB peak (dBpeak) and 183 dB sound exposure level (dBSEL)</i></p>	Use vibratory hammer during construction. Consult with NMFS, USFWS, and CDFW to determine disturbance minimization measures.	SO	Project applicant	Establish measures prior to regulatory permit issuance; during insertion of piles	City of Sacramento Community Development Department, NMFS, USFWS, and CDFW

RSPU = Railyards Specific Plan Update; KPMC = Kaiser Permanente Medical Center; MLS = Major League Soccer Stadium; SO = Stormwater Outfall

**TABLE 4-1
SACRAMENTO RAILYARDS SPECIFIC PLAN UPDATE, KP MEDICAL CENTER, MLS STADIUM, & STORMWATER OUTFALL MITIGATION MONITORING PLAN**

Impact	Mitigation Measure	Action(s)	Component	Implementing Party	Timing	Monitoring Party
	<p><i>measured at a distance of 10 meters. Additionally, pile driving shall only be conducted during daytime hours</i></p> <p><i>(allowing for regular periods of no impact) and shall commence at low-energy levels and slowly build to impact force (allowing for fish to move away from the construction site).</i></p> <p><i>The project applicant shall also consult with NMFS, USFWS, and CDFW (as part of obtaining permit approvals, e.g., FESA Section 7 and Fish and Game Code Section 1600) to determine necessary impact minimization actions, which may include surveying the outfall site to determine fish presence prior to installation. The project applicant shall implement any additional measures developed through the FESA Section 7 and Fish and Game Code Section 1600 permit processes, to ensure that impacts are avoided and/or minimized.</i></p>					
	<p>f) <i>To reduce the potential for fish stranding or minimize the potential for harm during cofferdam dewatering activities, the project applicant or its contractor shall implement a fish rescue plan. Prior to the closure of the cofferdam in the Sacramento River, seining by a qualified fisheries biologist will be conducted within the cofferdam using a small-mesh seine to direct and move fish out of the cofferdam area. Upon completion of seining, the entrance to the cofferdam will be blocked with a net to prevent fish from entering the cofferdam isolation area before the cofferdam is completed. Once the cofferdam is completed and the area within the cofferdam is closed and isolated, additional seining will be conducted within the cofferdam to remove any remaining fish. Once most of the fish have been removed from the isolated area, portable pumps with intakes equipped with 1.75 mm mesh screen shall be used to dewater to a depth of 1.5-2 feet. A qualified biologist shall implement further fish rescue operations using electrofishing and dip nets. All fish that are captured will be placed in clean 5-gallon buckets and/or coolers filled with Sacramento River water, transported downstream of the construction area, and released back into suitable habitat in the Sacramento River with minimal handling. After all fish have been removed using multiple seine passes, electrofishing, and dip nets (as necessary), portable pumps with screens (see above) will be used for final dewatering. NMFS, USFWS, and CDFW shall be notified at least 48 hours prior to the fish rescue.</i></p>	Develop and implement a fish rescue plan.	SO	Project applicant	Establish plan prior to regulatory permit issuance	City of Sacramento Community Development Department, NMFS, USFWS, and CDFW
4.3-4: Development of the proposed projects could result in removal of habitat for the Valley Elderberry Longhorn Beetle.	<p>4.3-4</p> <p>(1) <i>Prior to construction within the RSP Area, the site shall be surveyed for the presence of the valley elderberry longhorn beetle and its elderberry host plant by a qualified biologist in accordance with USFWS protocols. If elderberry plants with one or more stems measuring 1.0 inch or greater in diameter at ground level occur on or adjacent to the project site, or are otherwise located where they may be directly or indirectly affected by the proposed project, minimization and compensation measures, which include transplanting existing shrubs and planting</i></p>	Retain a qualified biologist who shall conduct preconstruction surveys for elderberry shrubs.	RSPU	Project applicant	Prior to ground disturbance such as grading and excavation activities	City of Sacramento Community Development Department

RSPU = Railyards Specific Plan Update; KPMC = Kaiser Permanente Medical Center; MLS = Major League Soccer Stadium; SO = Stormwater Outfall

**TABLE 4-1
SACRAMENTO RAILYARDS SPECIFIC PLAN UPDATE, KP MEDICAL CENTER, MLS STADIUM, & STORMWATER OUTFALL MITIGATION MONITORING PLAN**

Impact	Mitigation Measure	Action(s)	Component	Implementing Party	Timing	Monitoring Party
	<p><i>replacement habitat (conservation plantings), are required (see below). Surveys are valid for a period of two years. Elderberry plants with no stems measuring 1.0 inch or greater in diameter at ground level are unlikely to be habitat for the beetle because of their small size and/or immaturity. Therefore, no minimization measures are required for removal of elderberry plants with all stems measuring 1.0 inch or less in diameter at ground level.</i></p> <p>(2) <i>For shrubs with stems measuring 1.0 inch or greater, the City shall ensure that elderberry shrubs within 100 feet of proposed development be protected and/or compensated for in accordance with the "U.S. Fish and Wildlife Services' (USFWS) Conservation Guidelines for the Valley Elderberry Longhorn Beetle and the Programmatic Formal Consultation Permitting Projects with Relatively Small Effects on the Valley Elderberry Longhorn Beetle Within the Jurisdiction of the Sacramento Field Office."</i></p>	Protect shrubs within 100 feet of construction activities; compensate for removed shrubs.	RSPU	Project applicant	Prior to issuance of building permit	City of Sacramento Community Development Department and USFWS
4.3-6: Development of the proposed projects could result in impacts to bat species.	<p>4.3-6 <i>Minimize potential adverse effects to bat species.</i></p> <p><i>Vegetation removal, including tree removal, shall be conducted between September 16 and January 31, to the extent feasible, to minimize the potential loss of bat maternity roosts.</i></p> <p><i>The applicant shall conduct pre-construction surveys for roost sites prior to construction activities within 100 feet of the I-5, I Street Bridge, and riparian habitat along the Sacramento River during the bat pupping season (April 1 through July 31). This survey shall be conducted by a wildlife biologist qualified to identify bat species. If no bats are roosting, then no further mitigation is required.</i></p> <p><i>If a bat maternity roost is identified, buffers around the roost site shall be determined by a qualified biologist and implemented to avoid destruction or abandonment of the roost resulting from tree removal or other project activities.</i></p>	<p>Retain a qualified biologist to conduct preconstruction surveys and prepare a report; provide the report to the City of Sacramento Community Development Department.</p> <p>Provide buffer around bat maternity roosts, if applicable.</p>	RSPU, SO	Project applicant	Prior to issuance of grading permit or tree removal permit; provide buffer through completion of construction or abandonment of the roosts	City of Sacramento Community Development Department
4.3-7: Development of the proposed projects could result in net reduction of sensitive habitats including protected wetland habitat as defined in Section 404 of the Clean Water Act, riparian vegetation, and state jurisdictional waters/wetlands.	<p>4.3-7 <i>If the applicant shall prepare a wetland and riparian mitigation plan that ensures no net loss of waters of the U.S. and riparian vegetation. The wetland and riparian mitigation plan shall be based on a wetland delineation verified by USACE. This measure may be implemented through the 404 permit and Streambed Alteration Agreement process. The plan shall include the following:</i></p> <p>1) <i>The project proponent shall compensate for the loss of wetland and riparian habitat through a combination of restoration/enhancement, and the purchase of mitigation credits at an approved mitigation bank. The ratio of compensation shall be determined in consultation with USACE and California Department of Fish and Wildlife (CDFW), as part of the 404 permit and Streambed Alteration Agreement process, but shall not be less than 1:1.</i></p>	<p>Prepare a wetland and riparian mitigation plan.</p> <p>Provide restoration/enhancement of habitat or purchase mitigation credits.</p>	SO	Project applicant	Concurrent with 404 permit process and Streambed Alteration Agreement process	City of Sacramento Community Development Department, USACE, and CDFW

RSPU = Railyards Specific Plan Update; KPMC = Kaiser Permanente Medical Center; MLS = Major League Soccer Stadium; SO = Stormwater Outfall

**TABLE 4-1
SACRAMENTO RAILYARDS SPECIFIC PLAN UPDATE, KP MEDICAL CENTER, MLS STADIUM, & STORMWATER OUTFALL MITIGATION MONITORING PLAN**

Impact	Mitigation Measure	Action(s)	Component	Implementing Party	Timing	Monitoring Party
	2) <i>Prior to any construction activities on the site, a protective fence shall be erected around the boundaries of areas that would be disturbed by construction. This fence shall remain in place until all construction activity in the immediate area is completed. No activity shall be permitted within the protected areas except for those expressly permitted by USACE and/or CDFW.</i>	Install protective fencing.	SO	Project applicant	Prior to and during construction on individual applicable development sites	City of Sacramento Community Development Department, USACE, and CDFW
	3) <i>Water quality in the Sacramento River shall be protected using erosion control techniques during construction including, but not necessarily limited to, preservation of existing vegetation, mulches (e.g., hydraulic, straw, wood), and geotextiles and mats, during construction.</i>	Implement erosion control measures including adding measures to construction plans.	SO	Project applicant	During construction activities in-water and adjacent to the Sacramento River	City of Sacramento Community Development Department, USACE, and CDFW
4.3-8: Development of the proposed projects could result in isolation or interruption of contiguous habitat which would interfere substantially with the movement of resident or migratory fish or wildlife species, migratory corridors, or impede the use of native wildlife nursery sites.	4.3-8 <i>The applicant shall reduce spillover lighting from the proposed project onto the Sacramento River by implementing the following:</i> <i>The applicant shall place structural barriers to screen automobile headlights that are directed perpendicular to the river shall be screened along the western project edge. This may be accomplished through the placement of a 3-4 foot vegetated hedge or other structural methods that would not additionally hinder wildlife movement through riverine riparian vegetation.</i> <i>Outdoor lighting within the RSP Area west of I-5 shall be of the minimum wattage required for the particular use and shall be directed to the specific location intended for illumination (e.g., roads, walkways, or recreation fields) to prevent stray light spillover onto sensitive riverine habitat.</i> <i>All fixtures on elevated light standards within the RSP Area west of I-5, such as in parking lots or along roadways, shall be shielded to reduce direct exposure to the Sacramento River.</i>	Implement spillover light and minimization measures through screening and screening. Use minimum wattage required.	RSPU, KPMC, SO	Project applicant	During site plan and design review	City of Sacramento Community Development Department
4.3-9: Development of the proposed projects could conflict with local policies protecting trees.	4.3-9 <i>All tree removal within the RSP Area shall comply with the current City of Sacramento tree protection ordinance. The applicant shall implement mitigation measures to protect retained trees, and replace for the loss of tree resources (tree protection, and replacement measures shall be determined in consultation with the City).</i>	Conduct tree removal activities in accordance with City tree protection ordinance.	RSPU, KPMC, MLS, SO	Project applicant	During site plan and design review and in compliance with tree protection ordinance requirements	City of Sacramento Community Development Department
4.3-11: Implementation of the proposed projects, in combination with other cumulative development, could/would contribute to the cumulative harm to, or loss of nesting habitat, for Swainson's hawk, white-tailed kite, purple martin, and other sensitive and/or protected bird species.	4.3-11 <i>Implement Mitigation Measures 4.3-2(a) and 4.3-2(b)</i>	See Mitigation Measure 4.3-2(a) and Mitigation Measure 4.3-2(b).	See Mitigation Measure 4.3-2(a) and Mitigation Measure 4.3-2(b).	See Mitigation Measure 4.3-2(a) and Mitigation Measure 4.3-2(b).	See Mitigation Measure 4.3-2(a) and Mitigation Measure 4.3-2(b).	See Mitigation Measure 4.3-2(a) and Mitigation Measure 4.3-2(b).

RSPU = Railyards Specific Plan Update; KPMC = Kaiser Permanente Medical Center; MLS = Major League Soccer Stadium; SO = Stormwater Outfall

**TABLE 4-1
SACRAMENTO RAILYARDS SPECIFIC PLAN UPDATE, KP MEDICAL CENTER, MLS STADIUM, & STORMWATER OUTFALL MITIGATION MONITORING PLAN**

Impact	Mitigation Measure	Action(s)	Component	Implementing Party	Timing	Monitoring Party
4.3-12: Implementation of the proposed projects, in combination with other cumulative development, could/would contribute to cumulative impacts to special-status fish species and degradation of designated critical habitat.	4.3-12 <i>Implement Mitigation Measures 4.3-2(a) through 4.3-2(f)</i>	See Mitigation Measure 4.3-2(a) through Mitigation Measure 4.3-2(f).	See Mitigation Measure 4.3-2(a) through Mitigation Measure 4.3-2(f).	See Mitigation Measure 4.3-2(a) through Mitigation Measure 4.3-2(f).	See Mitigation Measure 4.3-2(a) through Mitigation Measure 4.3-2(f).	See Mitigation Measure 4.3-2(a) through Mitigation Measure 4.3-2(f).
4.3-13: Implementation of the proposed project, in combination with other cumulative development, could/would contribute to the cumulative loss of habitat for the Valley Elderberry Longhorn Beetle.	4.3-13 <i>Implement Mitigation Measure 4.3-4</i>	See Mitigation Measure 4.3-4.	See Mitigation Measure 4.3-4.	See Mitigation Measure 4.3-4.	See Mitigation Measure 4.3-4.	See Mitigation Measure 4.3-4.
4.3-15: Implementation of the proposed projects, in combination with other cumulative development, could/would contribute to the cumulative loss of habitat, or impacts to for bat species.	4.3-15 <i>Implement Mitigation Measure 4.3-6</i>	See Mitigation Measure 4.3-6.	See Mitigation Measure 4.3-6	See Mitigation Measure 4.3-6	See Mitigation Measure 4.3-6	See Mitigation Measure 4.3-6
4.3-16: Implementation of the proposed projects, in combination with other cumulative development, could/would contribute to the cumulative loss of sensitive habitats including protected wetland habitat as defined in Section 404 of the Clean Water Act, riparian vegetation, and state jurisdictional waters/wetlands.	4.3-16 <i>Implement Mitigation Measure 4.3-7</i>	See Mitigation Measure 4.3-7.	See Mitigation Measure 4.3-7	See Mitigation Measure 4.3-7	See Mitigation Measure 4.3-7	See Mitigation Measure 4.3-7
4.3-17: Implementation of the proposed projects, in combination with other cumulative development, could/would contribute to the cumulative isolation or interruption of contiguous habitat which would interfere substantially with the movement of resident or migratory fish or wildlife species, migratory corridors, or impede the use of native wildlife nursery sites.	4.3-17 <i>Implement Mitigation Measure 4.3-8</i>	See Mitigation Measure 4.3-8.	See Mitigation Measure 4.3-8	See Mitigation Measure 4.3-8	See Mitigation Measure 4.3-8	See Mitigation Measure 4.3-8
4.4 Cultural Resources						
4.4-1: The proposed projects could cause a substantial adverse change in the significance of an archaeological resource, including human remains.	4.4-1(a) <i>i. Prior to any ground-disturbing activity in Archaeologically Sensitive Areas (ASAs), a focused Archaeological Testing Plan (ATP) shall be prepared and implemented to determine the presence/absence of archaeological resources and to assess their eligibility to the CRHR. The ATP shall be reviewed and approved by the Preservation Director prior to implementation. An example outline of the ATP is included in Appendix E of this Draft SEIR.</i>	Retain a qualified archaeologist to prepare and implement an Archaeological Testing Plan (ATP).	RSPU (ASAs only)	Project applicant	Prior to ground disturbance such as grading and excavation activities for individual applicable development projects	City of Sacramento Community Development Department
		Prepare an Archaeological Mitigation Plan, if necessary.	RSPU (ASAs only)	Project applicant	Prior to ground disturbance such as grading and excavation activities for individual applicable development projects	City of Sacramento Community Development Department

RSPU = Railyards Specific Plan Update; KPMC = Kaiser Permanente Medical Center; MLS = Major League Soccer Stadium; SO = Stormwater Outfall

**TABLE 4-1
SACRAMENTO RAILYARDS SPECIFIC PLAN UPDATE, KP MEDICAL CENTER, MLS STADIUM, & STORMWATER OUTFALL MITIGATION MONITORING PLAN**

Impact	Mitigation Measure	Action(s)	Component	Implementing Party	Timing	Monitoring Party
	<p>iii. <i>Based upon the results of test excavations, it may be necessary to conduct archaeological monitoring in some areas. In these areas, an Archaeological Monitoring Plan shall be prepared and implemented to ensure appropriate identification and treatment of anticipated archaeological resources, if any are discovered during grading or construction activities. At a minimum, the Monitoring Plan shall include provisions to result in the cessation of activities upon discovery, evaluation of such resources for historic significance, and if the resource is significant, appropriate treatment based on recommendations of a qualified archaeologist. Appropriate treatment shall include protection of the resource from further damage, and one of the following, as appropriate: (1) preservation in place; (2) return of the resource to the most likely descendent (MLD) (if determined to be of Native American origin), (3) curation in an appropriate location or facility, and/or (4) recordation. The City Preservation Director shall approve the Archaeological Monitoring Plan prior to implementation. An example outline of an Archaeological Monitoring Plan is included in Appendix E of this Draft SEIR.</i></p>	Prepare and implement an Archaeological Monitoring Plan.	RSPU (ASAs only)	Project applicant	During excavation and grading activities	City of Sacramento Community Development Department
	<p>iv. <i>Prior to construction activities, an archaeologist will lead an in-field tailgate training session for project construction crews on the kinds and types of resources that may be present, and give plans for actions of work stoppage to occur should archeological features be encountered.</i></p>	Retain a qualified archaeologist to conduct archaeological resources pre-construction training.	RSPU (ASAs only)	Project applicant	Immediately prior to ground-disturbing activities (grading or excavation) for individual applicable development projects	City of Sacramento Community Development Department
	<p>4.4-1(b) <i>Within the current footprint of the northern levee embankment, prior to ground-disturbing activities that are anticipated to extend below the level of North B Street (e.g., excavation below the base of the extant levee embankment), an Archaeological Monitoring Plan shall be prepared and implemented to ensure appropriate identification and treatment of anticipated archaeological resources, if any are discovered during grading or construction activities. In the event of inadvertent discovery of a potential archaeological resource or human remains, Mitigation Measure 4.4-1(c) will be implemented.</i></p>	Retain a qualified archaeologist to prepare and implement an Archaeological Monitoring Plan for the area within the footprint of the northern levee embankment.	RSPU (footprint of the northern levee embankment only)	Project applicant	Prepare plan prior to ground-disturbing activities (grading or excavation) that are anticipated to extend below the level of North B Street; implement plan during ground-disturbing activities	City of Sacramento Community Development Department
	<p>4.4-1(c) <i>In the event that unanticipated archaeological resources or human remains are encountered, compliance with federal and state regulations and guidelines regarding the treatment of cultural resources and human remains shall be required. The following details the procedures to be followed in the event that new cultural resource sites or human remains are discovered.</i></p> <p>i. <i>If a monitoring archaeologist or a member of the construction team believes that an archaeological resource has inadvertently been uncovered, all work adjacent to the discovery shall cease, and an SOI qualified archaeologist immediately notified. Appropriate steps shall be taken, as directed by the archaeologist, to protect the discovery site. The area of work stoppage will be adequate to provide for the</i></p>	Cease work if a discovery is made. Conduct field investigation. Recover data and record resources on appropriate DPR forms, as appropriate.	RSPU, KP MC, MLS, SO	Project applicant	During ground-disturbing activities for individual applicable development projects	City of Sacramento Community Development Department

RSPU = Railyards Specific Plan Update; KP MC = Kaiser Permanente Medical Center; MLS = Major League Soccer Stadium; SO = Stormwater Outfall

**TABLE 4-1
SACRAMENTO RAILYARDS SPECIFIC PLAN UPDATE, KP MEDICAL CENTER, MLS STADIUM, & STORMWATER OUTFALL MITIGATION MONITORING PLAN**

Impact	Mitigation Measure	Action(s)	Component	Implementing Party	Timing	Monitoring Party
	<p><i>security, protection, and integrity of the archaeological resources in accordance with Federal and State Law. At a minimum the area will be secured to a distance of 50 feet from the discovery. Vehicles, equipment, and unauthorized personnel shall not be permitted to traverse the discovery site. The archaeologist shall conduct a field investigation and assess the significance of the find. Impacts to cultural resources shall be lessened to a less-than-significant level through data recovery or other methods determined adequate by the archaeologist and consistent with the Secretary of the Interior's Standards for Archaeological Documentation. All identified cultural resources shall be recorded on the appropriate DPR 523 (A-L) form and filed with the North Central Information Center.</i></p>					
	<p>ii. <i>If human remains are discovered at the project construction site during any phase of construction, all ground-disturbing activity within 50 feet of the resources shall be halted and the County Coroner shall be notified immediately, according to Section 5097.98 of the State Public Resources Code and Section 7050.5 of California's Health and Safety Code. If the remains are determined by the County Coroner to be Native American, the Native American Heritage Commission (NAHC) shall be notified within 24 hours, and the guidelines of the NAHC shall be adhered to in the treatment and disposition of the remains. If the remains are determined to be Chinese, or any other ethnic group, the appropriate local organization affiliated with that group shall be contacted and all reasonable effort shall be made to identify the remains and determine and contact the most likely descendant. The approved mitigation shall be implemented before the resumption of ground-disturbing activities within 50 feet of where the remains were discovered.</i></p> <p><i>If the remains are of Native American origin, the landowner or the landowner's representative shall contact the Native American Heritage Commission to identify the Most Likely Descendant. That individual shall be asked to make a recommendation to the landowner for treating or disposing of, with appropriate dignity, the human remains and any associated grave goods as provided in Public Resources Code Section 5097.983.</i></p> <p><i>If the Most Likely Descendant fails to make a recommendation or the landowner or his or her authorized representative rejects the recommendation of the descendant, and if mediation by the Native American Heritage Commission fails to provide measures acceptable to the landowner, then the landowner or authorized representative shall rebury the Native American human remains and associated grave goods with appropriate dignity on the property in a location not subject to further subsurface disturbance.</i></p>	<p>Cease work and notify the County Coroner. Follow protocol for further notification including to the NAHC, if applicable. Contact the Native American Heritage Commission to identify the Most Likely Descendant, if applicable.</p>	<p>RSPU, KPMC, MLS, SO</p>	<p>Project applicant</p>	<p>During ground-disturbing activities for individual applicable development projects</p>	<p>City of Sacramento Community Development Department</p>

RSPU = Railyards Specific Plan Update; KPMC = Kaiser Permanente Medical Center; MLS = Major League Soccer Stadium; SO = Stormwater Outfall

**TABLE 4-1
SACRAMENTO RAILYARDS SPECIFIC PLAN UPDATE, KP MEDICAL CENTER, MLS STADIUM, & STORMWATER OUTFALL MITIGATION MONITORING PLAN**

Impact	Mitigation Measure	Action(s)	Component	Implementing Party	Timing	Monitoring Party
	<p>4.4-1(d) <i>The title to all abandoned shipwrecks, archaeological sites, and historic or cultural resources on or in the tide and submerged lands of California is vested in the State and under the jurisdiction of the California State Lands Commission (CSLC) (PRC Section 6313[a]). In the case of an inadvertent discovery of a submerged shipwreck or related artifacts, all work must cease in the immediate vicinity of the find and the lead agency's archaeological resource staff will be notified immediately in order to initiate consultation with the CSLC staff within two business days of such discovery.</i></p> <p><i>PRC Section 6313 (c) states any submerged historic resource remaining in state waters for more than 50 years will be presumed to be archaeologically or historically significant. If the lead agency's archaeologist, in consultation with the CSLC staff, determines that a historical resource may be present, the lead agency will retain the services of a qualified maritime archeological consultant. The maritime archeological consultant will recommend whether the discovery is an historical/archeological resource that retains sufficient integrity and is of potential historical or scientific significance. The maritime archeological consultant also will recommend as to what action, if any, is warranted. Based on this information, and consultation with the CSLC, implementation of additional measures may be required.</i></p> <p><i>Measures shall include preservation in situ of the historical resource, implementation of a data recovery program, or other such action that preserves the cultural value of the resource. The maritime archeological consultant will submit a Final Cultural Resources Technical Report to the lead agency, NCIC, and the CSLC staff. This report will include an evaluation of the historical significance, with a description of the archeological and historical research methods employed in any archeological data recovery program undertaken.</i></p>	In the event of an inadvertent discovery of a submerged shipwreck or related artifacts, cease work and consult with the CSLC staff to determine significance. Follow actions prescribed by maritime archaeological consultant.	SO	Project applicant	During in-water construction	City of Sacramento Community Development Department, California State Lands Commission
4.4-2: The proposed projects could cause a substantial adverse change to the Central Shops Historic District, or the Water Tower.	<p>4.4-2(a) <i>Consistent with Section 17.604 and other sections of Title 17 of the City's Planning & Development Code, and in coordination and consultation with the Preservation Director and the Preservation Commission, and adopted by the City Council, a Historic District Plan that is specifically focused on the Historic District in the Central Shops shall be prepared. Any development within the Historic District shall comply with the standards and criteria identified in the plan. The Historic District Plan shall include, at a minimum, the following components:</i></p> <ol style="list-style-type: none"> <i>1. Statement of the goals for review of development projects within the Historic District;</i> <i>2. A representation of the historical development of land uses, existing land uses, and any adopted plans for future land uses;</i> <i>3. A statement of findings, including the following:</i> <ol style="list-style-type: none"> <i>a. The historical or pre-historical period to which the area is significant.</i> <i>b. The predominant periods or styles of the structures or features therein.</i> 	Prepare a Historic District Plan consistent with the requirements of the City's Planning and Development Code.	RSPU Central Shops District	Project applicant	Prior to issuance of building permit in the Central Shops District	City of Sacramento Community Development Department, City of Sacramento Preservation Director, City of Sacramento Preservation Commission

RSPU = Railyards Specific Plan Update; KPMC = Kaiser Permanente Medical Center; MLS = Major League Soccer Stadium; SO = Stormwater Outfall

**TABLE 4-1
SACRAMENTO RAILYARDS SPECIFIC PLAN UPDATE, KP MEDICAL CENTER, MLS STADIUM, & STORMWATER OUTFALL MITIGATION MONITORING PLAN**

Impact	Mitigation Measure	Action(s)	Component	Implementing Party	Timing	Monitoring Party
	<p>c. <i>The significant features and characteristics of such periods or styles, as represented in the Historic District and incorporating the findings of the historic district designation completed by the City in 2007, including, but not limited to, structure height, bulk, distinctive architectural details, materials, textures, archeological and landscape, hardscape and site features and fixtures.</i></p> <p>d. <i>A statement, consistent with Title 17, Sacramento Register of Historic and Cultural Resources, of this chapter, of the standards and criteria to be used in determining the appropriateness of any development project involving a landmark, contributing resource or noncontributing resource within the Historic District.</i></p>					
	<p>4.4-2(b) <i>A copy of the full Southern Pacific Company Sacramento Shops HAER document (HAER CA303) shall be completed, and filed with the City's Preservation Office and Center for Sacramento History, including the historic narrative, architectural drawings, and photographs, and archive quality copies disseminated to the appropriate state, regional, and local repositories.</i></p>	Prepare and file the full Southern Pacific Company Sacramento Shops HAER document.	RSPU Central Shops District	Project applicant	Prior to issuance of building permit in the Central Shops District	City of Sacramento Community Development Department, City of Sacramento Preservation Office, and Center for Sacramento History.
4.4-3: The proposed projects could cause a substantial adverse change to the Central Shops Historic District, or Water Tower, by new construction surrounding and affecting the contributing resources and the significant features and characteristics of the district.	<p>4.4-3 <i>Any proposed new project within the Central Shops Historic District (including new construction on Lot 22) shall be designed in compliance with the Secretary of the Interior's Standards for the Treatment of Historic Properties, specifically the standards for rehabilitation and new construction within a historic district. Standards 9 and 10 for Rehabilitation state that:</i></p> <p>9. <i>New additions, exterior alterations, or related new construction will not destroy historic materials, features, and spatial relationships that characterize the property. The new work shall be differentiated from the old and shall be compatible with the historic materials, features, size, scale and proportion, and massing to protect the integrity of the property and its environment.</i></p> <p>10. <i>New additions and adjacent or related new construction shall be undertaken in such a manner that, if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.</i></p> <p><i>The RSPU Design Guidelines and policies shall be consistent with these standards. In addition to compliance with the above, with the proposed adopted Historic District plan, and with the Design Guidelines established as part of the proposed RSPU, the project developer shall ensure that any new project involving the design of a new building shall not have a significant impact on the Historic District's contributing resources or its features and characteristics. The City of Sacramento Historic Preservation Director, or the Commission, as appropriate per Preservation Development Project Site Plan & Design Review requirements of Title 17 of the City Code, shall review any proposed project's site plan and design to ensure its</i></p>	Design buildings to comply with SOI standards. Conduct appropriate consultation with the City of Sacramento Preservation Director for any new projects to ensure that new projects protect the integrity of the historic property.	RSPU Central Shops and Transition Zone	Project applicant	During site plan and design review	City of Sacramento Community Development Department
	<p><i>The RSPU Design Guidelines and policies shall be consistent with these standards. In addition to compliance with the above, with the proposed adopted Historic District plan, and with the Design Guidelines established as part of the proposed RSPU, the project developer shall ensure that any new project involving the design of a new building shall not have a significant impact on the Historic District's contributing resources or its features and characteristics. The City of Sacramento Historic Preservation Director, or the Commission, as appropriate per Preservation Development Project Site Plan & Design Review requirements of Title 17 of the City Code, shall review any proposed project's site plan and design to ensure its</i></p>	Design new buildings to not have a significant impact on the Historic District's contributing resources or its features and characteristics.	RSPU Central Shops and Transition Zone	Project applicant	During site plan and design review	City of Sacramento Community Development Department

RSPU = Railyards Specific Plan Update; KP/MC = Kaiser Permanente Medical Center; MLS = Major League Soccer Stadium; SO = Stormwater Outfall

**TABLE 4-1
SACRAMENTO RAILYARDS SPECIFIC PLAN UPDATE, KP MEDICAL CENTER, MLS STADIUM, & STORMWATER OUTFALL MITIGATION MONITORING PLAN**

Impact	Mitigation Measure	Action(s)	Component	Implementing Party	Timing	Monitoring Party
	<i>compatibility with the SOI Standards and the adopted Historic District plan.</i>					
4.4-7: Construction of the proposed projects could damage and/or destroy paleontological resources.	4.4-7 <i>If discovery is made of items of paleontological interest, the contractor shall immediately cease all work activities in the vicinity (within approximately 100 feet) of the discovery. After cessation of excavation the contractor shall immediately contact the City. The contractor shall not resume work until authorization is received from the City. Any inadvertent discovery of paleontological resources during construction shall be evaluated by a qualified paleontologist. If it is determined that the project could damage a unique paleontological resource (as defined pursuant to the CEQA Guidelines), mitigation shall be implemented in accordance with PRC Section 21083.2 and Section 15126.4 of the CEQA Guidelines. If avoidance is not feasible, the paleontologist shall develop a treatment plan in consultation with the City.</i>	Implement protocols for the inadvertent discovery and treatment of paleontological resources.	RSPU, KPMC, MLS, SO	Project applicant	During ground-disturbing activities (grading or excavation) for individual applicable development projects	City of Sacramento Community Development Department
4.4-8: The proposed projects could contribute to the cumulative loss or alteration of archaeological resources, including human remains.	4.4-8 <i>Implement Mitigation Measure 4.4-1(a) through 4.4-1(d).</i>	See Mitigation Measure 4.4-1(a) through 4.4-1(d).	See Mitigation Measure 4.4-1(a) through 4.4-1(d)	See Mitigation Measure 4.4-1(a) through 4.4-1(d)	See Mitigation Measure 4.4-1(a) through 4.4-1(d)	See Mitigation Measure 4.4-1(a) through 4.4-1(d)
4.4-9: The proposed projects could contribute to the cumulative loss or alteration of historic built resources, including the Central Shops Historic District (the Southern Pacific Railroad Shops), the Water Tower, the Sacramento Valley Station, or the Alkali Flat Historic Districts.	4.4-9 <i>Implement Mitigation Measure 4.4-2 and 4.4-3.</i>	See Mitigation Measures 4.4-2 and 4.4-3.	See Mitigation Measures 4.4-2 and 4.4-3	See Mitigation Measures 4.4-2 and 4.4-3	See Mitigation Measures 4.4-2 and 4.4-3	See Mitigation Measures 4.4-2 and 4.4-3
4.4-10: The proposed projects would contribute to cumulative losses of paleontological resources.	4.4-10 <i>Implement Mitigation Measure 4.4-7.</i>	See Mitigation Measure 4.4-7.	See Mitigation Measure 4.4-7	See Mitigation Measure 4.4-7	See Mitigation Measure 4.4-7	See Mitigation Measure 4.4-7
4.6 Geology, Soils, and Seismicity						
4.6-2: The proposed projects could result in damage to the historic Central Shops.	4.6-2 <i>a) To the extent feasible, the historic buildings shall be stabilized and reinforced prior to trenching or other construction activities within 50 feet of the buildings.</i> <i>b) A pre-excavation settlement-damage survey shall be prepared that shall include, at a minimum, visual inspection of existing vulnerable structures for cracks and other settlement defects, and establishment of horizontal and vertical control points on the buildings. A monitoring program of surveying horizontal and vertical control points on structures and shoring shall be followed to determine the effects of dewatering, excavation, and construction on the particular building site. If it is determined by the engineer that the existing buildings could be subject to damage, work shall cease until appropriate remedies to prevent damage are identified.</i>	Implement historic building stabilization measures, including incorporation into construction plans, for ground disturbing (grading or excavation) activity within 50 feet of historic structures.	RSPU	Project applicant	Prior to ground-disturbing activities (grading or excavation) within 50 feet of Central Shops	City of Sacramento Community Development Department
		Prepare a pre-excavation settlement-damage survey and prepare and implement a monitoring program for surveying horizontal and vertical control points.	RSPU	Project applicant	Prior to issuance of grading permit within 50 feet of Central Shops	City of Sacramento Community Development Department

RSPU = Railyards Specific Plan Update; KPMC = Kaiser Permanente Medical Center; MLS = Major League Soccer Stadium; SO = Stormwater Outfall

**TABLE 4-1
SACRAMENTO RAILYARDS SPECIFIC PLAN UPDATE, KP MEDICAL CENTER, MLS STADIUM, & STORMWATER OUTFALL MITIGATION MONITORING PLAN**

Impact	Mitigation Measure	Action(s)	Component	Implementing Party	Timing	Monitoring Party
	c) <i>If necessary and with approval by the City Chief Building Official, the construction contractor shall install temporary shoring or stabilization to help avoid permanent impacts. Stabilization may involve structural reinforcement or corrections for deterioration that would minimize or avoid potential structural failures or avoid accelerating damage to the historic structure. Stabilization shall be conducted following the Secretary of Interior Standards Treatment of Preservation. This treatment shall ensure retention of the historical resource's character-defining features. Stabilization may temporarily impair the historic integrity of the building's design, material, or setting, and as such, the stabilization must be conducted in a manner that will not permanently impair a building's ability to convey its significance. Measures to shore or stabilize the building shall be installed in a manner that when they are removed, the historic integrity of the building remains, including integrity of material.</i>	If determined necessary, implement temporary shoring or stabilization measures, as approved by the City Chief Building Official.	RSPU	Project applicant	Prior to ground-disturbing activities (grading or excavation) within 50 feet of Central Shops	City of Sacramento Community Development Department and City Chief Building Official.
4.8 Hazards and Hazardous Materials						
4.8-1: Construction of the proposed projects could result in the exposure of people to health risk associated with contaminated soils and debris.	4.8-1 <i>If unidentified or suspected contaminated soil or groundwater evidenced by stained soil, noxious odors, or other factors, is encountered during site preparation or construction activities work shall stop in the area of potential contamination, and the type and extent of contamination shall be identified by qualified professional. The qualified professional shall prepare a report that includes, but is not limited to, activities performed for the assessment, summary of anticipated contaminants and contaminant concentrations, and recommendations for appropriate handling and disposal. Site preparation or construction activities shall not recommence within the contaminated areas until remediation is complete and a "no further action" letter is obtained from the appropriate regulatory agency.</i>	Implement contamination avoidance and treatment measures. If contaminated soil or groundwater is encountered, cease work, identify the contaminant, and execute a remediation plan.	RSPU (West Jibboom only), SO	Project applicant	During ground-disturbing activities (grading or excavation)	City of Sacramento Community Development Department.
4.8-3: Development of the proposed projects could expose people to existing contaminated groundwater during dewatering activities.	4.8-3 <i>Implement Mitigation Measure 4.8-1.</i>	See Mitigation Measure 4.8-1.	See Mitigation Measure 4.8-1.	See Mitigation Measure 4.8-1.	See Mitigation Measure 4.8-1.	See Mitigation Measure 4.8-1.
4.8-4: Construction of the proposed projects' infrastructure and buildings could interfere with remediation efforts.	4.8-4 <i>Implement Mitigation Measure 4.8-1.</i>	See Mitigation Measure 4.8-1.	See Mitigation Measure 4.8-1.	See Mitigation Measure 4.8-1.	See Mitigation Measure 4.8-1.	See Mitigation Measure 4.8-1.
4.8-7: Operation of the proposed projects could result in the exposure of people to health risks associated with contaminated soils and groundwater.	4.8-7 a) <i>In areas where the groundwater contamination has the potential to reach water, sewer or storm drainage pipelines due to fluctuations in the elevation of the groundwater table, or where volatile contaminants in soil vapor could enter porous utility lines, measures such as concrete trenches, membrane barriers and venting will be used to prevent infiltration in accordance with DTSC requirements.</i> b) <i>Routine monitoring of the above areas shall be performed by the landowners and/or the City, reported to DTSC and Regional Water Board, and corrective actions implemented if the results indicate adverse change in water quality. For stormwater, the</i>	Implement measures to prevent infiltration of contaminants into pipelines. Identify measures on construction drawings.	RSPU, KPMC, MLS, SO	Project applicant	During site plan and design review	City of Sacramento Community Development Department, Department of Toxic Substances Control (DTSC)
		If contaminants are encountered, monitor the area and take corrective action as required by DTSC and/or Regional Water Board.	RSPU, KPMC, MLS, SO	Project applicant	Following identification of contaminants through completion of corrective actions	City of Sacramento Community Development Department, Department of Toxic

RSPU = Railyards Specific Plan Update; KPMC = Kaiser Permanente Medical Center; MLS = Major League Soccer Stadium; SO = Stormwater Outfall

**TABLE 4-1
SACRAMENTO RAILYARDS SPECIFIC PLAN UPDATE, KP MEDICAL CENTER, MLS STADIUM, & STORMWATER OUTFALL MITIGATION MONITORING PLAN**

Impact	Mitigation Measure	Action(s)	Component	Implementing Party	Timing	Monitoring Party
	<i>monitoring may be conducted through the City's MSR 4 program.</i>					Substances Control (DTSC), Regional Water Board
4.8-8: The proposed projects in combination with development of other projects in the surrounding area known to contain, or could contain contaminated soil or groundwater, could present a hazard to construction workers if not properly managed.	4.8-8 <i>Implement Mitigation Measure 4.8-1.</i>	See Mitigation Measure 4.8-1.	See Mitigation Measure 4.8-1.	See Mitigation Measure 4.8-1.	See Mitigation Measure 4.8-1.	See Mitigation Measure 4.8-1.
4.8-9: The proposed projects could contribute to cumulative dewatering activities that could interfere with remediation of the existing South Plume and Lagoon Plume.	4.8-9 <i>Implement Mitigation Measure 4.8-1.</i>	See Mitigation Measure 4.8-1.	See Mitigation Measure 4.8-1.	See Mitigation Measure 4.8-1.	See Mitigation Measure 4.8-1.	See Mitigation Measure 4.8-1.
4.10 Noise and Vibration						
4.10-1: Construction of the proposed projects could generate noise that would conflict with City standards.	4.10-1 <i>The contractor shall ensure that the following measures are implemented during all phases of project construction:</i>	Implement temporary noise barriers to shield construction sites from sensitive uses.	RSPU, KPMC, MLS	Project applicant	Prior to issuance of demolition or grading permit; include measures on construction drawings	City of Sacramento Community Development Department
	a) <i>Whenever construction occurs within 130 feet to occupied residences (on or offsite), temporary barriers shall be constructed around the construction sites to shield the ground floor of the noise-sensitive uses. These barriers shall be of ¾-inch Medium Density Overlay (MDO) plywood sheeting, or other material of equivalent utility and appearance, and shall achieve a Sound Transmission Class of STC-30, or greater, based on certified sound transmission loss data taken according to ASTM Test Method E90 or as approved by the City of Sacramento Building Official.</i>					
	b) <i>Construction equipment staging areas shall be located as far as feasible from residential areas while still serving the needs of construction contractors.</i>	Stage construction equipment away from residential areas.	RSPU, KPMC, MLS	Project applicant	Include measures on construction drawings	City of Sacramento Community Development Department
	c) <i>Use of auger displacement for installation of foundation piles, if feasible. If impact pile driving is required, "sonic" pile-drivers shall be used, unless engineering studies are submitted to the City that show this is not feasible, based on geotechnical considerations.</i>	Use auger displacement drilling, or "sonic" pile driving to the extent feasible.	RSPU, KPMC, MLS	Project applicant	Prior to issuance of demolition or grading permit; include measures on construction drawings	City of Sacramento Community Development Department
	d) <i>Prior to impact pile driving activities in Blocks 49, 50 and 52, the applicant shall coordinate with the KCRA building management staff in order to minimize disruption from pile driving, to the extent feasible.</i>	Coordinate with KCRA.	RSPU, KPMC, MLS	Project applicant	Prior to issuance of demolition or grading permit; include measures on construction drawings	City of Sacramento Community Development Department
4.10-2: Operations of the proposed projects could result in a substantial permanent increase in ambient exterior noise levels in the project vicinity.	4.10-2(a) <i>The project sponsor shall ensure that the following measures are implemented for all development under the proposed Specific Plan:</i>	Submit engineering and acoustical specification for project mechanical HVAC equipment and the proposed locations of onsite loading docks.	RSPU, KPMC, MLS	Project applicant	Prior to issuance of building permits	City of Sacramento Community Development Department
	i. <i>Prior to the issuance of building permits, the applicant shall submit engineering and acoustical specification for project mechanical HVAC equipment and the proposed locations of onsite loading docks to the Planning Director demonstrating that the HVAC equipment and loading dock design (types, location, enclosure, specification) will control noise from the equipment to at least 10 dBA below existing ambient</i>					

RSPU = Railyards Specific Plan Update; KPMC = Kaiser Permanente Medical Center; MLS = Major League Soccer Stadium; SO = Stormwater Outfall

**TABLE 4-1
SACRAMENTO RAILYARDS SPECIFIC PLAN UPDATE, KP MEDICAL CENTER, MLS STADIUM, & STORMWATER OUTFALL MITIGATION MONITORING PLAN**

Impact	Mitigation Measure	Action(s)	Component	Implementing Party	Timing	Monitoring Party
	<i>levels at nearby residential and other noise-sensitive land uses.</i>					
	<p>ii. <i>Noise-generating stationary equipment associated with proposed commercial and/or office uses, including portable generators, compressors, and compactors shall be enclosed or acoustically shielded to reduce noise-related impacts to noise-sensitive residential uses.</i></p> <p>iii. <i>In order to avoid the exposure of rail noise to onsite future sensitive receptors that would exceed the City of Sacramento exterior noise standards, residential units within Blocks 35, 49 and 50 shall not be placed closer than 190 feet from the centerline of the UPRR rail line.</i></p>	<p>Enclose or shield noise-generating equipment.</p> <p>Locate residential units on Blocks 35, 49 and 50 shall not be placed closer than 190 feet from the centerline of the UPRR rail line.</p>	<p>RSPU, KPMC, MLS</p> <p>RSPU, KPMC, MLS</p>	<p>Project applicant</p> <p>Project applicant</p>	<p>Prior to issuance of demolition or grading permit; include measures on construction drawings</p> <p>During site plan and design review</p>	<p>City of Sacramento Community Development Department</p> <p>City of Sacramento Community Development Department</p>
	<p>4.10-2(b)</p> <p>i. <i>The project applicant shall retain a qualified acoustical consultant to verify that the MLS Stadium architectural and outdoor amplified sound system designs incorporate all feasible acoustical features in order to comply with the City of Sacramento Noise Control Ordinance.</i></p> <p>ii. <i>The project applicant shall be required to limit speakers at temporary plaza stages outside the stadium to be no louder than 100 dBA measured five (5) feet from the source.</i></p>	<p>Retain a qualified acoustical consultant to evaluate architectural and outdoor amplified sound system design.</p> <p>Limit volume of outdoor speakers.</p>	<p>MLS</p> <p>MLS</p>	<p>Project applicant</p> <p>Project applicant</p>	<p>During site plan and design review</p> <p>During site plan and design review</p>	<p>City of Sacramento Community Development Department</p> <p>City of Sacramento Community Development Department</p>
<p>4.10-3: The proposed projects could result in residential interior noise levels of 45 dBA Ldn or greater caused by noise level increases due to project operation.</p>	<p>4.10-3(a)</p> <p><i>Prior to the issuance of building permits for residential projects within the RSP Area, the City shall require project applicants for residential development to submit a detailed noise study, prepared by a qualified acoustical consultant, to identify design measures necessary to achieve the City interior standard of 45 Ldn in the proposed new residences. The study shall be submitted to the City for review and approval. Design measures such as the following could be required, depending on the specific findings of the noise study: double-paned glass windows facing noise sources; solid-core doors; increased sound insulation of exterior walls (such as through staggered-or double-studs, multiple layers of gypsum board, and incorporation of resilient channels); weather-tight seals for doors and windows; or sealed windows with an air conditioning system installed for ventilation. This study can be a separate report, or included as part of the Noise and Vibration Reduction Plan for the proposed projects. The building plans submitted for building permit approval shall be accompanied by certification of a licensed engineer that the plans include the identified noise-attenuating design measures and satisfy the requirements of this mitigation measure.</i></p>	<p>Retain a qualified acoustical consultant to prepare a detailed noise study to be submitted to the City. Implement findings of required noise study. Incorporate noise-attenuating design measures into building plans and obtain verification of those incorporated measures from a licensed engineer.</p>	<p>RSPU</p>	<p>Project applicant</p>	<p>During site plan and design review</p>	<p>City of Sacramento Community Development Department</p>
	<p>4.10-3(b)</p> <p><i>Implement Mitigation Measure 4.10-2(b) to minimize noise from outdoor amplified sound systems.</i></p>	<p>Retain a qualified acoustical consultant to prepare a detailed noise study to be submitted to the City. Implement findings of required noise study. Incorporate noise-attenuating design measures into building plans and obtain verification of those incorporated measures from a licensed engineer.</p>	<p>MLS</p>	<p>Project applicant</p>	<p>During site plan and design review</p>	<p>City of Sacramento Community Development Department</p>

RSPU = Railyards Specific Plan Update; KPMC = Kaiser Permanente Medical Center; MLS = Major League Soccer Stadium; SO = Stormwater Outfall

**TABLE 4-1
SACRAMENTO RAILYARDS SPECIFIC PLAN UPDATE, KP MEDICAL CENTER, MLS STADIUM, & STORMWATER OUTFALL MITIGATION MONITORING PLAN**

Impact	Mitigation Measure	Action(s)	Component	Implementing Party	Timing	Monitoring Party
4.10-4: Construction of the proposed projects could expose existing and/or planned buildings, and persons within, to vibration that could disturb people and damage buildings.	4.10-4 <i>Prior to the issuance of any building permit for each phase of project development, the project applicant shall develop a Vibration Reduction Plan in coordination with an acoustical consultant, geotechnical engineer, and construction contractor, and submit the Plan to the City Chief Building Official for approval. The Plan shall include the following elements:</i>	Prepare and submit a Vibration Reduction Plan. Implement vibration avoidance, minimization, and monitoring requirements within the Vibration Reduction Plan.	RSPU, KPMC, MLS	Project applicant	Prior to issuance of a building permit for individual applicable development projects	City of Sacramento Community Development Department
	1) <i>To mitigate vibration, the Plan shall include measures such that surrounding buildings will be exposed to less than 80 VdB and 83 VdB where people sleep and work, respectively, and less than 0.25 PPV for historic buildings to prevent building damage.</i>	Limit vibration during construction.	RSPU, KPMC, MLS	Project applicant	Prior to issuance of a building permit for individual applicable development projects	City of Sacramento Community Development Department
	<i>Measures and controls shall be identified based on project-specific final design plans, and may include, but are not limited to, some or all of the following:</i>					
	1) <i>Buffer distances and types of equipment selected to minimize vibration impacts during construction at nearby receptors in order to meet the specified standards.</i>	Establish buffers around sensitive uses.	RSPU, KPMC, MLS	Project applicant	Prior to issuance of a building permit for individual applicable development projects	City of Sacramento Community Development Department
	2) <i>Implement a vibration, crack, and line and grade monitoring program at existing historic buildings located within 47 feet of construction activities. The following elements shall be included in this program:</i>	Prepare crack monitoring plan for existing historic buildings located within 47 feet of construction activities. Project applicant shall provide City with regular reporting.	RSPU, KPMC, MLS	Project applicant	Prior to issuance of a building permit for individual applicable development projects	City of Sacramento Community Development Department
	a. <i>During building construction:</i>					
	i. <i>The construction contractor shall regularly inspect and photograph crack gauges, maintaining records of these inspections to be included in post-construction reporting. Gauges shall be inspected every two weeks, or more frequently during periods of active project actions in close proximity to crack monitors, such as during the building construction of blocks 23 and 24.</i>	Monitor crack gauges during construction.	RSPU, KPMC, MLS	Project applicant	During construction activities within 47 feet of a historic building	City of Sacramento Community Development Department
	ii. <i>The construction contractor shall collect vibration data from receptors and report vibration levels to the City Chief Building Official on a monthly basis. The reports shall include annotations regarding project activities as necessary to explain changes in vibration levels, along with proposed corrective actions to avoid vibration levels approaching or exceeding the established threshold.</i>	Collect and report vibration data to City Chief Building Official.	RSPU, KPMC, MLS	Project applicant	During construction activities within 47 feet of a historic building	City of Sacramento Community Development Department
	iii. <i>With regards to historic structures, if vibration levels exceed the threshold and monitoring or inspection indicates that the project is damaging the building, the historic building shall be provided additional protection or stabilization. If necessary and with approval by the City Chief Building Official, the construction contractor shall install temporary shoring or stabilization to help avoid permanent impacts. Stabilization may involve structural reinforcement or corrections for deterioration that would minimize or avoid potential structural failures or avoid accelerating damage to the historic structure. Stabilization</i>	Provide additional protection or stabilization of historic structures, as needed.	RSPU, KPMC, MLS	Project applicant	During construction activities within 47 feet of a historic building	City of Sacramento Community Development Department

RSPU = Railyards Specific Plan Update; KPMC = Kaiser Permanente Medical Center; MLS = Major League Soccer Stadium; SO = Stormwater Outfall

**TABLE 4-1
SACRAMENTO RAILYARDS SPECIFIC PLAN UPDATE, KP MEDICAL CENTER, MLS STADIUM, & STORMWATER OUTFALL MITIGATION MONITORING PLAN**

Impact	Mitigation Measure	Action(s)	Component	Implementing Party	Timing	Monitoring Party
	<p><i>shall be conducted following the Secretary of Interior Standards Treatment of Preservation. This treatment shall ensure retention of the historical resource's character-defining features. Stabilization may temporarily impair the historic integrity of the building's design, material, or setting, and as such, the stabilization must be conducted in a manner that will not permanently impair a building's ability to convey its significance. Measures to shore or stabilize the building shall be installed in a manner that when they are removed, the historic integrity of the building remains, including integrity of material.</i></p>					
	<p>b. <i>Post-construction</i></p> <p>i. <i>The applicant (and its construction contractor) shall provide a report to the City Chief Building Official regarding crack and vibration monitoring conducted during demolition and construction. In addition to a narrative summary of the monitoring activities and their findings, this report shall include photographs illustrating the post-construction state of cracks and material conditions that were presented in the pre-construction assessment report, along with images of other relevant conditions showing the impact, or lack of impact, of project activities. The photographs shall sufficiently illustrate damage, if any, caused by the project and/or show how the project did not cause physical damage to the historic and non-historic buildings. The report shall include annotated analysis of vibration data related to project activities, as well as summarize efforts undertaken to avoid vibration impacts. Finally, a post-construction line and grade survey shall also be included in this report.</i></p>	<p>Prepare crack monitoring and vibration monitoring final report to the City. Include post-construction photographs of cracks, as applicable.</p>	RSPU, KPMC, MLS	Project applicant	Upon completion of construction activities within 47 feet of a historic building	City of Sacramento Community Development Department
	<p>ii. <i>The project applicant (and its construction contractor) shall be responsible for repairs from damage to historic and non-historic buildings if damage is caused by vibration or movement during the demolition and/or construction activities. Repairs may be necessary to address, for example, cracks that expanded as a result of the project, physical damage visible in post-construction assessment, or holes or connection points that were needed for shoring or stabilization. Repairs shall be directly related to project impacts and will not apply to general rehabilitation or restoration activities of the buildings. If necessary for historic structures, repairs shall be conducted in compliance with the Secretary of Interior Standards Treatment of Preservation. The project applicant shall provide a work plan for the repairs and a completion report to ensure compliance with the SOI Standards to the City Chief Building Official and City Preservation Director for review and comment.</i></p>	<p>Make repairs to damages historic and non-historic buildings caused by project construction, as applicable.</p>	RSPU, KPMC, MLS	Project applicant	Upon completion of construction activities within 47 feet of a historic building	City of Sacramento Community Development Department

RSPU = Railyards Specific Plan Update; KPMC = Kaiser Permanente Medical Center; MLS = Major League Soccer Stadium; SO = Stormwater Outfall

**TABLE 4-1
SACRAMENTO RAILYARDS SPECIFIC PLAN UPDATE, KP MEDICAL CENTER, MLS STADIUM, & STORMWATER OUTFALL MITIGATION MONITORING PLAN**

Impact	Mitigation Measure	Action(s)	Component	Implementing Party	Timing	Monitoring Party
4.10-5: The residential, non-residential, and mixed-use buildings constructed pursuant to the RSPU could be exposed to vibration levels due to existing rail operations and/or I-5 traffic.	4.10-5(a) <i>The historic structures in the Central Shops Historic District shall be stabilized using methods that would protect against vibration levels identified in the screening analysis (shown in Figure 6.8-3 of the 2007 RSP EIR).</i>	Stabilize historic structures in the Central Shops Historic District.	RSPU	Project applicant	Prior to construction activities within 47 feet of a historic building	City of Sacramento Community Development Department
	4.10-5(b) <i>Prior to design review, the applicant shall have a certified vibration consultant prepare a site-specific vibration analysis for residential uses and historic structures that are within the screening distance (shown in Figure 6.8-3 of the 2007 RSP EIR) for freight and passenger trains or light rail trains. The analysis shall detail how the vibration levels at these receptors would meet the applicable vibration standards to avoid potential structural damage and human annoyance. The results of the analysis shall be incorporated into project design.</i>	Retain a certified vibration consultant to prepare a site-specific vibration analysis for residential and historic structures within the screening distance near rail lines.	RSPU	Project applicant	Prior to design review	City of Sacramento Community Development Department
4.10-6: The proposed projects would result in exposure of people to cumulative increases in construction noise levels.	4.10-6 <i>Implement Mitigation Measure 4.10-1 to minimize noise from outdoor amplified sound systems.</i>	See Mitigation Measure 4.10-1.	See Mitigation Measure 4.10-1.	See Mitigation Measure 4.10-1.	See Mitigation Measure 4.10-1.	See Mitigation Measure 4.10-1.
4.10-7: The proposed projects would contribute to cumulative construction that could expose existing and/or planned buildings, and persons within, to significant vibration.	4.10-7 <i>Implement Mitigation Measure 4.10-4 to minimize noise from outdoor amplified sound systems.</i>	See Mitigation Measure 4.10-4.	See Mitigation Measure 4.10-4.	See Mitigation Measure 4.10-4.	See Mitigation Measure 4.10-4.	See Mitigation Measure 4.10-4.
4.10-9: Implementation of the proposed projects would contribute to cumulative increases in residential interior noise levels of 45 dBA Ldn or greater.	4.10-9(a) <i>Implement Mitigation Measure 4.10-3(a) to minimize noise from outdoor amplified sound systems.</i>	See Mitigation Measure 4.10-3(a).	See Mitigation Measure 4.10-3(a).	See Mitigation Measure 4.10-3(a).	See Mitigation Measure 4.10-3(a).	See Mitigation Measure 4.10-3(a).
	4.10-9(b) <i>Implement Mitigation Measure 4.10-3(b) to minimize noise from outdoor amplified sound systems.</i>	See Mitigation Measure 4.10-3(b).	See Mitigation Measure 4.10-3(b).	See Mitigation Measure 4.10-3(b).	See Mitigation Measure 4.10-3(b).	See Mitigation Measure 4.10-3(b).
4.11 Public Services						
4.11-6: The proposed projects could result in a school located in proximity to existing hazards, specifically railroad tracks.	4.11-6 <i>Prior to school site approval within 1,500 feet of the railroad tracks, the SCUSD shall retain a competent professional to prepare a safety study that assesses cargo manifests, frequency, speed, and schedule of railroad traffic, grade, curves, type and condition of track, need for sound or safety barriers, need for pedestrian and vehicle safeguards at railroad crossings, presence of high pressure gas lines near the tracks that could rupture in the event of a derailment, and preparation of an evacuation plan. Based on this information and the proposed location and design of the school, the study shall demonstrate that the school design and construction would not expose students to risks associated with train accidents. In the event these conditions cannot be satisfied, SCUSD shall proceed in a manner that complies with California Code of Regulations, Title 5, section 14010(d).</i>	Prepare a safety study relative to school sites' proximity to rail lines.	RSPU	SCUSD	Prior to school site approval	City of Sacramento Community Development Department, California Department of Education

RSPU = Railyards Specific Plan Update; KPMC = Kaiser Permanente Medical Center; MLS = Major League Soccer Stadium; SO = Stormwater Outfall

**TABLE 4-1
SACRAMENTO RAILYARDS SPECIFIC PLAN UPDATE, KP MEDICAL CENTER, MLS STADIUM, & STORMWATER OUTFALL MITIGATION MONITORING PLAN**

Impact	Mitigation Measure	Action(s)	Component	Implementing Party	Timing	Monitoring Party
4.11-8: The proposed projects would increase the demand for parks and recreational facilities.	4.11-8 <i>Prior to filing of the final map, the project applicant shall reach agreement with the City on which of the proposed project elements and acreage meet the applicable City parkland dedication requirements. The project applicant shall pay in-lieu fees (Quimby and/or PIF) on the difference in acreage between the City parkland requirement and the amount of parkland the proposed project would supply, or provide "turnkey" improvements equal to the value of in-lieu fees owed, if any.</i>	Pay in lieu park dedication fees or provide "turnkey" improvements equal to the value of in-lieu fees.	RSPU	Project applicant	Prior to filing of final map	City of Sacramento Community Development Department
4.11-9: The proposed projects would contribute to cumulative increases in demand on City parks and recreational facilities.	4.11-9 <i>Implement Mitigation Measure 4.11-8.</i>	See Mitigation Measure 4.11-8.	See Mitigation Measure 4.11-8.	See Mitigation Measure 4.11-8.	See Mitigation Measure 4.11-8.	See Mitigation Measure 4.11-8.
4.12 Transportation						
4.12-1: The proposed projects could worsen conditions at intersections in the City of Sacramento.	4.12-1(a) <i>i. Implement Event Transportation Management Plan (TMP) to the satisfaction of the City Traffic Engineer and subject to the performance standards set forth within, including:</i> <ol style="list-style-type: none"> 1. <u>Vehicle Queuing on City Streets</u>: Through added intersections capacity and/or traffic management, traffic does not queue back to upstream locations during the Pre-Event peak hour including (but not limited to): <ul style="list-style-type: none"> • Northbound 7th Street traffic does not spill back from Railyards Boulevard into the UPRR undercrossing (i.e., queues do not extend any greater than 600 feet from Railyards Boulevard). • Westbound North B Street traffic does not spill back from 7th Street to 8th Street • Westbound North B Street traffic does not spill back from 8th Street to 12th Street • Southbound 7th Street traffic does not spill back to LRT tracks at North B Street 2. <u>Pedestrian Flows</u>: Through pedestrian flow management, pedestrians do not spill out of sidewalks onto streets with moving vehicles, particularly along 7th Street between Richards Boulevard and G Street, Railyards Boulevard between 5th Street and 8th Street, and North B Street between 7th Street and 12th Street. 3. <u>Vehicular Parking</u>: A comprehensive parking plan is implemented that includes (but is not limited to) a reservation system, smartphone parking app, directional signage, real-time parking garage occupancy, etc. that minimizes unnecessary vehicular circulation (while looking for parking) within and adjacent to the RSP Area. 4. <u>Bicycle Parking</u>: Signage is clearly visible to direct bicyclists to MLS Stadium event bicycle parking, which has an adequate supply to accommodate a typical MLS Stadium event. 	Implement Event Transportation Management Plan (TMP) to meet performance standards.	RSPU	Project applicant	TMP approved prior to issuance of certificate of occupancy; implement during operation and during events at the MLS Stadium	City of Sacramento, Community Development Department and Department of Public Works

RSPU = Railyards Specific Plan Update; KPMC = Kaiser Permanente Medical Center; MLS = Major League Soccer Stadium; SO = Stormwater Outfall

**TABLE 4-1
SACRAMENTO RAILYARDS SPECIFIC PLAN UPDATE, KP MEDICAL CENTER, MLS STADIUM, & STORMWATER OUTFALL MITIGATION MONITORING PLAN**

Impact	Mitigation Measure	Action(s)	Component	Implementing Party	Timing	Monitoring Party
	<p>5. <u>Light Rail Transit</u>: A new light rail station/stop is constructed on 7th Street north of Railyards Boulevard and operational at the time the stadium opens, providing an adequate level of LRT service to meet the Pre- and Post-Event ridership demands.</p> <p>6. <u>Bus/Paratransit</u>: Specific locations are provided to accommodate public buses and paratransit vehicle stops within one block of the MLS Stadium.</p> <p>7. <u>Ridesharing</u>: Specific locations are provided for pick-up / drop-off areas such that taxi, Uber, or similar ridesharing services do not impede overall vehicular or pedestrian flow (including maintaining uncongested conditions along 10th Street to enable emergency vehicle response).</p> <p>8. <u>Truck Staging</u>: Delivery trucks associated with special events do not park or idle along 7th Street, 8th Street, North B Street, or Railyards Boulevard.</p>					
	<p>ii. Each project developed pursuant to the RSPU (including the Land Use Variant) shall pay the applicable fee for the I-5 Subregional Corridor Mitigation Program (SCMP) prior to issuance of building permits.</p>	Pay I-5 Subregional Corridor Mitigation Program (SCMP) fees.	RSPU	Project applicant	Prior to issuance of building permits for individual applicable development projects	City of Sacramento, Community Development Department and Department of Public Works
	<p>iii. Convert existing Dos Rios Street leg at 12th Street/North B Street intersection to a right-turn only intersection that does not operate as part of the traffic signal.</p>	Implement intersection improvements on the Dos Rios Street leg at 12 th Street/North B Street intersection.	RSPU	Project applicant	Prior to issuance of occupancy permits for the MLS Stadium	City of Sacramento, Community Development Department and Department of Public Works
	<p>4.12-1(b) The following measures shall be implemented prior to issuance of the Certificate of Occupancy for Phase 1 of the KP Medical Center.</p>	Pay I-5 Subregional Corridor Mitigation Program (SCMP) fees.	KPMC	Project applicant	Prior to issuance of Certificate of Occupancy for Phase 1 of the KP Medical Center	City of Sacramento Community Development Department and Department of Public Works
	<p>i. Implement Mitigation Measure 4.12-1(a)(ii).</p>					
	<p>ii. Implement Transportation Demand Management (TDM) Program.</p>	Implement Transportation Demand Management Program as directed by Mitigation Measure 4.12-1(b)(ii).	KPMC	Project applicant	Prior to issuance of Certificate of Occupancy for Phase 1 of the KP Medical Center	City of Sacramento Community Development Department and Department of Public Works
	<p>iii. Widen Railyards Boulevard at 7th Street to provide a dedicated northbound left-turn lane and dedicated southbound right-turn lane. Operate signal with protected northbound left-turn phasing.</p>	Improve Railyards Boulevard/7 th Street intersection.	KPMC	Project applicant	Prior to issuance of Certificate of Occupancy for Phase 1 of the KP Medical Center	City of Sacramento Community Development Department and Department of Public Works
	<p>iv. Coordinate traffic signals on Railyards Boulevard at 5th, 6th, and 7th Streets.</p>	Coordinate traffic signals.	KPMC	Project applicant	Prior to issuance of Certificate of Occupancy for Phase 1 of the KP Medical Center	City of Sacramento Community Development Department and Department of Public Works
	<p>v. Implement either Option 1a, 1b, or Option 1c:</p> <ul style="list-style-type: none"> <u>Option 1a</u>: Extend 5th Street northerly from South Park Street to North B Street. Install traffic signal at the 5th Street/South Park Street intersection. Operate with 5th Street/North B Street intersection with side-street stop-control. Widen eastbound North B Street at 7th Street to include a dedicated left-turn lane and a shared through/right lane and operate east-west approaches with protected left-turn phasing. 	Implement one of the three available options to improve circulation through the RSP Area.	KPMC	Project applicant	Prior to issuance of Certificate of Occupancy for Phase 1 of the KP Medical Center	City of Sacramento Community Development Department and Department of Public Works

RSPU = Railyards Specific Plan Update; KPMC = Kaiser Permanente Medical Center; MLS = Major League Soccer Stadium; SO = Stormwater Outfall

**TABLE 4-1
SACRAMENTO RAILYARDS SPECIFIC PLAN UPDATE, KP MEDICAL CENTER, MLS STADIUM, & STORMWATER OUTFALL MITIGATION MONITORING PLAN**

Impact	Mitigation Measure	Action(s)	Component	Implementing Party	Timing	Monitoring Party
	<ul style="list-style-type: none"> <i>Option 1b: Extend South Park Street easterly from 5th Street and extend 6th Street northerly from South Park Street extension to North B Street. Install traffic signal at the 5th Street/South Park Street intersection. Operate 6th Street/North B Street intersection with side-street stop-control. Widen eastbound North B Street at 7th Street to include a dedicated left-turn lane and a shared through/right lane and operate east-west approaches with protected left-turn phasing.</i> <i>Option 1c: Widen 7th Street/North B Street intersection to consist of a left-turn lane and a shared through/right lane on all approaches. Operate signal with protected left-turn phasing.</i> 					
	4.12-1(c)	Implement Event Transportation Management Plan (TMP) to meet performance standards.	MLS	Project applicant	TMP approved prior to issuance of certificate of occupancy; implement during operation and during events at the MLS Stadium	City of Sacramento, Community Development Department and Department of Public Works
	<i>i. Implement Mitigation Measure 4.12-1(a)(i).</i>					
	<i>ii. Convert existing Dos Rios Street leg at 12th Street/North B Street intersection to a right-turn only intersection that does not operate as part of the traffic signal.</i>	Implement intersection improvements on the Dos Rios Street leg at 12th Street/North B Street intersection.	MLS	Project applicant	Prior to issuance of occupancy permits for the MLS Stadium	City of Sacramento, Community Development Department and Department of Public Works
	<i>iii. Implement Transportation Demand Management (TDM) Program, if required by city code.</i>	Develop and implement Transportation Demand Management (TDM) Program.	MLS	Project applicant	Prior to issuance of occupancy permit	City of Sacramento Community Development Department and Department of Public Works
	<i>iv. Construct South Park Street between 6th Street and 7th Street.</i>	Incorporate into project design and implement roadway construction and improvements.	MLS	Project applicant	Prior to and during project construction and operations	City of Sacramento Community Development Department and Department of Public Works
	<i>v. Construct 6th Street between Railyards Boulevard and North B Street.</i>	Incorporate into project design and implement roadway construction and improvements.	MLS	Project applicant	Prior to and during project construction and operations	City of Sacramento Community Development Department and Department of Public Works
	<i>vi. Install traffic signals at 7th Street/South Park Street, 6th Street/North B Street, Railyards Boulevard/8th Street, and North B Street/8th Street.</i>	Incorporate into project design and implement roadway construction and improvements.	MLS	Project applicant	Prior to and during project construction and operations	City of Sacramento Community Development Department and Department of Public Works
	<i>vii. Widen 7th Street at Railyards Boulevard to provide dedicated northbound and southbound left-turn lanes, and operate signal with protected left-turn phasing.</i>	Incorporate into project design and implement roadway construction and improvements.	MLS	Project applicant	Prior to and during project construction and operations	City of Sacramento Community Development Department and Department of Public Works
	<i>viii. Widen/restripe 7th Street at North B Street to consist of one left-turn lane and one shared through/right lane on all approaches, and operate signal with protected left-turn phasing.</i>	Incorporate into project design and implement roadway construction and improvements.	MLS	Project applicant	Prior to and during project construction and operations	City of Sacramento Community Development Department and Department of Public Works
4.12-2: The proposed projects could worsen conditions on freeway facilities maintained by Caltrans.	4.12-2 <i>Implement Mitigation Measure 4.12-1(a)(ii).</i>	See Mitigation Measure 4.12-1(a)(ii).	RSPU,KPMC,MLS	See Mitigation Measure 4.12-1(a)(ii).	See Mitigation Measure 4.12-1(a)(ii).	See Mitigation Measure 4.12-1(a)(ii).
4.12-3: The proposed projects could worsen vehicle queuing at off-ramps on I-5.	4.12-3 <i>Implement Mitigation Measure 4.12-1(a)(ii).</i>	See Mitigation Measure 4.12-1(a)(ii).	RSPU,KPMC,MLS	See Mitigation Measure 4.12-1(a)(ii).	See Mitigation Measure 4.12-1(a)(ii).	See Mitigation Measure 4.12-1(a)(ii).
4.12-6: The proposed projects could adversely affect existing or planned pedestrian facilities or fail to provide for access for pedestrians.	4.12-6 <i>Implement Mitigation Measure 4.12-1(a)(i).</i>	See Mitigation Measure 4.12-1(a)(i).	MLS	See Mitigation Measure 4.12-1(a)(i).	See Mitigation Measure 4.12-1(a)(i).	See Mitigation Measure 4.12-1(a)(i).

RSPU = Railyards Specific Plan Update; KPMC = Kaiser Permanente Medical Center; MLS = Major League Soccer Stadium; SO = Stormwater Outfall

**TABLE 4-1
SACRAMENTO RAILYARDS SPECIFIC PLAN UPDATE, KP MEDICAL CENTER, MLS STADIUM, & STORMWATER OUTFALL MITIGATION MONITORING PLAN**

Impact	Mitigation Measure	Action(s)	Component	Implementing Party	Timing	Monitoring Party
4.12-7: The proposed projects could cause construction-related traffic impacts.	<p>4.12-7 <i>Before issuance of grading permits for the project site, the project applicants shall prepare a detailed Construction Traffic Management Plan that will be subject to review and approval by the City Department of Public Works, in consultation with Caltrans, affected transit providers, and local emergency service providers including the City of Sacramento Fire and Police departments. The plan shall ensure that acceptable operating conditions on local roadways and freeway facilities are maintained. At a minimum, the plan shall include:</i></p> <ul style="list-style-type: none"> • <i>The number of truck trips, time, and day of street closures</i> • <i>Time of day of arrival and departure of trucks</i> • <i>Limitations on the size and type of trucks, provision of a staging area with a limitation on the number of trucks that can be waiting</i> • <i>Provision of a truck circulation pattern</i> • <i>Identification of detour routes and signing plan for street closures</i> • <i>Provision of driveway access plan so that safe vehicular, pedestrian, and bicycle movements are maintained (e.g., steel plates, minimum distances of open trenches, and private vehicle pick up and drop off areas)</i> • <i>Maintain safe and efficient access routes for emergency vehicles and transit</i> • <i>Manual traffic control when necessary</i> • <i>Proper advance warning and posted signage concerning street closures</i> • <i>Provisions for pedestrian and bicycle safety</i> <p><i>A copy of each construction traffic management plan shall be submitted to local emergency response agencies and transit providers, and these agencies shall be notified at least 30 days before the commencement of construction that would partially or fully obstruct roadways.</i></p>	Prepare Construction Traffic Management Plan with sufficient detail, and consult with identified public and private agencies. Submit a copy of each construction traffic management plan to local emergency response agencies and transit providers.	RSPU, KPMC, MLS	Project applicant	Prior to issuance of building permits for individual development projects	City of Sacramento Department of Public Works, Caltrans, affected transit providers, and local emergency service providers including City of Sacramento Fire and Police Departments.
4.12-8: The proposed projects could contribute to cumulatively unacceptable intersection operations in the City of Sacramento.	<p>4.12-8(a) <i>i. Implement Mitigation Measure 4.12-1(a)(i)</i> <i>ii. Implement Mitigation Measure 4.12-1(a)(ii).</i></p>	See Mitigation Measures 4.12-1(a)(i) and 4.12-1(a)(ii).	RSPU	See Mitigation Measures 4.12-1(a)(i) and 4.12-1(a)(ii).	See Mitigation Measures 4.12-1(a)(i) and 4.12-1(a)(ii).	See Mitigation Measures 4.12-1(a)(i) and 4.12-1(a)(ii).
	<p>4.12-8(b) <i>i. Implement Mitigation Measure 4.12-1(a)(ii)</i> <i>ii. Implement Mitigation Measure 4.12-1(b)(ii).</i></p>	See Mitigation Measures 4.12-1(a)(ii) and 4.12-1(b)(ii).	KPMC	See Mitigation Measures 4.12-1(a)(ii) and 4.12-1(b)(ii).	See Mitigation Measures 4.12-1(a)(ii) and 4.12-1(b)(ii).	See Mitigation Measures 4.12-1(a)(ii) and 4.12-1(b)(ii).
	<p>4.12-8(c) <i>i. Implement Mitigation Measure 4.12-1(a)(i)</i> <i>ii. Implement Mitigation Measure 4.12-1(c)(iii).</i></p>	See Mitigation Measures 4.12-1(a)(i) and 4.12-1(c)(iii).	MLS	See Mitigation Measures 4.12-1(a)(i) and 4.12-1(c)(iii).	See Mitigation Measures 4.12-1(a)(i) and 4.12-1(c)(iii).	See Mitigation Measures 4.12-1(a)(i) and 4.12-1(c)(iii).
4.12-9: The proposed projects could worsen cumulative conditions on freeway facilities maintained by Caltrans.	<p>4.12-9 <i>Implement Mitigation Measure 4.12-1(a)(ii).</i></p>	See Mitigation Measure 4.12-1(a)(ii).	RSPU, KPMC	See Mitigation Measure 4.12-1(a)(ii).	See Mitigation Measure 4.12-1(a)(ii).	See Mitigation Measure 4.12-1(a)(ii).

RSPU = Railyards Specific Plan Update; KPMC = Kaiser Permanente Medical Center; MLS = Major League Soccer Stadium; SO = Stormwater Outfall

**TABLE 4-1
SACRAMENTO RAILYARDS SPECIFIC PLAN UPDATE, KP MEDICAL CENTER, MLS STADIUM, & STORMWATER OUTFALL MITIGATION MONITORING PLAN**

Impact	Mitigation Measure	Action(s)	Component	Implementing Party	Timing	Monitoring Party
4.12-10: The proposed projects could worsen vehicle queuing at off-ramps on I-5 under cumulative conditions.	4.12-10 <i>Implement Mitigation Measure 4.12-1(a)(ii).</i>	See Mitigation Measure 4.12-1(a)(ii).	RSPU, KPMC, MLS	See Mitigation Measure 4.12-1(a)(ii).	See Mitigation Measure 4.12-1(a)(ii).	See Mitigation Measure 4.12-1(a)(ii).
4.12-13: The proposed projects could adversely affect existing or planned pedestrian facilities or fail to provide for access for pedestrians under cumulative conditions.	4.12-13 <i>Implement Mitigation Measure 4.12-1(a)(i).</i>	See Mitigation Measure 4.12-1(a)(i).	MLS	See Mitigation Measure 4.12-1(a)(i).	See Mitigation Measure 4.12-1(a)(i).	See Mitigation Measure 4.12-1(a)(i).
4.12-14: The proposed projects could cause construction-related traffic impacts under cumulative conditions.	4.12-14 <i>Implement Mitigation Measure 4.12-7.</i>	See Mitigation Measure 4.12-7.	RSPU, KPMC, MLS	See Mitigation Measure 4.12-7.	See Mitigation Measure 4.12-7.	See Mitigation Measure 4.12-7.
4.13 Utilities						
4.13-7: The proposed projects would contribute to cumulative increases in demand for water supply and treatment.	4.13-7 <i>In order to ensure that sufficient capacity would be available to meet cumulative demands, the City shall implement, to the extent needed in order to secure sufficient supply, one or more of the following:</i> a. <i>Maximize Water Conservation</i> b. <i>Implement New Water Diversion and/or Treatment Infrastructure</i> c. <i>Implement Additional Groundwater Pumping</i>	Implement, to the extent needed in order to secure sufficient water supply, one or a combination of the actions listed in Mitigation Measure 4.13-7.	RSPU	City of Sacramento	To be determined by the City based on citywide water demand and supply	City of Sacramento Public Works Department

RSPU = Railyards Specific Plan Update; KPMC = Kaiser Permanente Medical Center; MLS = Major League Soccer Stadium; SO = Stormwater Outfall

EXHIBIT D – Sacramento Railyards Specific Plan Update, KP Medical Center, MLS Stadium, and Stormwater Outfall Project

CALIFORNIA STATE LANDS COMMISSION STATEMENT OF FINDINGS AND STATEMENT OF OVERRIDING CONSIDERATIONS

1.0 INTRODUCTION

The California State Lands Commission (CSLC), acting as a responsible agency under the California Environmental Quality Act (CEQA), makes these findings and this Statement of Overriding Considerations to comply with CEQA as part of its discretionary approval to authorize issuance of a General Lease – Public Agency Use, to city of Sacramento (City), for use of sovereign land associated with the proposed Sacramento Railyards Specific Plan Update, KP Medical Center, MLS Stadium, and Stormwater Outfall Project (Project). (See generally Pub. Resources Code, § 21069; State CEQA Guidelines, § 15381.)¹ The CSLC has jurisdiction and management authority over all ungranted tidelands, submerged lands, and the beds of navigable lakes and waterways. The CSLC also has certain residual and review authority for tidelands and submerged lands legislatively granted in trust to local jurisdictions. (Pub. Resources Code, §§ 6301, 6306, 6009, subd. (c).) All tidelands and submerged lands, granted or ungranted, as well as navigable lakes and waterways, are subject to the protections of the common law Public Trust.

The CSLC is a responsible agency under CEQA for the Project because the CSLC must approve a lease for the Project to go forward and because the City, as the CEQA lead agency, has the principal responsibility for approving the Project and has completed its environmental review under CEQA. The City analyzed the environmental impacts associated with the Project in a Final Subsequent Environmental Impact Report (SEIR) (State Clearinghouse [SCH] No. 2006032058) and, in November 2016, certified the SEIR and adopted a Mitigation Monitoring Program (MMP), Findings, and a Statement of Overriding Considerations.

The Project component within the jurisdiction of the CSLC involves the construction of a new pump station and stormwater outfall adjacent to the Sacramento River. The majority of the outfall structure is located on the landward parcel, however a portion of the outfall will extend into the river.

In certifying the Final SEIR and approving the Project, the City imposed various mitigation measures for Project-related significant effects on the environment as conditions of Project approval and concluded that Project-related impacts would be

¹ CEQA is codified in Public Resources Code section 21000 et seq. The State CEQA Guidelines are found in California Code of Regulations, title 14, section 15000 et seq.

substantially lessened with implementation of these mitigation measures for most of the resource areas. However, even with the integration of all feasible mitigation, the City concluded in the SEIR that some of the identified impacts would remain significant. As a result, the City adopted a Statement of Overriding Considerations to support its approval of the Project despite the significant and unavoidable impacts (Attachment D-1). The City determined that the Project could have significant environmental effects on the following environmental resources:

- Aesthetics, Light and Glare
- Air Quality
- Biological Resources
- Cultural Resources
- Noise and Vibration
- Transportation/Traffic
- Utilities

Of the seven resources areas noted above, Aesthetics, Light and Glare, Biological Resources, Noise and Vibration, Transportation/Traffic, and Utilities include significant impacts that are outside the jurisdiction of the CSLC. The remaining significant and unavoidable impacts that are associated with Project components within the CSLC's jurisdiction (i.e., stormwater outfall) and that could have significant environmental effects are within the following categories:

- Air Quality
- Cultural Resources

Therefore, the CSLC adopts the Statement of Overriding Considerations, as set forth in this exhibit as part of its approval, for these four impact areas.

As a responsible agency, the CSLC complies with CEQA by considering the SEIR and reaching its independent judgment on whether, how, and with what conditions to approve a project. In doing so, the CSLC may require changes in a project to lessen or avoid the effects, either direct or indirect, of that part of the project which the CSLC will be called on to carry out or approve. In order to ensure the identified mitigation measures and Project revisions are implemented, the CSLC adopts the MMP as set forth in Exhibit C as part of its Project approval.

2.0 FINDINGS

The CSLC's role as a responsible agency affects the scope of, but not the obligation to adopt, findings required by CEQA. Findings are required under CEQA by each "public agency" that approves a project for which an SEIR has been certified that identifies one or more significant impacts on the environment. (Pub. Resources Code, § 21081, subd. (a); State CEQA Guidelines, § 15091, subd. (a).) Because the SEIR certified by the City for the Project identifies potentially significant impacts that fall within the scope of the CSLC's approval, the CSLC makes the Findings set forth below as a responsible agency under CEQA. (State CEQA Guidelines, § 15096, subd. (h); *Riverwatch v. Olivenhain Mun. Water Dist.* (2009) 170 Cal.App.4th 1186, 1202, 1207.)

While the CSLC must consider the environmental impacts of the Project as set forth in the SEIR, the CSLC's obligation to mitigate or avoid the direct or indirect environmental impacts of the Project is limited to those parts which it decides to carry out, finance, or approve. (Pub. Resources Code, § 21002.1, subd. (d); State CEQA Guidelines, §§ 15041, subd. (b), 15096, subds. (f)-(g).) Accordingly, because the CSLC's exercise of discretion involves only issuing a General Lease – Public Agency Use for this Project, the CSLC is responsible for considering only the environmental impacts related to lands or resources subject to the CSLC's jurisdiction. With respect to all other impacts associated with implementation of the Project, the CSLC is bound by the legal presumption that the SEIR fully complies with CEQA.

The CSLC has reviewed and considered the information contained in the Project SEIR. All significant adverse impacts of the Project identified in the SEIR relating to the CSLC's approval of a General Lease – Public Agency Use, which would allow the construction and use of the stormwater outfall structure, are included herein and organized according to the resource affected.

These Findings, which reflect the independent judgment of the CSLC, are intended to comply with CEQA's mandate that no public agency shall approve or carry out a project for which an SEIR has been certified that identifies one or more significant environmental effects unless the agency makes written findings for each of those significant effects. Possible findings on each significant effect are:

- (1) Changes or alterations have been required in, or incorporated into, the Project that avoid or substantially lessen the significant environmental effect as identified in the Final SEIR.
- (2) Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the CSLC. Such changes have been adopted by such other agency or can and should be adopted by such other agency.
- (3) 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 Final SEIR.²

A discussion of supporting facts follows each Finding.

- Whenever Finding (1) occurs, the mitigation measures that lessen the significant environmental impact are identified in the facts supporting the Finding.
- Whenever Finding (2) occurs, the agencies with jurisdiction are specified. These agencies, within their respective spheres of influence, have the responsibility to adopt, implement, and enforce the mitigation discussed.
- Wherever Finding (3) is made, the CSLC has determined that, even after implementation of all feasible mitigation measures and consideration of feasible alternatives, the identified impact will exceed the significance criteria set forth in the SEIR. Furthermore, to the extent that potentially feasible measures have

² See Public Resources Code section 21081, subdivision (a) and State CEQA Guidelines section 15091, subdivision (a).

been alleged or proposed, the Findings explain why certain economic, legal, social, technological or other considerations render such possibilities infeasible. The significant and unavoidable impacts requiring Finding (3) are identified in the Final SEIR, discussed in the Responses to Comments, and explained below. Having done everything it can to avoid and substantially lessen these effects consistent with its legal authority and CEQA, the CSLC finds in these instances that overriding economic, legal, social, and other benefits of the approved Project outweigh the resulting significant and unavoidable impacts. The Statement of Overriding Considerations adopted as part of this exhibit applies to all such unavoidable impacts as required by CEQA. (Pub. Resources Code, § 21081, subd. (b); State CEQA Guidelines, §§ 15092 and 15093.)

These Findings are supported by substantial evidence contained in the SEIR and other relevant information provided to the CSLC or existing in its files, all of which is contained in the administrative record. The mitigation measures are briefly described in these Findings; more detail on the mitigation measures is included in the Final SEIR.

The CSLC is the custodian of the record of proceedings upon which its decision is based. The location of the CSLC's record of proceedings is in the Sacramento office of the CSLC, 100 Howe Avenue, Suite 100-South, Sacramento, CA 95825.

A. SUMMARY OF FINDINGS

Based on public scoping, the proposed Project will have No Impact on the following environmental issue areas:

- Agriculture and Forest Resources
- Mineral Resources
- Population and Housing

The SEIR subsequently identified a number of impacts within the following categories as Less Than Significant:

- Aesthetics, Light and Glare
- Air Quality
- Biological Resources
- Cultural Resources
- Energy Demand and Conservation
- Geology, Soils, and Seismicity
- Global Climate Change
- Hazards and Hazardous Materials
- Hydrology and Water Quality
- Noise and Vibration
- Public Services
- Transportation
- Utilities

For the remaining potentially significant effects, the Findings are organized by significant impacts within the SEIR issue areas as presented below.

B. IMPACTS REDUCED TO LESS THAN SIGNIFICANT LEVELS WITH MITIGATION

The impacts identified below were determined in the Final SEIR to be potentially significant absent mitigation; after application of mitigation, however, the impacts were determined to be less than significant. **For the full text of each mitigation measure (MM), please refer to Exhibit C, Attachment C-1.**

1. Air Quality	Impacts 4.2-2 and 4.2-8
2. Biological Resources	Impacts 4.3-2, 4.3-3, 4.3-6, 4.3-7, 4.3-8, 4.3-9, 4.3-11, 4.3-12, 4.3-15, 4.3-16, and 4.3-17
3. Cultural Resources	Impacts 4.4-1, 4.4-7, and 4.4-10
4. Hazards and Hazardous Materials	Impacts 4.8-1, 4.8-3, 4.8-4, 4.8-7, 4.8-8, and 4.8-9

1. AIR QUALITY

<p>CEQA FINDING NO. 4.2-2</p> <p>Impact: 4.2-2. Construction of the proposed projects could result in short-term emissions of NOx, PM10 and PM2.5.</p> <p>Finding(s): (1) Changes or alterations have been required in, or incorporated into, the project that mitigate or avoid the significant environmental effect as identified in the SEIR.</p>
--

FACTS SUPPORTING THE FINDING(S)

Activities proposed as part of the Project have the potential to result in short-term emissions of NOx, PM10 and PM2.5.

The following mitigation measure(s) has been adopted to address this impact have been incorporated into the Project to reduce this impact to a less than significant level.

MM 4.2-2(a): SMAQMD Basic Construction Emission Control Practices.

MM 4.2-2(b): SMAQMD Enhanced Exhaust Control Practices.

MM 4.2-2(c): SMAQMD Fugitive Dust Control Practices.

LEVEL OF SIGNIFICANCE AFTER MITIGATION. With the mitigation described above, this impact is reduced to a less than significant level.

CEQA FINDING NO. 4.2-8

Impact: **4.2-8. The proposed projects could contribute to cumulative increases in short-term (construction) emissions.**

Finding(s): (1) Changes or alterations have been required in, or incorporated into, the project that mitigate or avoid the significant environmental effect as identified in the SEIR.

FACTS SUPPORTING THE FINDING(S)

Activities proposed as part of the Project have the potential to result in a cumulative increases in short-term (construction) emissions.

Implementation of MM 4.2-2 has been incorporated into the Project to reduce this impact to a less than significant level.

MM 4.2-8: Includes: **MM 4.2-2(a), MM 4.2-2(b), and MM 4.2-2(c)** as described above under Impact 4.2-2.

LEVEL OF SIGNIFICANCE AFTER MITIGATION. With the mitigation described above, this impact is reduced to a less than significant level.

2. BIOLOGICAL RESOURCES

CEQA FINDING NO. 4.3-2

Impact: **4.3-2. Development of the proposed projects could result in the loss of potential nesting habitat for Swainson’s hawk, white-tailed kite, purple martin, and other sensitive and/or protected bird species.**

Finding(s): (1) Changes or alterations have been required in, or incorporated into, the project that mitigate or avoid the significant environmental effect as identified in the SEIR.

FACTS SUPPORTING THE FINDING(S)

Activities proposed as part of the Project have the potential to result in the loss of potential nesting habitat for Swainson’s hawk, white-tailed kite, purple martin, and other sensitive and protected bird species.

Implementation of MM 4.3-2 (a) has been incorporated into the Project to reduce this impact to a less than significant level.

MM 4.3-2 (a): The project applicant shall conduct any tree removal activities required for project construction outside of the migratory bird and raptor breeding season (February 1 through August 31) where feasible. For any construction activities that will occur between February 1 and August 31, the applicant shall

conduct preconstruction surveys in suitable nesting habitat within 500 feet of the construction area for nesting raptors and migratory birds.

LEVEL OF SIGNIFICANCE AFTER MITIGATION. With the mitigation described above, this impact is reduced to a less than significant level.

CEQA FINDING NO. 4.3-3

Impact: **4.3-3. The proposed projects could result in impacts to special-status fish species and degradation of designated critical habitat.**

Finding(s): (1) Changes or alterations have been required in, or incorporated into, the project that mitigate or avoid the significant environmental effect as identified in the SEIR.

FACTS SUPPORTING THE FINDING(S)

Activities proposed as part of the Project have the potential to result in impacts to special-status fish species and degradation of designated critical habitat.

Implementation of MM 4.3-3 has been incorporated into the Project to reduce this impact to a less than significant level.

MM 4.3-3: To avoid, minimize, or compensate for potential impacts to protected and sensitive riverine species and critical habitat, and prevent impacts to special-status fish species the several measures will be undertaken by the project. (The full text of each measure under MM 4.3-3 is found in Exhibit C, Attachment C-1.)

LEVEL OF SIGNIFICANCE AFTER MITIGATION. With the mitigation described above, this impact is reduced to a less than significant level.

CEQA FINDING NO. 4.3-6

Impact: **4.3-6. Development of the proposed projects could result in impacts to bat species.**

Finding(s): (1) Changes or alterations have been required in, or incorporated into, the project that mitigate or avoid the significant environmental effect as identified in the SEIR.

FACTS SUPPORTING THE FINDING(S)

Activities proposed as part of the Project have the potential to result in impacts to bat species.

Implementation of MM 4.3-6 has been incorporated into the Project to reduce this impact to a less than significant level.

MM 4.3-6: Minimize potential adverse effects to bat species.

LEVEL OF SIGNIFICANCE AFTER MITIGATION. With the mitigation described above, this impact is reduced to a less than significant level.

CEQA FINDING NO. 4.3-7

Impact: **4.3-7. Development of the proposed projects could result in net reduction of sensitive habitats including protected wetland habitat as defined in Section 404 of the Clean Water Act, riparian vegetation, and state jurisdictional waters/wetlands.**

Finding(s): (1) Changes or alterations have been required in, or incorporated into, the project that mitigate or avoid the significant environmental effect as identified in the SEIR.

FACTS SUPPORTING THE FINDING(S)

Activities proposed as part of the Project have the potential to result in net reduction of sensitive habitats including protected wetland habitat as defined in Section 404 of the Clean Water Act, riparian vegetation, and state jurisdictional waters/wetlands.

Implementation of MM 4.3-7 has been incorporated into the Project to reduce this impact to a less than significant level.

MM 4.3-7: The City will prepare a wetland and riparian mitigation plan that ensures no net loss of waters of the U.S. and riparian vegetation. The wetland and riparian mitigation plan will be based on a wetland delineation verified by USACE. This measure may be implemented through the 404 permit and Streambed Alteration Agreement process.

LEVEL OF SIGNIFICANCE AFTER MITIGATION. With the mitigation described above, this impact is reduced to a less than significant level.

CEQA FINDING NO. 4.3-8

Impact: **4.3-8. Development of the proposed projects could result in isolation or interruption of contiguous habitat which would interfere substantially with the movement of resident or migratory fish or wildlife species, migratory corridors, or impede the use of native wildlife nursery sites.**

Finding(s): (1) Changes or alterations have been required in, or incorporated into, the project that mitigate or avoid the significant environmental effect as identified in the SEIR.

FACTS SUPPORTING THE FINDING(S)

Activities proposed as part of the Project have the potential to result in isolation or interruption of contiguous habitat which would interfere substantially with the movement

of resident or migratory fish or wildlife species, migratory corridors, or impede the use of native wildlife nursery sites.

Implementation of MM 4.3-8 has been incorporated into the Project to reduce this impact to a less than significant level.

MM 4.3-8: Reduction of spillover lighting from the proposed project onto the Sacramento River by implementing light deflecting barriers which do not hinder wildlife movement through riverine riparian vegetation.

LEVEL OF SIGNIFICANCE AFTER MITIGATION. With the mitigation described above, this impact is reduced to a less than significant level.

CEQA FINDING NO. 4.3-9

Impact: **4.3-9. Development of the proposed projects could conflict with local policies protecting trees.**

Finding(s): (1) Changes or alterations have been required in, or incorporated into, the project that mitigate or avoid the significant environmental effect as identified in the SEIR.

FACTS SUPPORTING THE FINDING(S)

Activities proposed as part of the Project have the potential to result in conflicting with local policies protecting trees.

Implementation of MM 4.3-9 has been incorporated into the Project to reduce this impact to a less than significant level.

MM 4.3-9: Implement mitigation measures to protect retained trees, and replace for the loss of tree resources. All tree removal within the RSP Area shall comply with the current City of Sacramento tree protection ordinance.

LEVEL OF SIGNIFICANCE AFTER MITIGATION. With the mitigation described above, this impact is reduced to a less than significant level.

CEQA FINDING NO. 4.3-11

Impact: **4.3-11. Implementation of the proposed projects, in combination with other cumulative development, could/would contribute to the cumulative harm to, or loss of nesting habitat, for Swainson's hawk, whitetailed kite, purple martin, and other sensitive and/or protected bird species.**

Finding(s): (1) Changes or alterations have been required in, or incorporated into, the project that mitigate or avoid the significant environmental effect as identified in the SEIR.

FACTS SUPPORTING THE FINDING(S)

The Project in combination with other cumulative development, could/would contribute to the cumulative harm to, or loss of nesting habitat, for Swainson's hawk, whitetailed kite, purple martin, and other sensitive and protected bird species.

Implementation of MM 4.3-11 has been incorporated into the Project to reduce this impact to a less than significant level.

MM 4.3-11: Implement MM 4.3-2 (a).

LEVEL OF SIGNIFICANCE AFTER MITIGATION. With the mitigation described above, this impact is reduced to a less than significant level.

CEQA FINDING NO. 4.3-12

Impact: **4.3-12. Implementation of the proposed projects, in combination with other cumulative development, could/would contribute to cumulative impacts to special-status fish species and degradation of designated critical habitat.**

Finding(s): (1) Changes or alterations have been required in, or incorporated into, the project that mitigate or avoid the significant environmental effect as identified in the SEIR.

FACTS SUPPORTING THE FINDING(S)

Activities proposed as part of the Project have the potential to result in cumulative impacts to special-status fish species and degradation of designated critical habitat.

Implementation of MM 4.3-12 has been incorporated into the Project to reduce this impact to a less than significant level.

MM 4.3-12: Implement MM 4.3-2(a).

LEVEL OF SIGNIFICANCE AFTER MITIGATION. With the mitigation described above, this impact is reduced to a less than significant level.

CEQA FINDING NO. 4.3-15

Impact: **4.3-15. Implementation of the proposed projects, in combination with other cumulative development, could/would contribute to the cumulative loss of habitat, or impacts to for bat species.**

Finding(s): (1) Changes or alterations have been required in, or incorporated into, the project that mitigate or avoid the significant environmental effect as identified in the SEIR.

FACTS SUPPORTING THE FINDING(S)

Activities proposed as part of the Project have the potential to result in the contribution of the cumulative loss of habitat, or impacts to for bat species with the implementation of the proposed projects, in combination with other cumulative development.

Implementation of MM 4.3-6 has been incorporated into the Project to reduce this impact to a less than significant level.

MM 4.3-15: Implement MM 4.3-6.

LEVEL OF SIGNIFICANCE AFTER MITIGATION. With the mitigation described above, this impact is reduced to a less than significant level.

CEQA FINDING NO. 4.3-16

Impact: **4.3-16. Implementation of the proposed projects, in combination with other cumulative development, could/would contribute to the cumulative loss of sensitive habitats including protected wetland habitat as defined in Section 404 of the Clean Water Act, riparian vegetation, and state jurisdictional waters/wetlands.**

Finding(s): (1) Changes or alterations have been required in, or incorporated into, the project that mitigate or avoid the significant environmental effect as identified in the SEIR.

FACTS SUPPORTING THE FINDING(S)

Activities proposed as part of the Project have the potential to result in the cumulative loss of sensitive habitats including protected wetland habitat as defined in Section 404 of the Clean Water Act, riparian vegetation, and state jurisdictional waters/wetlands in combination with other cumulative development.

Implementation of MM 4.3-16 has been incorporated into the Project to reduce this impact to a less than significant level.

MM 4.3-16: Implement MM 4.3-7.

LEVEL OF SIGNIFICANCE AFTER MITIGATION. With the mitigation described above, this impact is reduced to a less than significant level.

CEQA FINDING NO. 4.3-17

Impact: **4.3-17. Implementation of the proposed projects, in combination with other cumulative development, could/would contribute to the cumulative isolation or interruption of contiguous habitat which would interfere substantially with the movement of resident or migratory fish or wildlife species, migratory corridors, or impede the use of native wildlife nursery sites.**

Finding(s): (1) Changes or alterations have been required in, or incorporated into, the project that mitigate or avoid the significant environmental effect as identified in the SEIR.

FACTS SUPPORTING THE FINDING(S)

Activities proposed as part of the Project have the potential to result in the cumulative isolation or interruption of contiguous habitat which would interfere substantially with the movement of resident or migratory fish or wildlife species, migratory corridors, or impede the use of native wildlife nursery sites with the implementation of the proposed projects in combination with other cumulative development.

Mitigation Measure 4.3-17 has been incorporated into the Project to reduce this impact to a less than significant level.

MM 4.3-17: Implement MM 4.3-8.

LEVEL OF SIGNIFICANCE AFTER MITIGATION. With the mitigation described above, this impact is reduced to a less than significant level.

3. CULTURAL RESOURCES

CEQA FINDING NO. 4.4-1

Impact: **4.4-1. The proposed projects could cause a substantial adverse change in the significance of an archaeological resource, including human remains.**

Finding(s): (1) Changes or alterations have been required in, or incorporated into, the project that mitigate or avoid the significant environmental effect as identified in the SEIR.

FACTS SUPPORTING THE FINDINGS

Activities proposed as part of the Project have the potential to result in a substantial adverse change in the significance of an archaeological resource, including human remains.

Implementation of MMs 4.4-1(c) and 4.4-1(d) have been incorporated into the Project to reduce this impact to a less than significant level.

MM 4.4-1(c): In the event that unanticipated archaeological resources or human remains are encountered, compliance with federal and state regulations and guidelines regarding the treatment of cultural resources and human remains shall be required.

MM 4.4-1(d): In the case of an inadvertent discovery of a submerged shipwreck or related artifacts, all work must cease in the immediate vicinity of the find and the lead agency's archaeological resource staff will be notified immediately in order to initiate consultation with the CSLC staff within two business days of such discovery. The title to all abandoned shipwrecks, archaeological sites, and historic or cultural resources on or in the tide and submerged lands of California is vested in the State and under the jurisdiction of the California State Lands Commission (CSLC) (PRC Section 6313[a]). PRC Section 6313 (c) states any submerged historic resource remaining in state waters for more than 50 years will be presumed to be archaeologically or historically significant. If the lead agency's archaeologist, in consultation with the CSLC staff, determines that a historical resource may be present, the lead agency will retain the services of a qualified maritime archeological consultant.

LEVEL OF SIGNIFICANCE AFTER MITIGATION. With the mitigation described above, this impact is reduced to a less than significant level.

CEQA FINDING NO. 4.4-7

Impact: **4.4-7. Construction of the proposed projects could damage and/or destroy paleontological resources.**

Finding(s): (1) Changes or alterations have been required in, or incorporated into, the project that mitigate or avoid the significant environmental effect as identified in the SEIR.

FACTS SUPPORTING THE FINDING(S)

Activities proposed as part of the Project have the potential to result in the damage and destruction of paleontological resources.

Implementation of MM 4.4-7 has been incorporated into the Project to reduce this impact to a less than significant level.

MM 4.4-7: Inadvertent discovery of paleontological interest and evaluation by a qualified paleontologist as defined pursuant to the CEQA Guidelines in accordance with PRC Section 21083.2 and Section 15126.4.

LEVEL OF SIGNIFICANCE AFTER MITIGATION. With the mitigation described above, this impact is reduced to a less than significant level.

CEQA FINDING NO. 4.4-10

Impact: **4.4-10. The proposed projects would contribute to cumulative losses of paleontological resources.**

Finding(s): (1) Changes or alterations have been required in, or incorporated into, the project that mitigate or avoid the significant environmental effect as identified in the SEIR.

FACTS SUPPORTING THE FINDING(S)

Activities proposed as part of the Project have the potential to result in cumulative losses of paleontological resources.

Implementation of MM 4.4-10 has been incorporated into the Project to reduce this impact to a less than significant level.

MM 4.4-10: Implement **MM 4.4-7.**

LEVEL OF SIGNIFICANCE AFTER MITIGATION. With the mitigation described above, this impact is reduced to a less than significant level.

4. HAZARDS AND HAZARDOUS MATERIALS

CEQA FINDING NO. 4.8-1

Impact: **4.8-1. Construction of the proposed projects could result in the exposure of people to health risk associated with contaminated soils and debris.**

Finding(s): (1) Changes or alterations have been required in, or incorporated into, the project that mitigate or avoid the significant environmental effect as identified in the SEIR.

FACTS SUPPORTING THE FINDING(S)

Activities proposed as part of the Project have the potential to result in the exposure of people to health risk associated with contaminated soils and debris.

Implementation of MM 4.8-1 has been incorporated into the Project to reduce this impact to a less than significant level.

MM 4.8-1: Discovery of any potentially contaminated or contaminated soils or groundwater will stop all work in the area of potential contamination. All sampling activities including the assessment, handling, storage, transportation and disposal of any contaminated soil would be accomplished with applicable federal, State and local laws.

LEVEL OF SIGNIFICANCE AFTER MITIGATION. With the mitigation described above, this impact is reduced to a less than significant level.

CEQA FINDING NO. 4.8-3

Impact: **4.8-3. Development of the proposed projects could expose people to existing contaminated groundwater during dewatering activities.**

Finding(s): (1) Changes or alterations have been required in, or incorporated into, the project that mitigate or avoid the significant environmental effect as identified in the SEIR.

FACTS SUPPORTING THE FINDING(S)

Activities proposed as part of the Project have the potential to result in exposing people to existing contaminated groundwater during dewatering activities.

Implementation of MM 4.8-3 has been incorporated into the Project to reduce this impact to a less than significant level.

MM 4.8-3: Implement MM 4.8-1.

LEVEL OF SIGNIFICANCE AFTER MITIGATION. With the mitigation described above, this impact is reduced to a less than significant level.

CEQA FINDING NO. 4.8-4

Impact: **4.8-4. Construction of the proposed projects' infrastructure and buildings could interfere with remediation efforts.**

Finding(s): (1) Changes or alterations have been required in, or incorporated into, the project that mitigate or avoid the significant environmental effect as identified in the SEIR.

FACTS SUPPORTING THE FINDING(S)

Activities proposed as part of the Project have the potential to interfere with remediation efforts as part of the construction of the proposed projects' infrastructure and buildings.

Implementation of MM 4.8-4 has been incorporated into the Project to reduce this impact to a less than significant level.

MM 4.8-4: Implement MM 4.8-1.

LEVEL OF SIGNIFICANCE AFTER MITIGATION. With the mitigation described above, this impact is reduced to a less than significant level.

CEQA FINDING NO. 4.8-7

Impact: **4.8-7. Operation of the proposed projects could result in the exposure of people to health risks associated with contaminated soils and groundwater.**

Finding(s): (1) Changes or alterations have been required in, or incorporated into, the project that mitigate or avoid the significant environmental effect as identified in the SEIR.

FACTS SUPPORTING THE FINDING(S)

Activities proposed as part of the Project have the potential to result in the exposure of people to health risks associated with contaminated soils and groundwater.

Implementation of MM 4.8-7 have been incorporated into the Project to reduce this impact to a less than significant level.

MM 4.8-7: Remediation measures such as concrete trenches, membrane barriers and venting will be used to prevent groundwater contamination infiltration in accordance with DTSC requirements. Stormwater monitoring in areas where contamination occurs, the landowners and/or the City will report to DTSC and Regional Water Board, and corrective actions implemented if the results indicate adverse change in water quality.

LEVEL OF SIGNIFICANCE AFTER MITIGATION. With the mitigation described above, this impact is reduced to a less than significant level.

CEQA FINDING NO. 4.8-8

Impact: **4.8-8. The proposed projects in combination with development of other projects in the surrounding area known to contain, or could contain contaminated soil or groundwater, could present a hazard to construction workers if not properly managed.**

Finding(s): (1) Changes or alterations have been required in, or incorporated into, the project that mitigate or avoid the significant environmental effect as identified in the SEIR.

FACTS SUPPORTING THE FINDING(S)

Activities proposed as part of the Project have the potential to result in hazards to construction workers if not properly managed within the proposed projects in combination with development of other projects in the surrounding area known to contain, or could contain contaminated soil or groundwater.

Implementation of MM 4.8-8 has been incorporated into the Project to reduce this impact to a less than significant level.

MM 4.8-8: Implement MM 4.8-1.

LEVEL OF SIGNIFICANCE AFTER MITIGATION. With the mitigation described above, this impact is reduced to a less than significant level.

CEQA FINDING NO. 4.8-9

Impact: **4.8-9. The proposed projects could contribute to cumulative dewatering activities that could interfere with remediation of the existing South Plume and Lagoon Plume.**

Finding(s): (1) Changes or alterations have been required in, or incorporated into, the project that mitigate or avoid the significant environmental effect as identified in the SEIR.

FACTS SUPPORTING THE FINDING(S)

Activities proposed as part of the Project have the potential projects could contribute to cumulative dewatering activities that could interfere with remediation of the existing South Plume and Lagoon Plume.

Implementation of MM 4.8-9 has been incorporated into the Project to reduce this impact to a less than significant level.

MM 4.8-9: Implement MM 4.8-1.

LEVEL OF SIGNIFICANCE AFTER MITIGATION. With the mitigation described above, this impact is reduced to a less than significant level.

C. SIGNIFICANT AND UNAVOIDABLE IMPACTS

The following impacts that occur within the CSLC’s jurisdiction were determined in the Final SEIR to be significant and unavoidable. The Statement of Overriding Considerations adopted as part of this exhibit applies to all such unavoidable impacts as required by CEQA. (Pub. Resources Code, § 21081, subd. (b); State CEQA Guidelines, §§ 15092 and 15093.) Other significant and unavoidable from the Project that occur outside the CSLC’s jurisdiction are included in Attachment D-1, including the City’s Statement of Overriding Considerations.

1. Air Quality	Impact 4.2-3
2. Cultural Resources	Impact 4.4-8

1. AIR QUALITY

CEQA FINDING NO. 4.2-3

Impact: **4.2-3. The proposed projects could result in long-term (operational) emissions of NOx, ROG, PM10, and PM2.5.**

Finding(s): (3) Specific economic, legal, social, technological, or other considerations, including considerations for the provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or alternatives identified in the SEIR.

FACTS SUPPORTING THE FINDING(S)

Activities proposed as part of the Project that have the potential to result in long-term (operational) emissions of NOx, ROG, PM10, and PM2.5.

Implementation of MM 4.2-3 has been incorporated into the Project and would reduce the severity of Impact 4.2-3, although not necessarily to a less than significant level.

MM 4.2-3: Consistent with the direction of the SMAQMD, no further mitigation required.

LEVEL OF SIGNIFICANCE AFTER MITIGATION. This impact is considered significant and unavoidable.

2. CULTURAL RESOURCES

CEQA FINDING NO. 4.4-8

Impact: **4.4-8. The proposed projects could contribute to the cumulative loss or alteration of archaeological resources, including human remains.**

Finding(s): (1) Changes or alterations have been required in, or incorporated into, the project that mitigate or avoid the significant environmental effect as identified in the SEIR.

(3) Specific economic, legal, social, technological, or other considerations, including considerations for the provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or alternatives identified in the SEIR.

FACTS SUPPORTING THE FINDING(S)

Activities proposed as part of the Project that have the potential to result in the cumulative loss or alteration of archaeological resources, including human remains.

Implementation of MM 4.4-8 has been incorporated into the Project and would reduce the severity of Impact 4.4-8, although not necessarily to a less than significant level.

MM 4.4-8: Implement MM 4.4-1 (c) and MM 4.4-1 (d).

LEVEL OF SIGNIFICANCE AFTER MITIGATION. This impact is considered significant and unavoidable.

3.0 STATEMENT OF OVERRIDING CONSIDERATIONS

A. INTRODUCTION

This section addresses the CSLC’s obligations under Public Resources Code section 21081, subdivisions (a)(3) and (b). (See also State CEQA Guidelines, §§ 15091, subd. (a)(3), 15093.) Under these provisions, CEQA requires the CSLC to balance, as applicable, the economic, legal, social, technological, or other benefits, including regionwide or statewide environmental benefits, of the Lease approval related to the Sacramento Railyards Specific Plan Update Stormwater Outfall Project against the backdrop of the Project’s unavoidable significant environmental impacts. For purposes of CEQA, if the specific economic, legal, social, technological, or other benefits of a proposed project outweigh the unavoidable significant environmental effects, those effects may be considered acceptable and the decision-making agency may approve the underlying project. (State CEQA Guidelines § 15092, subd. (b)(2)(B).) CEQA, in this respect, does not prohibit the CSLC from approving the Lease even if the Project activities as authorized under the Lease may cause significant and unavoidable environmental effects.

This Statement of Overriding Considerations presents a list of (1) the specific significant effects on the environment attributable to the approved Project that cannot feasibly be mitigated to below a level of significance, (2) benefits derived from the approved Project, and (3) specific reasons for approving the Project. Although the City and CSLC have imposed mitigation measures to reduce impacts, impacts remain that are considered significant after application of all feasible mitigation. Significant impacts of the approved Project fall under four resource areas: Air Quality, Biological Resources, Cultural Resources, and Utilities (see Table 1). These impacts are identified and discussed in more detail in the CSLC’s CEQA Findings and City’s Final SEIR. While the CSLC has required all feasible mitigation measures, these impacts remains significant for purposes of adopting this Statement of Overriding Considerations.

Table 1 – Significant and Unavoidable Impacts Identified for the Approved Project

Impact	Impact Description
Air Quality	
4.2.3. The proposed projects could result in long-term (operational) emissions of NOx, ROG, PM10, and PM2.5	The incremental build-out of the RSPU, RSPU Land Use Variant, and KP Medical Center, MLS Stadium (during both an event day non-event day) would result in emissions of ROG and NOx that would exceed the significance thresholds specified by the SMAQMD. The operation of the Stormwater Outfall would not emit a substantial amount of criteria pollutant emissions during its operation; however, the combined operation emissions of all the proposed projects would result in ROG and NOx

Impact	Impact Description
	emissions that would exceed SMAQMD significance threshold, creating a significant impact.
Cultural Resources	
4.4-8. The proposed projects could contribute to the cumulative loss or alteration of archaeological resources, including human remains	Implementation of MMs 4.4-1(a) through 4.4 1(d) would ensure that existing archaeological resources are identified, evaluated and treated promptly before they can be damaged or destroyed during construction. However, as noted above, archaeological resources are finite. As such, the loss of this material record cannot be completely mitigated. Therefore, the project’s potential contribution to this impact would be significant and unavoidable.

B. ALTERNATIVES

As explained in *California Native Plant Society v. City of Santa Cruz* (2009) 177 Cal.App.4th 957, 1000:

When it comes time to decide on project approval, the public agency’s decision-making body evaluates whether the alternatives [analyzed in the SEIR] are actually feasible.... At this final stage of project approval, the agency considers whether ‘[s]pecific economic, legal, social, technological, or other considerations...make infeasible the mitigation measures or alternatives identified in the environmental impact report.’ Broader considerations of policy thus come into play when the decision-making body is considering actual feasibility than when the EIR preparer is assessing potential feasibility of the alternatives [citations omitted].

Ten alternatives were analyzed in the SEIR representing a reasonable range of potentially feasible alternatives that could reduce one or more significant impacts of the Project. As presented in the SEIR, the alternatives, which included a no project alternative, were described and compared with each other and with the proposed Project. Under State CEQA Guidelines section 15126.6, subdivision (e)(2), if the No Project Alternative is identified as the environmentally superior alternative, the SEIR must also identify an environmentally superior alternative among the other alternatives. Based on the analysis contained in the SEIR, there is no clear environmentally superior alternative to the proposed Project that is capable of achieving the Project objective. No one alternative would eliminate the significant and adverse impacts of the proposed Project.

The City independently reviewed and considered the information on the 10 alternatives provided in the SEIR and in the record. The SEIR reflects the City’s independent judgment as to alternatives. The City found that the Project provides the best balance between the Project goals and objectives and the Project’s benefits. The 10 CEQA alternatives proposed and evaluated in the SEIR were rejected as being infeasible for the following reasons provided in the Final SEIR.

1. **No Project/No Build Alternative** was infeasible because it would not allow any of the projects’ objectives or provide any of the benefits contemplated by the

projects. Additionally, this alternative would result in different and greater significant impacts than the proposed RSPU.

2. **No Project/No Action Alternative** was infeasible due to this alternative would not further any of the project objectives or provide any of the benefits contemplated by the projects as relating to the MLS Stadium and KP Medical Center.
3. **Decreased Density/Intensity Alternative** was infeasible because this alternative would not further the key project objectives related to the provision of the number of residential units, and would reduce the expansion of medical office uses in the RSP Area.
4. **No Project/No KP Medical Center** was infeasible based on Kaiser Permanente medical services would continue to be provided at the Morse Avenue location, a hospital that does not meet current seismic requirements for hospitals.
5. **Reduced Medical Center** was infeasible due to this alternative would provide only for the replacement of the Morse Avenue facility, Kaiser Permanente would need to build additional facilities elsewhere in the region to provide for membership growth. Depending on the location and size of such facilities, they could result in additional traffic, air quality, noise and related impacts that could be more severe than those under the RSPU. Moreover, the decentralization of member services to satellite MOB's would prevent the realization of the applicant's overriding project objective of maximizing efficiency in the provision of services.
6. **No Project/No MLS Stadium** was infeasible because this alternative would not meet any of the MLS Stadium project objectives. This alternative would not provide an additional entertainment venue near the City's downtown core and would not help expand the City's desire to attract additional professional sports franchises. Alternative 6 would also exacerbate some of the environmental impacts as analyzed in the SEIR.
7. **Smaller Stadium** was infeasible because this alternative would provide only 72 percent of the capacity as compared to the proposed project, the size and quality of events at the MLS Stadium could be affected, potentially reducing the number of visitors to the RSP Area and the downtown area. The reduced capacity of the MLS Stadium could also make it more difficult to construct a stadium that meets MLS industry standards.
8. **Relocated Railyards Stadium** was infeasible due to the disruption of the planned transportation network. This would eliminate the South Park Street connection between 5th and 7th Streets, as well as the connection of 6th Street from Railyards Boulevard to North B Street. The elimination of these streets would also remove part of the RSP grid and reduce the 'walkability' of the area.
9. **Natomas MLS Stadium** was infeasible due to the likelihood for automobile travel to be higher to the Sleep Train Arena site as compared to the proposed RSP Area site, air emissions would be expected to increase considerably. Additionally,

due to the Sleep Train Arena's location in an A99 flood zone, mitigation may be required to ensure that flood protection at the Natomas site is adequate.

10. **No Project/Stormwater Outfall** was infeasible because without the proposed Stormwater Outfall, a portion of the stormwater would need to be discharged to the combined sewer system (CSS). The City's CSS has limited capacity, which does not now and is not planned to have capacity to accommodate increases in both wastewater and stormwater.

Based upon the objectives identified in the SEIR and the detailed mitigation measures imposed upon the Project, the Commission has determined that the Project should be approved, subject to such mitigation measures (Exhibit C, Mitigation Monitoring Program), and that any remaining unmitigated environmental impacts attributable to the Project are outweighed by the following specific economic, fiscal, social, environmental, land use, and other overriding considerations.

C. BENEFICIAL IMPACTS OF THE PROJECT

State CEQA Guidelines section 15093, subdivision (a) requires the decision-making agency to balance, as applicable, the economic, legal, social, technological, or other benefits, including region-wide or statewide environmental benefits, of a proposed project against its unavoidable environmental risks when determining whether to approve the project.

Pursuant to State CEQA Guidelines section 15092, the CSLC finds that in approving the projects it has eliminated or substantially lessened all significant and potentially significant effects of the projects on the environment where feasible. The CSLC further finds that it has balanced the economic, legal, social, technological, and other benefits of the project against the remaining unavoidable environmental risks in determining whether to approve the projects and has determined that those benefits outweigh the unavoidable environmental risks and that those risks are acceptable. The CSLC makes this statement of overriding considerations in accordance with Section 15093 of the CEQA Guidelines in support of approval of the projects. The CSLC has considered the information contained in and related to the Final SEIR (the Draft SEIR, Comments and Responses to those documents, text changes and other revisions to the SEIR, and all other public comments, responses to comments, accompanying technical memoranda and staff reports, and findings included in the public record for the projects). Pursuant to State CEQA Guidelines section 15092, the CSLC finds that in approving the General Lease – Public Agency Use, to the City, for use of sovereign land associated with the proposed Sacramento Railyards Specific Plan Update Stormwater Outfall, it has eliminated or substantially lessened all significant and potentially significant effects of the projects on the environment where feasible as shown in the findings. The CSLC further finds that it has balanced the economic, social, technological and other benefits of the projects against the remaining unavoidable environmental risks in determining whether to approve the projects and has determined that those benefits outweigh the unavoidable risks and that those risks are acceptable. The CSLC makes this statement of overriding considerations in accordance with State CEQA Guidelines section 15093 in support of approval of the projects. Specifically, in the CSLC's judgment, the each of

the benefits of the projects as proposed separately and independently outweigh all of the unmitigated adverse impacts and the proposed projects should be approved.

D. CONCLUSION

The CSLC has considered the Final SEIR and all of the environmental impacts described therein including those that cannot be mitigated to a less than significant level and those that may affect Public Trust uses of State sovereign land. The CSLC has considered the fiscal, economic, legal, social, environmental, and public health and safety benefits of the Project and has balanced them against the Project's unavoidable and unmitigated adverse environmental impacts and, based upon substantial evidence in the record, has determined that the benefits of the Project outweigh the adverse environmental effects. Based on the foregoing and pursuant to Public Resources Code section 21081 and State CEQA Guidelines sections 15096 subdivision (h) and 15093, the CSLC finds that the remaining significant unavoidable impacts of the Project are acceptable in light of the economic, fiscal, social, environmental, and public health and safety benefits of the Project. Such benefits outweigh such significant and unavoidable impacts of the Project and provide the substantive and legal basis for this Statement of Overriding Considerations.

The CSLC finds that to the extent that any impacts identified in the Final SEIR remain unmitigated, mitigation measures have been required to the extent feasible, although the impacts could not be reduced to a less than significant level.

Based on the above discussion, the CSLC finds that the benefits of the Project outweigh the significant unavoidable impacts that could remain after mitigation is applied and considers such impacts acceptable.

ATTACHMENT D-1

Lead Agency

**CEQA Findings of Fact and Statement of Overriding
Considerations for the Sacramento Railyards Specific Plan
Update, KP Medical Center, MLS Stadium, & Stormwater
Outfall Projects**

Exhibit A

CEQA Findings of Fact and Statement of Overriding Considerations for the Sacramento Railyards Specific Plan Update, KP Medical Center, MLS Stadium, & Stormwater Outfall Projects

Description of the Projects

The Sacramento Railyards Specific Plan Update, KP Medical Center, MLS Stadium, & Stormwater Outfall projects involve the development of the approximately 244-acre Railyards Specific Plan Area (RSP Area). The proposed projects include the following key elements:

- The proposed Railyards Specific Plan Update (RSPU) would revise the 2007 Railyards Specific Plan to allow for an approximately 244-acre mixed-use urban development comprised of between 6,000 and 10,000 dwelling units, between 2,757,027 and 3,857,027 square feet (sf) of office space, 514,270 sf of retail space, 718,003 sf of hospital uses, 510,000 sf of medical office uses, 771,405 sf of flexible mixed use space, 1,100 hotel rooms, 485,390 sf of historic/cultural space, a 25,000-ticketed attendee capacity sports and entertainment stadium, and 30 acres of open space. As proposed, the RSPU would provide for medium- and high-rise single use and mixed use residential, retail, office, medical, and hotel structures. The project also would provide cultural/recreational facilities, including but not limited to the refurbished Central Shops buildings, as well as numerous public parks and walkways. The proposed RSPU would include a network of public streets with vehicular, bicycle, and pedestrian access, parking facilities, water, wastewater, and drainage infrastructure and facilities. The RSPU would also include approximately 32 acres around the Sacramento Valley Station designated for the development of the Sacramento Intermodal Transit Facility (SITF), which would provide multiple modes of public transit service including bus, rail, light rail, and passenger auto. The proposed projects would also include provisions to accommodate high speed rail platforms east of 7th Street. The proposed RSPU would result in substantial grading activities along with import of fill to result in a relatively flat topography that will gently slope from east to west. As part of the site grading, the northern embankment would be removed and graded to an elevation consistent with the elevation of North B Street.
- A proposed new regional medical center to be built and operated by Kaiser Permanente (KP Medical Center) to replace its existing Morse Avenue medical center, which requires replacement because of State seismic safety laws and regulations. The KP Medical Center would be constructed on an approximately 17.8-acre parcel to be designated H-SPD, located in the western portion of the RSP Area. The proposed KP Medical Center would be constructed in phases, and will ultimately include

a 420-bed, 658,000 sf hospital, and adjacent and connected 210,000 sf Hospital Support Building, a total of 300,000 sf in two medical office buildings, a helistop to facilitate transfer of patients, a 60,000 sf Central Utility Plant, two 1,500-space parking structures, and associated vehicular circulation and 200 surface parking spaces;

- A proposed 25,000-ticketed attendee capacity outdoor sports and entertainment stadium that would become the home of a new Major League Soccer team (MLS). The proposed MLS stadium would be developed on a 14.7-acre site in the eastern end of the RSP Area. The proposed MLS Stadium will accommodate approximately 37 sports and entertainment events each year, ranging in attendance from a few thousand to 27,000 for infrequent very large events. It is anticipated that MLS soccer games would attract sold out crowds of approximately 25,000. The MLS Stadium would be an enclosed rectangular stadium structure, with a concrete seating bowl and canopy roof surrounded by a façade made from tubular metal and translucent panels with a roofline approximately 90-feet in height. The stadium structure would be surrounded by approximately five acres of open plaza areas that would accommodate event attendees and entertainment activities, including occasional outdoor music events;
- In the event that market conditions or other factors result in the KP Medical Center and/or MLS Stadium projects not being completed, the proposed RSPU would allow for an alternate set of land uses within the blocks that constitute the KP Medical Center and MLS Stadium project sites. Under the Land Use Variant instead of the proposed KP Medical Center on Lots 2(a) through (g) a total of 921,002 sf of office, 92,100 sf of retail, 138,150 sf of flex space, and 250 residential units could be developed. Similarly, on Blocks 52-55, instead of the up to 25,000-capacity MLS Stadium, the Land Use Variant could accommodate construction of 750 residential units, 30,700 sf of retail, and 46,050 sf of flex space;
- A proposed stormwater outfall on the far western edge of the RSP area that would discharge stormwater and other runoff to the Sacramento River. The proposed stormwater outfall would include a pump station that would be located on a parcel located underneath the elevated Interstate 5 and would be connected to an outfall structure on the east bank of the Sacramento River. Stormwater and other runoff from a majority of the RSP Area would be directed to the pump station and outfall through a drainage system that would be constructed throughout the RSP Area.

Findings Required Under CEQA

1. Procedural Findings

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

The SEIR for the Sacramento Railyards Specific Plan Update, KP Medical Center, MLS Stadium, & Stormwater Outfall (SCH # 2006032058, City project #P15-040) was prepared, noticed, published, circulated, reviewed, and completed in full compliance with the California Environmental Quality Act (Public Resources Code Section 21000 *et seq.* ("CEQA"), the CEQA Guidelines (14 California Code of Regulations Section 15000 *et seq.*), and the City of Sacramento environmental guidelines, as follows:

- a. A Notice of Preparation of the Draft SEIR was filed with the Governor's Office of Planning and Research (OPR) and each responsible and trustee agency and was circulated for public comments from June 26, 2015, through July 30, 2015.
- b. A public scoping meeting was held on July 22, 2015, at Sacramento City Hall, 915 I Street, Sacramento, California, 95814, to request the public's input on the scope and content of the environmental information that should be addressed in the SEIR.
- c. A Notice of Completion (NOC) and copies of the Draft SEIR were distributed to the OPR on June 10, 2016, and to those public agencies that have jurisdiction by law with respect to the projects, or which exercise authority over resources that may be affected by the projects, and to other interested parties and agencies as required by law. The comments of such persons and agencies were sought.
- d. An official 45-day public review and comment period for the Draft SEIR was established by the OPR. The official OPR public comment period began on June 10, 2016, and ended on July 27, 2016.
- e. A Notice of Availability (NOA) of the Draft EIR was mailed to all interested groups, organizations, and individuals who had previously requested notice in writing on June 10, 2016. The NOA stated that the City of Sacramento had completed the Draft SEIR and that copies were available at the City of Sacramento, Community Development Department, 300 Richards Boulevard, Third Floor, Sacramento, California, 95811, and on the City's website. The letter also indicated that the official 45-day public review period for the Draft EIR would end on July 27, 2016.
- f. A public notice was placed in the Sacramento Bulletin on June 10, 2016, which stated that the Draft SEIR was available for public review and comment.
- g. A public notice was posted in the office of the Sacramento County Clerk on June 10, 2016.

h. A public notice was mailed to all property owners within the project area, property owners within 1,000 feet of the project area, and occupants of contiguous property to the project area on June 10, 2016.

i. The NOA and Draft SEIR were published on the City's website at <http://portal.cityofsacramento.org/Community-Development/Planning/Environmental/Impact-Reports.aspx>.

j. An informational workshop was held on June 15, 2016, at the Tsakopoulos Library Galleria, 828 I Street, Sacramento, California, 95814, to inform the public of key analyses and conclusions reached in the Draft SEIR.

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

l. The Final SEIR was made available for public review and published on the City's website at <http://portal.cityofsacramento.org/Community-Development/Planning/Environmental/Impact-Reports.aspx> on October 10, 2016.

m. Notices were mailed on October 10, 2016, to all federal and state agencies that provided comments on the Draft SEIR. The notice sent to each agency included that agency's comment letter and specific responses to its comment letter.

n. In certifying the Final SEIR with the SEIR Errata, the City Council finds that the Final SEIR with the SEIR Errata does not add significant new information to the Draft SEIR that would require recirculation of the SEIR under CEQA because the Final SEIR and SEIR Errata contain no information revealing (1) any new significant environmental impact that would result from the Project or from a new or revised mitigation measure proposed to be implemented, (2) any substantial increase in the severity of a previously identified environmental impact, (3) any feasible project alternative or mitigation measures considerably different from others previously analyzed that would clearly lessen the environmental impacts of the Project but that was rejected by the Project Applicant, or (4) that the Draft SEIR was so fundamentally and basically inadequate and conclusory in nature that meaningful public review and comment were precluded.

2. Record of Proceedings

The contents of the record of proceedings shall be as set forth in subdivision (e) of Public Resources Code Section 21167.6. In particular, the following information is incorporated by reference and made part of the record supporting these findings:

- a. The Draft and Final SEIR and all documents relied upon or incorporated by reference therein;
- b. The City of Sacramento 2035 General Plan adopted March 3, 2015, and all updates;
- c. The Master Environmental Impact Report for the City of Sacramento 2035 General Plan certified on March 3, 2015, and all updates;
- d. Findings of Fact and Statement of Overriding Considerations for the Adoption of the Sacramento 2035 General Plan adopted March 3, 2015, and all updates;
- e. Planning and Development Code of the City of Sacramento, as amended as of the date of this Resolution;
- f. Blueprint Preferred Scenario for 2050, Sacramento Area Council of Governments (SACOG), December, 2004;
- g. The Sacramento Railyards Specific Plan, December 2007;
- h. The Railyards Specific Plan Environmental Impact Report (SCH No. 2006032058), November 2007;
- i. The Railyards Specific Plan Update, November 2016;
- j. The Railyards Specific Plan Design Guidelines, November 2016;
- k. Railyards Special Planning District, November 2016;
- l. Railyards Tentative Subdivision Map, November 2016;
- m. Railyards Development Agreement, November 2016;
- n. The Mitigation Monitoring Plan for the Projects;
- o. The Sacramento Area Council of Governments' (SACOG) Metropolitan Transportation Plan/Sustainability Communities Strategy (MTP/SCS), February 2016;
- p. All records of decision, staff reports, memoranda, maps, exhibits, letters, synopses of meetings, and other documents approved, reviewed, relied upon, or prepared by any City commissions, boards, officials, consultants, or staff relating to the Projects; and
- q. Any other materials required by Public Resources Code Section 21167.6, or other applicable law, to be included in the record of proceedings.

3. Findings

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. Mitigation measures or alternatives are not required, however, where such changes are infeasible or where the responsibility for the project lies with some other agency. (CEQA Guidelines, Section 15091, sub. (a), (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.” CEQA Guidelines section 15364 includes another factor: “legal” considerations. (See also *Citizens of Goleta Valley v. Board of Supervisors (Goleta II)* (1990) 52 Cal.3d 553, 565.)

The concept of “feasibility” also encompasses the question of whether a particular alternative or mitigation measure promotes the underlying goals and objectives of a project. (*City of Del Mar v. City of San Diego* (1982) 133 Cal.App.3d 410, 417 (*City of Del Mar*).) “[F]easibility” under CEQA encompasses ‘desirability’ to the extent that desirability is based on a reasonable balancing of the relevant economic, environmental, social, and technological factors.” (Ibid.; see also *Sequoyah Hills Homeowners Assn. v. City of Oakland* (1993) 23 Cal.App.4th 704, 715 (*Sequoyah Hills*); see also *California Native Plant Society v. City of Santa Cruz* (2009) 177 Cal.App.4th 957, 1001 [after weighing “economic, environmental, social, and technological factors’ ... ‘an agency may conclude that a mitigation measure or alternative is impracticable or undesirable from a policy standpoint and reject it as infeasible on that ground’].)

With respect to a project for which significant impacts are identified that are not avoided or substantially lessened, a public agency 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, Sections 15093, 15043, sub. (b); see also Pub. Resources Code, Sections 21081, sub. (b).)

In seeking to effectuate the substantive policy of CEQA to substantially lessen or avoid significant environmental effects to the extent feasible, an agency, in adopting findings, need not necessarily address the feasibility of *both* mitigation measures and environmentally superior alternatives when contemplating approval of a proposed project with significant impacts. Where a significant impact can be mitigated to an “acceptable” level solely by the adoption of feasible mitigation measures, the agency, in drafting its findings, has no obligation to consider the feasibility of any environmentally superior alternative that could also

substantially lessen or avoid that same impact — even if the alternative would render the impact less severe than would the proposed project as mitigated. (*Laurel Hills Homeowners Association v. City Council* (1978) 83 Cal.App.3d 515, 521; see also *Kings County Farm Bureau v. City of Hanford* (1990) 221 Cal.App.3d 692, 730-731; and *Laurel Heights Improvement Association v. Regents of the University of California (“Laurel Heights I”)* (1988) 47 Cal.3d 376, 400-403.)

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

In the Statement of Overriding Considerations found at the end of these Findings, the City identifies the specific economic, social, and other considerations that, in its judgment, outweigh the significant environmental effects that the projects will cause.

The California Supreme Court has stated that “[t]he wisdom of approving ... any development project, a delicate task which requires a balancing of interests, is necessarily left to the sound discretion of the local officials and their constituents who are responsible for such decisions. The law as we interpret and apply it simply requires that those decisions be informed, and therefore balanced.” (*Citizens of Goleta Valley v. Board of Supervisors (Goleta II)* (1990) 52 Cal. 3d 553, 564 [276 Cal. Rptr. 410, 801 P.2d 1161].)

In support of its approval of the Projects, the City Council’s findings are set forth below for each of the potentially significant environmental effects and alternatives of the Projects identified in the SEIR pursuant to Section 21080 of CEQA and Section 15091 of the CEQA Guidelines.

These findings do not attempt to describe the full analysis of each environmental impact contained in the Final SEIR. Instead, a full explanation of these environmental findings and conclusions can be found in the Final SEIR and these findings hereby incorporate by reference the discussion and analysis in the Final SEIR supporting the determination regarding the impacts of the Projects and mitigation measures designed to address those impacts. In making these findings, the City Council ratifies, adopts and incorporates in these findings the determinations and conclusions of the Final SEIR relating to environmental impacts and mitigation measures except to the extent any such determinations and conclusions are specifically and expressly modified by these findings.

As set forth below, the City Council adopts and incorporates all of the mitigation measures set forth in the Final SEIR and the attached MMP to substantially

lessen or avoid the potentially significant and significant impacts of the Projects. The City Council intends to adopt each of the mitigation measures proposed in the Final SEIR to reduce or eliminate significant impacts resulting from the Project. Accordingly, in the event a mitigation measure recommended in the Final SEIR has inadvertently been omitted in these findings or the MMP, such mitigation measure is hereby adopted and incorporated in the findings below by reference. In addition, in the event the language describing a mitigation measure set forth in these findings or the MMP fails to accurately reflect the mitigation measures in the Final SEIR due to a clerical error, the language of the policies and implementation measures, as set forth in the Final SEIR shall control. The impact numbers and mitigation measure numbers used in these findings reflect the information contained in the Final SEIR.

A. Impacts Found to be Less Than Significant and Thus Requiring No Mitigation.

Under CEQA, no mitigation measures are required for impacts that are less than significant. (Pub. Resources Code, Section 21002; CEQA Guidelines, Section 15126.4, subd. (a)(3), 15091.) Based on substantial evidence in the whole record of this proceeding, the City Council finds that implementation of the projects will not result in any significant impacts in the following areas and that these impact areas, therefore, do not require mitigation.

Aesthetics, Light and Glare

4.1-5: The proposed projects could contribute to substantial cumulative degradation of the existing visual character or quality in the vicinity. (p. 4.1-90)

4.1-7: The proposed projects could contribute to cumulative increases in light. (p. 4.1-95)

Air Quality

4.2-1: The proposed projects could conflict with or obstruct implementation of an applicable air quality plan. (p. 4.2-33)

4.2-4: The proposed projects could increase CO concentrations. (p. 4.2-58)

4.2-5: Implementation of the proposed project could result in short-term and long-term exposure to Toxic Air Contaminants (TACs). (p. 4.2-61)

4.2-6: Implementation of the proposed projects could create objectionable odors. (p. 4.2-66)

4.2-10: The proposed projects could contribute to cumulative increases in CO concentrations. (p. 4.2-76)

4.2-11: The proposed projects would contribute to cumulative increases in short- and long-term exposures to Toxic Air Contaminants. (p. 4.2-78)

4.2-12: The proposed projects could contribute to cumulative changes in wind levels in downtown Sacramento. (p. 4.2-78)

Biological Resources

4.3-1: Development of the proposed projects could result in the loss of potential foraging habitat for Swainson's hawk. (p. 4.3-38)

4.3-5: Development of the proposed projects could result in removal of habitat for the western pond turtle. (p. 4.3-57)

4.3-10: Implementation of the proposed projects, in combination with other cumulative development, could/would contribute to the cumulative loss of foraging habitat for Swainson's hawk. (p. 4.3-70)

4.3-14: Implementation of the proposed project, in combination with other cumulative development, could/would contribute to the cumulative loss of habitat for the western pond turtle. (p. 4.3-75)

4.3-18: Implementation of the proposed projects, in combination with other cumulative development, could/would contribute to the cumulative loss of locally protected trees. (p. 4.3-79)

Cultural Resources

4.4-4: The proposed projects could cause a substantial adverse change to the I Street Bridge. (p. 4.4-69)

4.4-5: The proposed projects could cause a substantial adverse change in the significance of historic resources outside of the Central Shops, specifically the remnant portion of the Pioneer/Sperry Grain Mill, California State Landmark 780 the First Transcontinental Railroad, and the Sacramento River Levees. (p. 4.4-70)

4.4-6: The proposed projects could cause a substantial adverse change in the significance of the Alkali Flat West and North Historic Districts. (p. 4.4-73)

Energy Demand and Conservation

4.5-1: The proposed project would increase demand for energy, specifically electricity and natural gas, the construction of which could cause significant environmental effects. (p. 4.5-11)

4.5-2: The proposed projects could result in the wasteful, inefficient, or unnecessary use of energy. (p. 4.5-17)

4.5-3: The proposed project would contribute to cumulative increases in demand for energy. (p. 4.5-23)

Geology, Soils, and Seismicity

4.6-1: The proposed projects could expose people and structures to seismic hazards, such as groundshaking and liquefaction. (p. 4.6-21)

4.6-3: The proposed projects could cause erosion or the loss of topsoil during construction or operation. (p. 4.6-27)

4.6-4: The proposed projects could expose people or structures to unstable soil conditions, including expansive soils and subsidence. (p. 4.6-29)

4.6-5: The proposed projects could contribute to cumulative increases in the number of people exposed to seismic and geologic risks. (p. 4.6-36)

4.6-6: The proposed projects could contribute to cumulative increases in erosion within the Sacramento watershed. (p. 4.6-37)

Global Climate Change

4.7-1: Implementation of the proposed projects could conflict with the City of Sacramento's Climate Action Plan. (p. 4.7-15)

Hazards and Hazardous Materials

4.8-2: Renovation of Central Shop buildings could expose people to asbestos-containing materials, lead-based paint and/or other hazardous materials. (p. 4.8-43)

4.8-5: Occupancy of the proposed projects could increase the use of hazardous substances during occupancy. (p. 4.8-58)

4.8-6: Development of the proposed projects would bring new occupants or visitors in proximity to hazardous substances transportation routes, such as I-5 and the UPRR rail lines. (p. 4.8-63)

4.8-10: The proposed projects could contribute to cumulative risk of exposure of people due to inadvertent or accidental releases of hazardous substances transported on local or regional roadways or rail lines. (p. 4.8-75)

Hydrology and Water Quality

4.9-1: The proposed projects could degrade water quality during construction. (p. 4.9-22)

4.9-2: Operation of the proposed projects could generate new sources of polluted runoff. (p. 4.9-26)

4.9-3: The proposed projects could expose people or property to an increased risk of flood hazards. (p. 4.9-29)

4.9-4: The proposed projects could adversely affect groundwater supplies, groundwater quality and/or interfere with groundwater recharge. (p. 4.9-32)

4.9-5: The proposed projects would contribute to the cumulative degradation of water quality. (p. 4.9-34)

4.9-6: The proposed projects could contribute to cumulative increases in the risk of flooding. (p. 4.9-35)

4.9-7: The proposed projects could contribute to cumulative impact on groundwater supplies, quality, and recharge. (p. 4.9-36)

Noise and Vibration

4.10-8: The proposed projects would contribute to cumulative increases in traffic and rail noise levels. (p. 4.10-72)

Public Services

4.11-1: The proposed projects would increase demand for police protection services within the City of Sacramento. (p. 4.11-7)

4.11-2: The proposed projects would contribute to cumulative increase in demand for police protection services within the Central City. (p. 4.11-11)

4.11-3: The proposed projects would increase the demand for fire protection services. (p. 4.11-20)

4.11-4: The proposed projects would contribute to cumulative increases in demand for fire protection services within the Central City. (p. 4.11-23)

4.11-5: The proposed projects would generate additional students in Sacramento City Unified School District and Twin Rivers Unified School District. (p. 4.11-35)

4.11-7: The proposed projects would contribute to the cumulative increases in student enrollment in the Sacramento City Unified School District and the Twin Rivers Unified School District. (p. 4.11-41)

4.11-10: The proposed projects could result in an increased demand for library services. (p. 4.11-64)

4.11-11: The proposed projects would contribute to the cumulative increase in demand for library services in the City of Sacramento. (p. 4.11-65)

Transportation

4.12-4: The proposed projects could adversely affect public transit operations or fail to adequately provide access to transit. (p. 4.12-212)

4.12-5: The proposed projects could adversely affect existing or planned bicycle facilities or fail to provide for access by bicycle. (p. 4.12-214)

4.12-11: The proposed projects could adversely affect public transit operations or fail to adequately provide access to transit under cumulative conditions. (p. 4.12-227)

4.12-12: The proposed projects could adversely affect existing or planned bicycle facilities or fail to provide for access by bicycle under cumulative conditions. (p. 4.12-228)

Utilities

4.13-1: The proposed projects would increase demand for wastewater treatment. (p. 4.13-12)

4.13-2: The proposed projects would increase flows to the City's combined sewer system. (p. 4.13-15)

4.13-3: The proposed projects would contribute to cumulative increases in flows within the CSS. (p. 4.13-18)

4.13-4: The proposed projects would contribute to cumulative increases in wastewater requiring treatment at the SRWWTP. (p. 4.13-19)

4.13-5: The proposed projects could increase demand for potable water. (p. 4.13-37)

4.13-6: The proposed projects could increase demand for treated water and water distribution systems. (p. 4.13-39)

4.13-8: The proposed projects would contribute to cumulative increases in demand for water conveyance. (p. 4.13-47)

4.13-9: The proposed projects would generate additional solid waste. (p. 4.13-57)

4.13-10: The proposed project would contribute to cumulative increases in solid waste. (p. 4.13-60)

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

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

Aesthetics, Light and Glare

4.1-1: The implementation of the RSPU, including the potential development of large-floor plate and high-rise buildings in the RSP Area east of I-5, could alter public views. (p. 4.1-59)

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

4.1-1 (RSPU)

Within Lot 46, the maximum street-wall height for structures facing 7th Street shall be 35 feet in height.

Finding: Implementation of Mitigation Measure 4.1-1 would ensure that the street-wall height of development on Lot 46 facing 7th Street between F Street and the UPRR tracks would be no greater than 35 feet, which would ensure an appropriate visual transition from the intensity of development in the RSP Area to the adjacent properties in the Alkali Flat neighborhood. Such a street-wall height would also protect against significant increases in after shading and reductions in sky access.

With implementation of the mitigation measure(s), this impact is reduced to a less-than-significant level.

4.1-2: The potential development of high-rise buildings adjacent to the riverfront could conflict with the character of the riverfront between Old Sacramento and the Jibboom Street Bridge. (p. 4.1-74)

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

4.1-2 (RSPU)

For development within the allowable footprints on Lot 35, the following base height, bulk and massing requirements shall be added to the RSPU Design Guidelines and enforced through the SPD and the City's Site Plan and Design Review permit process:

- *On the southern development lot, any portion of a building within 80 feet of the required setback from the riverbank shall be no greater than 35 feet in height.*

Finding: Implementation of Mitigation Measure 4.1-2 would ensure a building height step down toward the Sacramento River to create a development edge similar in scale to other built environment on the east bank of the River between Old Sacramento and the Jibboom Street Bridge.

With implementation of the mitigation measure(s), this impact is reduced to a less-than-significant level.

4.1-4: The proposed projects could create a new source of glare. (p. 4.1-85)

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

4.1-4 (RSPU)

Highly reflective mirrored glass walls shall not be used as a primary building material (no more than 35 percent) for building facades adjacent

to major roadways. Instead, low emission (Low-E) glass shall be used in order to reduce the reflective qualities of the building, while maintaining energy efficiency.

Finding: Implementation of Mitigation Measure 4.1-4 would substantially lessen and avoid potential glare impacts by limiting the permitted construction materials of new buildings to non-reflective materials.

With implementation of the mitigation measure(s), this impact is reduced to a less-than-significant level.

4.1-6: The proposed projects could cause an introduction of building height and mass that conflicts with the character of the Sacramento River riverfront between Old Sacramento and Discovery Park. (p. 4.1-93)

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

4.1-6 (RSPU)

Implement Mitigation Measure 4.1-2.

Finding: Implementation of Mitigation Measure 4.1-6 would ensure a building height step down toward the Sacramento River to create a development edge that would be similar in scale to other built environment on the east bank of the Sacramento River between Old Sacramento and the Jibboom Street Bridge.

With implementation of the mitigation measure(s), this impact is reduced to a less-than-significant level.

4.1-8: The proposed projects could contribute to cumulative sources of glare. (p. 4.1-97)

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

4.1-8 (RSPU)

Implement Mitigation Measure 4.1-4.

Finding: Implementation of Mitigation Measure 4.1-8 would substantially lessen and avoid potential glare impacts of the proposed RSPU by limiting the permitted construction materials of new buildings to non-reflective materials.

With implementation of the mitigation measure(s), this impact is reduced to a less-than-significant level.

Air Quality

4.2-2: Construction of the proposed projects could result in short-term emissions of NOx, PM10 and PM2.5. (p. 4.2-39)

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

4.2-2(a) (RSPU, KPMC, MLS, SO)

City approval of any grading or improvement plans shall include the following SMAQMD Basic Construction Emission Control Practices:

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

4.2-2(b) (RSPU, KPMC, MLS, SO)

City approval of any grading or improvement plans shall include the following SMAQMD Enhanced Exhaust Control Practices, including:

- Provide 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 Proposed Project to the City and the SMAQMD. The inventory shall include the horsepower rating, engine model year, and projected hours of use for each piece of equipment. The construction contractor shall provide the anticipated construction timeline including start date, and name and phone number of the project manager and on-site foreman. This information shall be submitted at least 4 business days prior to the use of subject heavy-duty off-road equipment. The inventory shall be updated and submitted monthly throughout the duration of the Proposed Project, except that an inventory shall not be required for any 30-day period in which no construction activity occurs.*
- Provide a plan in conjunction with the equipment inventory, approved by the SMAQMD, demonstrating that the heavy-duty (50 horsepower or more) off-road vehicles to be used in the construction project, including owned, leased, and subcontractor vehicles, will achieve a project wide fleet-average 20% NOx reduction and 45% particulate reduction compared to the most recent CARB fleet average. Acceptable options for reducing emissions may include use of late model engines, low-emission diesel products, alternative fuels, engine retrofit technology, after-treatment products, and/or other options as they become available.*
- Emissions from all off-road diesel powered equipment used on the project site shall not exceed 40% opacity for more than three minutes in any one hour. Any equipment found to exceed 40 percent opacity (or Ringelmann 2.0) shall be repaired immediately, and the City 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. The SMAQMD and/or other officials may conduct periodic site inspections to determine compliance. Nothing in this measure shall supersede other SMAQMD or state rules or regulations.*
- If at the time of granting of each building permit, the SMAQMD has adopted a regulation applicable to construction emissions, compliance with the regulation may completely or partially replace this mitigation. Consultation with the SMAQMD prior to construction will be necessary to make this determination.*

4.2-2(c) (RSPU, KPMC, MLS, SO)

City approval of any grading or improvement plans shall include the following SMAQMD Fugitive Dust Control Practices:

- *Water exposed soil with adequate frequency for continued moist soil.*
- *Suspend excavation, grading, and/or demolition activity when wind speeds exceed 20 mph.*
- *Install wind breaks (e.g., plant trees, solid fencing) on windward side(s) of construction areas.*
- *Plant vegetative ground cover (fast-germinating native grass seed) in disturbed areas as soon as possible. Water appropriately until vegetation is established.*
- *Install wheel washers for all exiting trucks, or wash off all trucks and equipment leaving the site.*
- *Treat site accesses to a distance of 100 feet from the paved road with a 6 to 12-inch layer of wood chips, mulch, or gravel to reduce generation of road dust and road dust carryout onto public roads.*
- *Post a publicly visible sign with the telephone number and person to contact at the lead agency regarding dust complaints. This person shall respond and take corrective action within 48 hours. The phone number of the District shall also be visible to ensure compliance.*

4.2-2(d) (RSPU)

The project applicants shall pay into the SMAQMD's construction mitigation fund to offset construction-generated emissions of NOx that exceed SMAQMD's daily emission threshold of 85 lbs/day. Fees shall be paid to SMAQMD based upon the previously agreed upon Railyards Specific Plan fee of \$2,603 per acre developed.

Finding: With implementation of the above mitigation measures, fugitive dust would be controlled, exhaust emissions would be reduced on-site, and mitigation fees would be provided to SMAQMD for project NOx emissions that exceed the SMAQMD significance threshold. SMAQMD uses the fees to fund off-site projects and programs that would offset the project's NOx emissions.

With implementation of the mitigation measure(s), this impact is reduced to a less-than-significant level.

4.2-7: Implementation of the proposed projects could alter wind speed at ground level (pedestrian level). (p. 4.2-67)

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

4.2-7 (RSPU, KPMC)

The following measures are recommended to assure that future buildings developed in the RSP Area do not cause hazardous wind conditions for pedestrians in areas of substantial public use:

- 1) *New buildings with heights of more than 85-feet shall be evaluated by a qualified wind expert to determine the potential to cause a new wind hazard or aggravate an existing wind hazard for pedestrians in areas of substantial public use. Based on a review of wind conditions, other development in the vicinity, and the project design, the evaluator may have sufficient evidence to form a professional opinion about the potential for the project to cause a hazardous wind environment. If sufficient evidence is available to conclude that no wind hazards will be created, no further mitigation is required. If sufficient evidence to establish safe pedestrian conditions is not available, the City shall require wind-tunnel testing to provide the evidence that a wind hazard would not result in public areas.*
- 2) *If required wind tunnel testing identifies wind hazards, the qualified wind expert shall work with the City and/or project proponent to develop corrective measures such as building design changes, protective structures, or landscaping modifications to help reduce pedestrian-level wind speeds to acceptable levels. The City shall require implementation of such corrective measures as a condition of the building permit.*

Finding: Implementation of Mitigation Measure 4.2-7 would substantially lessen and avoid potential wind impacts by establishing protocols that would require building design to be tested and revised, to minimize impacts of new buildings.

With implementation of the mitigation measure(s), this impact is reduced to a less-than-significant level.

4.2-8: The proposed projects could contribute to cumulative sources of glare. (p. 4.2-75)

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

4.2-8 (RSPU, KPMC, MLS, SO)

Implement Mitigation Measure 4.2-2.

Finding: With implementation of the above mitigation measure for the proposed project, exhaust emissions would be reduced onsite and mitigation fees would be provided to SMAQMD to offset project NOx emissions that exceed the SMAQMD significance threshold. SMAQMD uses these fees to fund off-site projects that would offset the project's NOx emissions. Although cumulative NOx emissions in the SVAB would be significant due to existing violations in the region, with implementation of Mitigation Measure 4.2-2 the proposed projects' contributions would be reduced to a level that would result in a less-than-considerable contribution to the significant cumulative impact.

With implementation of the mitigation measure(s), this impact is reduced to a less-than-significant level.

Biological Resources

4.3-3: The proposed projects could result in impacts to special-status fish species and degradation of designated critical habitat. (p. 4.3-46)

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

4.3-3 (SO)

To avoid, minimize, or compensate for potential impacts to protected and sensitive riverine species and critical habitat, and prevent impacts to special-status fish species the following actions shall be undertaken by the project applicant:

- 1) *Unless prior approval is granted by NMFS, USFWS, and/or CDFW, (as applicable) in-water work shall be restricted to the August 1 to October 31 period to avoid/minimize construction impacts to special-status fish species.*
- 2) *Project-related impacts to riverine (e.g., valley-foothill) riparian vegetation shall be minimized by replacing lost vegetation onsite at a minimum ratio of 1:1, along the Sacramento River, if feasible. Mitigation and/or restoration plans for all habitats that require revegetation, habitat creation, restoration, and enhancement shall be approved by the regulatory agencies, as applicable, and shall include construction specifications; irrigation schedules; planting palettes (showing container stock/box plantings, cutting specifications, and seed mixes); monitoring, maintenance, and remediation schedules;*

and success criteria, assurances and contingency measures. Revegetation specifications, species composition and density shall be developed by an experienced restoration ecologist. The restoration sites shall be evaluated to ensure that required revegetation has been performed in areas where temporary construction has been completed. A report documenting restoration efforts shall be submitted by the applicant to the City and applicable regulatory agencies. If necessary, remedial revegetation should occur during the same rainy season that the remedial recommendation is made. Restoration sites shall be monitored by qualified restoration ecologists for three to five years, or until success criteria are achieved. Restoration plans shall be included in the final construction documents. Grading and revegetation activities shall comply with applicable regulations and mitigation measures identified in this EIR pertaining to dust, air emissions, noise, water quality and other potential environmental effects. Alternatively, if approved by regulatory agencies, the applicant may purchase mitigation credits from approved mitigation banks. Final mitigation ratios and locations are to be established in consultation with the regulatory agencies prior to riverbed disturbing activities and detailed mitigation requirements will be identified in the final regulatory agency permits.

- 3) To the extent feasible, the project applicant shall plant riparian vegetation and install biotechnical features, such as brush piles, logs, and root wads, to replace habitat impacted by construction of the outfall structure. These structures shall compensate for potential impacts associated with increased predation around the new structure. Specific measures shall include elements that contribute to nearshore cover in the immediate vicinity of the structure to increase the potential for juvenile fish while discouraging occupancy of the same structures by predaceous species. The precise amount and relative value of affected riparian and cover habitat would be determined during project-level analysis of proposed activities.*
- 4) Mitigation of riverine habitat would occur through creation, restoration, enhancement, and/or preservation of this habitat type within an approved off-site location and/or mitigation bank at a ratio to be established in consultation with the regulatory agencies. Mitigation banking would involve using mitigation credits from mitigation banks approved by the regulatory agencies. Final mitigation ratios and locations are to be established in consultation with the regulatory agencies prior to riverbed disturbing activities and detailed mitigation requirements will be identified in the final regulatory agency permits.*
- 5) The cofferdam sheetpiles at the outfall structure construction site shall be installed using a vibratory hammer where possible to minimize underwater sound pressure levels to the greatest extent feasible and*

associated effects to sensitive fish species. If impact pile driving is required, sound pressure levels shall be managed (through operational controls) to achieve single-strike sound levels less than 206 dB peak (dBpeak) and 183 dB sound exposure level (dBSEL) measured at a distance of 10 meters. Additionally, pile driving shall only be conducted during daytime hours (allowing for regular periods of no impact) and shall commence at low-energy levels and slowly build to impact force (allowing for fish to move away from the construction site).

The project applicant shall also consult with NMFS, USFWS, and CDFW (as part of obtaining permit approvals, e.g., FESA Section 7 and Fish and Game Code Section 1600) to determine necessary impact minimization actions, which may include surveying the outfall site to determine fish presence prior to installation. The project applicant shall implement any additional measures developed through the FESA Section 7 and Fish and Game Code Section 1600 permit processes, to ensure that impacts are avoided and/or minimized.

- 6) To reduce the potential for fish stranding or minimize the potential for harm during cofferdam dewatering activities, the project applicant or its contractor shall implement a fish rescue plan. Prior to the closure of the cofferdam in the Sacramento River, seining by a qualified fisheries biologist will be conducted within the cofferdam using a small-mesh seine to direct and move fish out of the cofferdam area. Upon completion of seining, the entrance to the cofferdam will be blocked with a net to prevent fish from entering the cofferdam isolation area before the cofferdam is completed. Once the cofferdam is completed and the area within the cofferdam is closed and isolated, additional seining will be conducted within the cofferdam to remove any remaining fish. Once most of the fish have been removed from the isolated area, portable pumps with intakes equipped with 1.75 mm mesh screen shall be used to dewater to a depth of 1.5-2 feet. A qualified biologist shall implement further fish rescue operations using electrofishing and dip nets. All fish that are captured will be placed in clean 5-gallon buckets and/or coolers filled with Sacramento River water, transported downstream of the construction area, and released back into suitable habitat in the Sacramento River with minimal handling. After all fish have been removed using multiple seine passes, electrofishing, and dip nets (as necessary), portable pumps with screens (see above) will be used for final dewatering. NMFS, USFWS, and CDFW shall be notified at least 48 hours prior to the fish rescue.*

Finding: In addition to previously discussed restrictions and requirements such as compliance with the SWPPP and implementation of BMPs, implementation of Mitigation Measures 4.3-3(a) through 4.3-3(f) would restrict in-water work to periods when species are least likely to be present, replace (through restoration, preservation or credit purchase) permanently impacted

habitat, and minimize effects associated with pile driving and dewatering. This, in combination with compliance with the FESA, CWA Regulations, National Pollution Discharge Elimination System (NPDES) Regulations, CVRWQCB and City water quality standards and runoff standards would reduce this impact to less than significant.

With implementation of the mitigation measure(s), this impact is reduced to a less-than-significant level.

4.3-4: Development of the proposed projects could result in removal of habitat for the Valley Elderberry Longhorn Beetle. (p. 4.3-55)

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

4.3-4 (RSPU)

(1) *Prior to construction within the RSP Area, the site shall be surveyed for the presence of the valley elderberry longhorn beetle and its elderberry host plant by a qualified biologist in accordance with USFWS protocols. If elderberry plants with one or more stems measuring 1.0 inch or greater in diameter at ground level occur on or adjacent to the project site, or are otherwise located where they may be directly or indirectly affected by the proposed project, minimization and compensation measures, which include transplanting existing shrubs and planting replacement habitat (conservation plantings), are required (see below). Surveys are valid for a period of two years. Elderberry plants with no stems measuring 1.0 inch or greater in diameter at ground level are unlikely to be habitat for the beetle because of their small size and/or immaturity. Therefore, no minimization measures are required for removal of elderberry plants with all stems measuring 1.0 inch or less in diameter at ground level.*

(2) *For shrubs with stems measuring 1.0 inch or greater, the City shall ensure that elderberry shrubs within 100 feet of proposed development be protected and/or compensated for in accordance with the "U.S. Fish and Wildlife Services' (USFWS) Conservation Guidelines for the Valley Elderberry Longhorn Beetle and the Programmatic Formal Consultation Permitting Projects with Relatively Small Effects on the Valley Elderberry Longhorn Beetle Within the Jurisdiction of the Sacramento Field Office."*

Finding: With the implementation of Mitigation Measure 4.3-4, elderberry shrubs would be identified and protected and any shrubs that require removal would be compensated for. As a result, the proposed RSPU, including Land Use Variant, would not cause a reduction in VELB habitat.

With implementation of the mitigation measure(s), this impact is reduced to a less-than-significant level.

4.3-6: Development of the proposed projects could result in impacts to bat species. (p. 4.3-59)

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

4.3-6 (RSPU, SO)

Minimize potential adverse effects to bat species.

Vegetation removal, including tree removal, shall be conducted between September 16 and January 31, to the extent feasible, to minimize the potential loss of bat maternity roosts.

The applicant shall conduct pre-construction surveys for roost sites prior to construction activities within 100 feet of the I-5, I Street Bridge, and riparian habitat along the Sacramento River during the bat pupping season (April 1 through July 31). This survey shall be conducted by a wildlife biologist qualified to identify bat species. If no bats are roosting, then no further mitigation is required.

If a bat maternity roost is identified, buffers around the roost site shall be determined by a qualified biologist and implemented to avoid destruction or abandonment of the roost resulting from tree removal or other project activities.

Finding: Implementation of Mitigation Measures 4.3-6 would require pre-construction surveys to identify any maternity roosting sites within 100 feet of project activities, and if found, observance of no-disturbance zones around those sites.

With implementation of the mitigation measure(s), this impact is reduced to a less-than-significant level.

4.3-7: Development of the proposed projects could result in net reduction of sensitive habitats including protected wetland habitat as defined in Section 404 of the Clean Water Act, riparian vegetation, and state jurisdictional waters/wetlands. (p. 4.3-62)

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

4.3-7 (SO)

If the applicant shall prepare a wetland and riparian mitigation plan that ensures no net loss of waters of the U.S. and riparian vegetation. The wetland and riparian mitigation plan shall be based on a wetland delineation verified by USACE. This measure may be implemented through the 404 permit and Streambed Alteration Agreement process. The plan shall include the following:

- 1) The project proponent shall compensate for the loss of wetland and riparian habitat through a combination of restoration/enhancement, and the purchase of mitigation credits at an approved mitigation bank. The ratio of compensation shall be determined in consultation with USACE and California Department of Fish and Wildlife (CDFW), as part of the 404 permit and Streambed Alteration Agreement process, but shall not be less than 1:1.*
- 2) Prior to any construction activities on the site, a protective fence shall be erected around the boundaries of areas that would be disturbed by construction. This fence shall remain in place until all construction activity in the immediate area is completed. No activity shall be permitted within the protected areas except for those expressly permitted by USACE and/or CDFW.*
- 3) Water quality in the Sacramento River shall be protected using erosion control techniques during construction including, but not necessarily limited to, preservation of existing vegetation, mulches (e.g., hydraulic, straw, wood), and geotextiles and mats, during construction.*

Finding: Implementation of Mitigation Measure 4.3-7 would mitigate impacts to the Sacramento River and riparian habitat within the RSP Area, specifically, the proposed Stormwater Outfall site. This would occur through a combination of restoration/enhancement, and/or purchase of restoration credits. By ensuring that the proposed RSPU and Stormwater Outfall achieve no net loss of waters of the U.S. or riparian habitat, this impact would be reduced to a less-than-significant level.

With implementation of the mitigation measure(s), this impact is reduced to a less-than-significant level.

4.3-8: Development of the proposed projects could result in isolation or interruption of contiguous habitat which would interfere substantially with the movement of resident or migratory fish or wildlife species, migratory corridors, or impede the use of native wildlife nursery sites. (p. 4.3-65)

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

4.3-8 (RSPU, KPMC, SO)

The applicant shall reduce spillover lighting from the proposed project onto the Sacramento River by implementing the following:

The applicant shall place structural barriers to screen automobile headlights that are directed perpendicular to the river shall be screened along the western project edge. This may be accomplished through the placement of a 3-4 foot vegetated hedge or other structural methods that would not additionally hinder wildlife movement through riverine riparian vegetation.

Outdoor lighting within the RSP Area west of I-5 shall be of the minimum wattage required for the particular use and shall be directed to the specific location intended for illumination (e.g., roads, walkways, or recreation fields) to prevent stray light spillover onto sensitive riverine habitat.

All fixtures on elevated light standards within the RSP Area west of I-5, such as in parking lots or along roadways, shall be shielded to reduce direct exposure to the Sacramento River.

Finding: Implementation of Mitigation Measure 4.3-8 would provide mechanisms to reduce potential night lighting impacts by ensuring no lighting is directed towards the river, and light spillover is minimized in areas within portions of the RSP Area west of I-5, which would reduce impacts to movements of fish species to less than significant.

With implementation of the mitigation measure(s), this impact is reduced to a less-than-significant level.

4.3-9: Development of the proposed projects could conflict with local policies protecting trees. (p. 4.3-68)

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

4.3-9 (RSPU, KPMC, MLS, SO)

All tree removal within the RSP Area shall comply with the current City of Sacramento tree protection ordinance. The applicant shall implement mitigation measures to protect retained trees, and replace for the loss of tree resources (tree protection and replacement measures shall be determined in consultation with the City).

Finding: Implementation of Mitigation Measure 4.3-9 would reduce this impact to a less-than-significant level through compliance with the City's established requirements to avoid or mitigate for the loss of protected trees.

With implementation of the mitigation measure(s), this impact is reduced to a less-than-significant level.

4.3-12: Implementation of the proposed projects, in combination with other cumulative development, could/would contribute to cumulative impacts to special-status fish species and degradation of designated critical habitat. (p. 4.3-74)

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

4.3-12 (SO)

Implement Mitigation Measure 4.3-2(a) through 4.3-2(f).

Finding: Implementation of Mitigation Measure 4.3-12 would restrict in-water work to periods when species are least likely to be present, replace (through restoration, preservation or credit purchase) permanently impacted habitat, implement BMPs to prevent substantial increases in sedimentation and turbidity, and the release and exposure of contaminants, and minimize effects associated with pile driving and dewatering. This, in combination with compliance with the CESA and FESA, CWA regulations, NPDES regulations, CVRWQCB and City water quality standards and runoff standards would reduce the proposed RSPU's contribution to the regional cumulative impact to a less-than-considerable level and this would be a less-than-significant impact.

With implementation of the mitigation measure(s), this impact is reduced to a less-than-significant level.

4.3-13: Implementation of the proposed project, in combination with other cumulative development, could/would contribute to the cumulative loss of habitat for the Valley Elderberry Longhorn Beetle. (p. 4.3-75)

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

4.3-13 (RSPU)

Implement Mitigation Measure 4.3-4.

Finding: With the implementation of Mitigation Measure 4.3-13 and compliance with applicable federal, State, and local policies and regulations, elderberry shrubs would be identified and protected and any shrubs that require removal would be compensated for. As a result, the proposed RSPU, including Land Use Variant, would not cause a reduction in VELB habitat and the proposed

RSPU's contribution to the regional cumulative impact on VELB and their habitat would be less than significant.

With implementation of the mitigation measure(s), this impact is reduced to a less-than-significant level.

4.3-15: Implementation of the proposed projects, in combination with other cumulative development, could/would contribute to the cumulative loss of habitat, or impacts to for bat species. (p. 4.3-76)

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

4.3-15 (RSPU, SO)

Implement Mitigation Measure 4.3-6.

Finding: With the implementation of Mitigation Measure 4.3-15, pre-construction surveys would be required to identify any maternity roosting sites within 100 feet of project activities, and if found, observance of no-disturbance zones around those sites. In combination with CDFW riparian vegetation mitigation requirements, the proposed projects' contribution to cumulative impact on bat species within Sacramento County would be reduced. Project-related disturbance to bat species would not result in a considerable contribution to the cumulative loss of bats within Sacramento County.

With implementation of the mitigation measure(s), this impact is reduced to a less-than-significant level.

4.3-16: Implementation of the proposed projects, in combination with other cumulative development, could/would contribute to the cumulative loss of sensitive habitats including protected wetland habitat as defined in Section 404 of the Clean Water Act, riparian vegetation, and state jurisdictional waters/wetlands. (p. 4.3-77)

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

4.3-16 (SO)

Implement Mitigation Measure 4.3-7.

Finding: Implementation of Mitigation Measures 4.3-16 would mitigate impacts to the Sacramento River and riparian habitat within the proposed Stormwater Outfall site. This would occur through a combination of restoration/enhancement, and/or purchase of restoration credits to ensure no net

loss. By ensuring that the proposed RSPU and Stormwater Outfall achieves no net loss of waters of the U.S. or riparian habitat, the projects' cumulative impact would be reduced to a less-than-significant level.

With implementation of the mitigation measure(s), this impact is reduced to a less-than-significant level.

4.3-17: Implementation of the proposed projects, in combination with other cumulative development, could/would contribute to the cumulative isolation or interruption of contiguous habitat which would interfere substantially with the movement of resident or migratory fish or wildlife species, migratory corridors, or impede the use of native wildlife nursery sites. (p. 4.3-78)

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

4.3-17 (RSPU, SO)

Implement Mitigation Measure 4.3-8.

Finding: With the implementation of Mitigation Measure 4.3-8, light spillover would be minimized in areas within portions of the RSP Area west of I-5, and no lighting would be directed towards the river, which would reduce impacts to riverine habitat and associated movements of fish species. Therefore, project impacts resulting from lighting into the Sacramento River would not contribute considerably to the cumulative loss of migratory habitat within the Sacramento River and this impact would be less than significant.

With implementation of the mitigation measure(s), this impact is reduced to a less-than-significant level.

Cultural Resources

4.4-1: The proposed projects could cause a substantial adverse change in the significance of an archaeological resource, including human remains. (p. 4.4-54)

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

4.4-1(a) (RSPU ASAs)

- i. Prior to any ground-disturbing activity in Archaeologically Sensitive Areas (ASAs), a focused Archaeological Testing Plan (ATP) shall*

be prepared and implemented to determine the presence/absence of archaeological resources and to assess their eligibility to the CRHR. The ATP shall be reviewed and approved by the Preservation Director prior to implementation. An example outline of the ATP is included in Appendix E of this Draft SEIR.

- ii. If the testing program identifies CRHR-eligible archaeological resources, an Archaeological Mitigation Plan shall be prepared and implemented.*
- iii. Based upon the results of test excavations, it may be necessary to conduct archaeological monitoring in some areas. In these areas, an Archaeological Monitoring Plan shall be prepared and implemented to ensure appropriate identification and treatment of anticipated archaeological resources, if any are discovered during grading or construction activities. At a minimum, the Monitoring Plan shall include provisions to result in the cessation of activities upon discovery, evaluation of such resources for historic significance, and if the resource is significant, appropriate treatment based on recommendations of a qualified archaeologist. Appropriate treatment shall include protection of the resource from further damage, and one of the following, as appropriate: (1) preservation in place; (2) return of the resource to the most likely descendent (MLD) (if determined to be of Native American origin), (3) curation in an appropriate location or facility, and/or (4) recordation. The City Preservation Director shall approve the Archaeological Monitoring Plan prior to implementation. An example outline of an Archaeological Monitoring Plan is included in Appendix E of this Draft SEIR.*
- iv. Prior to construction activities, an archaeologist will lead an in-field tailgate training session for project construction crews on the kinds and types of resources that may be present, and give plans for actions of work stoppage to occur should archeological features be encountered.*

4.4-1(b) (RSPU, footprint of the northern levee embankment only)

Within the current footprint of the northern levee embankment, prior to ground-disturbing activities that are anticipated to extend below the level of North B Street (e.g., excavation below the base of the extant levee embankment), an Archaeological Monitoring Plan shall be prepared and implemented to ensure appropriate identification and treatment of anticipated archaeological resources, if any are discovered during grading or construction activities. In the event of inadvertent discovery of a potential archaeological resource or human remains, Mitigation Measure 4.4-1(c) will be implemented.

4.4-1(c) (RSPU, KPMC, MLS, SO)

In the event that unanticipated archaeological resources or human remains are encountered, compliance with federal and state regulations and guidelines regarding the treatment of cultural resources and human remains shall be required. The following details the procedures to be followed in the event that new cultural resource sites or human remains are discovered.

- i. If a monitoring archaeologist or a member of the construction team believes that an archaeological resource has inadvertently been uncovered, all work adjacent to the discovery shall cease, and an SOI qualified archaeologist immediately notified. Appropriate steps shall be taken, as directed by the archaeologist, to protect the discovery site. The area of work stoppage will be adequate to provide for the security, protection, and integrity of the archaeological resources in accordance with Federal and State Law. At a minimum the area will be secured to a distance of 50 feet from the discovery. Vehicles, equipment, and unauthorized personnel shall not be permitted to traverse the discovery site. The archaeologist shall conduct a field investigation and assess the significance of the find. Impacts to cultural resources shall be lessened to a less-than-significant level through data recovery or other methods determined adequate by the archaeologist and consistent with the Secretary of the Interior's Standards for Archaeological Documentation. All identified cultural resources shall be recorded on the appropriate DPR 523 (A-L) form and filed with the North Central Information Center.*
- ii. If human remains are discovered at the project construction site during any phase of construction, all ground-disturbing activity within 50 feet of the resources shall be halted and the County Coroner shall be notified immediately, according to Section 5097.98 of the State Public Resources Code and Section 7050.5 of California's Health and Safety Code. If the remains are determined by the County Coroner to be Native American, the Native American Heritage Commission (NAHC) shall be notified within 24 hours, and the guidelines of the NAHC shall be adhered to in the treatment and disposition of the remains. If the remains are determined to be Chinese, or any other ethnic group, the appropriate local organization affiliated with that group shall be contacted and all reasonable effort shall be made to identify the remains and determine and contact the most likely descendant. The approved mitigation shall be implemented before the resumption of ground-disturbing activities within 50 feet of where the remains were discovered.*

If the remains are of Native American origin, the landowner or the landowner's representative shall contact the Native American Heritage Commission to identify the Most Likely Descendant. That individual shall be asked to make a recommendation to the landowner for treating or disposing of, with appropriate dignity, the human remains and any associated grave goods as provided in Public Resources Code Section 5097.98.

If the Most Likely Descendant fails to make a recommendation or the landowner or his or her authorized representative rejects the recommendation of the descendant, and if mediation by the Native American Heritage Commission fails to provide measures acceptable to the landowner, then the landowner or authorized representative shall rebury the Native American human remains and associated grave goods with appropriate dignity on the property in a location not subject to further subsurface disturbance.

4.4-1(d) (SO)

The title to all abandoned shipwrecks, archaeological sites, and historic or cultural resources on or in the tide and submerged lands of California is vested in the State and under the jurisdiction of the California State Lands Commission (CSLC) (PRC Section 6313[a]). In the case of an inadvertent discovery of a submerged shipwreck or related artifacts, all work must cease in the immediate vicinity of the find and the lead agency's archaeological resource staff will be notified immediately in order to initiate consultation with the CSLC staff within two business days of such discovery.

PRC Section 6313 (c) states any submerged historic resource remaining in state waters for more than 50 years will be presumed to be archaeologically or historically significant. If the lead agency's archaeologist, in consultation with the CSLC staff, determines that a historical resource may be present, the lead agency will retain the services of a qualified maritime archeological consultant. The maritime archeological consultant will recommend whether the discovery is an historical/archeological resource that retains sufficient integrity and is of potential historical or scientific significance. The maritime archeological consultant also will recommend as to what action, if any, is warranted. Based on this information, and consultation with the CSLC, implementation of additional measures may be required.

Measures shall include preservation in situ of the historical resource, implementation of a data recovery program, or other such action that preserves the cultural value of the resource. The maritime archeological consultant will submit a Final Cultural Resources Technical Report to the lead agency, NCIC, and the CSLC staff. This report will include an

evaluation of the historical significance, with a description of the archeological and historical research methods employed in any archeological data recovery program undertaken.

Finding: With the implementation of Mitigation Measure 4.4-1(a) through (d), this impact would be reduced to a less-than-significant level. Implementation of pre-construction testing and accidental discovery procedures during construction would lessen anticipated impacts to prehistoric and historic period resources, including Native American archaeological resources by ensuring that previously unidentified archaeological resources are protected.

With implementation of the mitigation measure(s), this impact is reduced to a less-than-significant level.

4.4-2: The proposed projects could cause a substantial adverse change to the Central Shops Historic District, or the Water Tower. (p. 4.4-61)

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

4.4-2(a) (RSPU Central Shops District)

Consistent with Section 17.604 and other sections of Title 17 of the City's Planning & Development Code, and in coordination and consultation with the Preservation Director and the Preservation Commission, and adopted by the City Council, a Historic District Plan that is specifically focused on the Historic District in the Central Shops shall be prepared. Any development within the Historic District shall comply with the standards and criteria identified in the plan. The Historic District Plan shall include, at a minimum, the following components:

1. *Statement of the goals for review of development projects within the Historic District;*
2. *A representation of the historical development of land uses, existing land uses, and any adopted plans for future land uses;*
3. *A statement of findings, including the following:*
 - a. *The historical or pre-historical period to which the area is significant.*
 - b. *The predominant periods or styles of the structures or features therein.*
 - c. *The significant features and characteristics of such periods or styles, as represented in the Historic District and incorporating the findings of the historic district designation completed by the City in*

2007, including, but not limited to, structure height, bulk, distinctive architectural details, materials, textures, archeological and landscape, hardscape and site features and fixtures.

- d. *A statement, consistent with Title 17, Sacramento Register of Historic and Cultural Resources, of this chapter, of the standards and criteria to be used in determining the appropriateness of any development project involving a landmark, contributing resource or noncontributing resource within the Historic District.*

4.4-2(b) (RSPU Central Shops District)

A copy of the full Southern Pacific Company Sacramento Shops HAER document (HAER CA303) shall be completed, and filed with the City's Preservation Office and Center for Sacramento History, including the historic narrative, architectural drawings, and photographs, and archive quality copies disseminated to the appropriate state, regional, and local repositories.

Finding: With the implementation of Mitigation Measures 4.4 2(a) and 4.4-2(b) listed above, this impact would be reduced to a less-than-significant level by ensuring that the integrity of the Central Shops Historic District is protected. All proposed new work would comply with the Secretary of the Interior's (SOI) Rehabilitation Standards. The 2007 EIR Mitigation Measures 6.3-2(a) and (b) included the Sacramento Register listing of the Central Shops as a Historic District which has been completed, concurrent with the adoption of the update to the 2007 Railyards Specific Plan. 2007 Mitigation Measure 6.3-2(b) and (c) required preparation of a Historic America Building Survey document and Historic District Plan for the Central Shops Historic District, as reiterated in Mitigation Measure 4.4-2. Implementation of the proposed Specific Plan policies and design guidelines, along with Mitigation Measure 4.4-2 would ensure that no new impacts to the Central Shops Historic District would occur as a result of the proposed RSPU.

With implementation of the mitigation measure(s), this impact is reduced to a less-than-significant level.

4.4-3: The proposed projects could cause a substantial adverse change to the Central Shops Historic District, or Water Tower, by new construction surrounding and affecting the contributing resources and the significant features and characteristics of the district. (p. 4.4-65)

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

4.4-3 (RSPU Central Shops and Transition Zone)

Any proposed new project within the Central Shops Historic District (including new construction on Lot 22) shall be designed in compliance with the Secretary of the Interior's Standards for the Treatment of Historic Properties, specifically the standards for rehabilitation and new construction within a historic district. Standards 9 and 10 for Rehabilitation state that:

9. New additions, exterior alterations, or related new construction will not destroy historic materials, features, and spatial relationships that characterize the property. The new work shall be differentiated from the old and shall be compatible with the historic materials, features, size, scale and proportion, and massing to protect the integrity of the property and its environment.

10. New additions and adjacent or related new construction shall be undertaken in such a manner that, if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.

The RSPU Design Guidelines and policies shall be consistent with these standards. In addition to compliance with the above, with the proposed adopted Historic District plan, and with the Design Guidelines established as part of the proposed RSPU, the project developer shall ensure that any new project involving the design of a new building shall not have a significant impact on the Historic District's contributing resources or its features and characteristics. The City of Sacramento Historic Preservation Director, or the Commission, as appropriate per Preservation Development Project Site Plan & Design Review requirements of Title 17 of the City Code, shall review any proposed project's site plan and design to ensure its compatibility with the SOI Standards and the adopted Historic District plan.

Finding: With the implementation of Mitigation Measure 4.4 3, this impact would be reduced to a less-than-significant level. Compliance with the Secretary of the Interior's Rehabilitation Standards, the proposed Historic District plan, and the proposed RSPU Design Guidelines and policies, in conjunction with the design and preservation site plan and design review requirements in Mitigation Measure 4.4-3, would reduce anticipated impacts to the Central Shops Historic District and Water Tower to a less-than-significant level through design standards and historic district plan and design guidelines guidance.

With implementation of the mitigation measure(s), this impact is reduced to a less-than-significant level.

4.4-7: Construction of the proposed projects could damage and/or destroy paleontological resources. (p. 4.4-75)

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

4.4-7 (RSPU, KPMC, MLS, SO)

If discovery is made of items of paleontological interest, the contractor shall immediately cease all work activities in the vicinity (within approximately 100 feet) of the discovery. After cessation of excavation the contractor shall immediately contact the City. The contractor shall not resume work until authorization is received from the City. Any inadvertent discovery of paleontological resources during construction shall be evaluated by a qualified paleontologist. If it is determined that the project could damage a unique paleontological resource (as defined pursuant to the CEQA Guidelines), mitigation shall be implemented in accordance with PRC Section 21083.2 and Section 15126.4 of the CEQA Guidelines. If avoidance is not feasible, the paleontologist shall develop a treatment plan in consultation with the City.

Finding: Mitigation Measure 4.4-7 would ensure that paleontological resources would be identified before they have been damaged or destroyed, and then properly evaluated and treated. The impact would therefore be less than significant with mitigation.

With implementation of the mitigation measure(s), this impact is reduced to a less-than-significant level.

4.4-9: The proposed projects could contribute to the cumulative loss or alteration of historic built resources, including the Central Shops Historic District (the Southern Pacific Railroad Shops), the Water Tower, the Sacramento Valley Station, or the Alkali Flat Historic Districts. (p. 4.4-78)

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

4.4-9 (RSPU Central Shops and Transition Zone)

Implement Mitigation Measures 4.4-2 and 4.4-3.

Finding: With the implementation of Mitigation Measures 4.4-2 and 4.4 3 listed above, this impact would be reduced to a less-than-significant level. Compliance with the SOI Standards, through undertaking HABS/HAER recordation, and filing it with the City's Preservation Director and Center for Sacramento History, and adopting a Historic District Plan per Mitigation Measure 4.4-2(b), RSPU Design Guidelines and policies, and the City Preservation Site Plan & Design Review procedures per Title 17 of the City Code, would lessen the project's contribution to cumulative impacts on historic built resources by protecting the integrity of the Central Shops Historic District, through review of

proposed new projects within the district for compliance with the SOI Standards, the Historic District Plan and Design Guidelines.

With implementation of the mitigation measure(s), this impact is reduced to a less-than-significant level.

4.4-10: The proposed projects would contribute to cumulative losses of paleontological resources. (p. 4.4-79)

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

4.4-10 (RSPU, KPMC, MLS, SO)

Implement Mitigation Measure 4.4-7.

Finding: With the implementation of Mitigation Measure 4.4-7, the projects' contribution toward the loss of paleontological resources would be reduced to a less-than-significant level by requiring implementation of accidental discovery procedures during construction.

With implementation of the mitigation measure(s), this impact is reduced to a less-than-significant level.

Geology, Soils and Seismicity

4.6-2: The proposed projects could result in damage to the historic Central Shops. (p. 4.6-24)

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

4.6-2 (RSPU)

- a) *To the extent feasible, the historic buildings shall be stabilized and reinforced prior to trenching or other construction activities within 50 feet of the buildings.*
- b) *A pre-excavation settlement-damage survey shall be prepared that shall include, at a minimum, visual inspection of existing vulnerable structures for cracks and other settlement defects, and establishment of horizontal and vertical control points on the buildings. A monitoring program of surveying horizontal and vertical control points on structures and shoring shall be followed to determine the effects of dewatering, excavation, and construction*

on the particular building site. If it is determined by the engineer that the existing buildings could be subject to damage, work shall cease until appropriate remedies to prevent damage are identified.

- c) *If necessary and with approval by the City Chief Building Official, the construction contractor shall install temporary shoring or stabilization to help avoid permanent impacts. Stabilization may involve structural reinforcement or corrections for deterioration that would minimize or avoid potential structural failures or avoid accelerating damage to the historic structure. Stabilization shall be conducted following the Secretary of Interior Standards Treatment of Preservation. This treatment shall ensure retention of the historical resource's character-defining features. Stabilization may temporarily impair the historic integrity of the building's design, material, or setting, and as such, the stabilization must be conducted in a manner that will not permanently impair a building's ability to convey its significance. Measures to shore or stabilize the building shall be installed in a manner that when they are removed, the historic integrity of the building remains, including integrity of material.*

Finding: Mitigation Measure 4.6-2 would ensure all appropriate measures, including testing and stabilization measures, are taken to minimize damage to the historic Central Shops as a result of construction related activities adjacent to the historic Central Shops.

With implementation of the mitigation measure(s), this impact is reduced to a less-than-significant level.

Hazards and Hazardous Materials

4.8-1: Construction of the proposed projects could result in the exposure of people to health risk associated with contaminated soils and debris. (p. 4.8-36)

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

4.8-1 (RSPU, West Jibboom only, SO)

If unidentified or suspected contaminated soil or groundwater evidenced by stained soil, noxious odors, or other factors, is encountered during site preparation or construction activities work shall stop in the area of potential contamination, and the type and extent of contamination shall be identified by qualified professional. The qualified professional shall prepare a report that includes, but is not limited to, activities performed for

the assessment, summary of anticipated contaminants and contaminant concentrations, and recommendations for appropriate handling and disposal. Site preparation or construction activities shall not recommence within the contaminated areas until remediation is complete and a “no further action” letter is obtained from the appropriate regulatory agency.

Finding: Mitigation Measure 4.8-1 would minimize risk of exposure to previously unidentified soil contamination by requiring that work stop in the event of a discovery and the appropriate analysis occur to identify the type and extent of the contamination. Depending on the results, appropriate remediation would be completed prior to resuming construction activities in the affected area. The handling, storage, transportation and disposal of any contaminated soil would be accomplished with applicable federal, State and local laws.

With implementation of the mitigation measure(s), this impact is reduced to a less-than-significant level.

4.8-3: Development of the proposed projects could expose people to existing contaminated groundwater during dewatering activities. (p. 4.8-47)

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

4.8-3 (RSPU, West Jibboom only, SO)

Implement Mitigation Measure 4.8-1.

Finding: Mitigation Measure 4.8-3 would minimize risk of exposure to previously unidentified groundwater contamination by requiring that work stop in the event of a discovery and the appropriate analysis occur to identify the type and extent of the contamination. Depending on the results, appropriate remediation would be completed prior to resuming construction activities in the affected area. The handling, storage, transportation and disposal of any contaminated groundwater would be accomplished with applicable federal, State and local laws. The measure will reduce the impact to less than significant.

With implementation of the mitigation measure(s), this impact is reduced to a less-than-significant level.

4.8-4: Construction of the proposed projects’ infrastructure and buildings could interfere with remediation efforts. (p. 4.8-53)

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

4.8-4 (RSPU, West Jibboom only, SO)

Implement Mitigation Measure 4.8-1.

Finding: Mitigation Measure 4.8-4 would minimize risk of exposure to previously unidentified soil and/or groundwater contamination by requiring that work stop in the event of a discovery and the appropriate analysis occur to identify the type and extent of the contamination. Depending on the results, appropriate remediation would be completed prior to resuming construction activities in the affected area. The handling, storage, transportation and disposal of any contaminated soil or groundwater would be accomplished with applicable federal, State and local laws. Coordination with appropriate regulatory agencies would ensure that the public is not exposed to contaminated soil or groundwater as a result of the disruption of remediation activities.

With implementation of the mitigation measure(s), this impact is reduced to a less-than-significant level.

4.8-7: Operation of the proposed projects could result in the exposure of people to health risks associated with contaminated soils and groundwater. (p. 4.8-66)

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

4.8-7 (RSPU, KPMC, MLS, SO)

- a) *In areas where the groundwater contamination has the potential to reach water, sewer or storm drainage pipelines due to fluctuations in the elevation of the groundwater table, or where volatile contaminants in soil vapor could enter porous utility lines, measures such as concrete trenches, membrane barriers and venting will be used to prevent infiltration in accordance with DTSC requirements.*
- b) *Routine monitoring of the above areas shall be performed by the landowners and/or the City, reported to DTSC and Regional Water Board, and corrective actions implemented if the results indicate adverse change in water quality. For stormwater, the monitoring may be conducted through the City's MSR 4 program.*

Finding: Mitigation Measure 4.8-7 would require adaptive management through monitoring and infiltration prevention measures or the development of measures to address areas of concern revealed through monitoring, in areas of concern. Thus, Mitigation Measure 4.8-7 would ensure all appropriate measures are taken to minimize contaminated groundwater reaching water, sewer or storm drainage pipelines.

With implementation of the mitigation measure(s), this impact is reduced to a less-than-significant level.

4.8-8: The proposed projects in combination with development of other projects in the surrounding area known to contain, or could contain contaminated soil or groundwater, could present a hazard to construction workers if not properly managed. (p. 4.8-73)

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

4.8-8 (RSPU, West Jibboom only, SO)

Implement Mitigation Measure 4.8-1.

Finding: Mitigation Measure 4.8-8 would minimize risk of exposure to previously unidentified soil and/or groundwater contamination by requiring that work stop in the event of a discovery and the appropriate analysis occur to identify the type and extent of the contamination. Depending on the results, appropriate remediation would be completed prior to resuming construction activities in the affected area. The handling, storage, transportation and disposal of any contaminated soil or groundwater would be accomplished with applicable federal, State and local laws. Therefore, with implementation of Mitigation Measure 4.8-8 the contribution of the proposed projects to this cumulative impact would be less than considerable and this cumulative impact would be reduced to a less-than-significant level.

With implementation of the mitigation measure(s), this impact is reduced to a less-than-significant level.

4.8-9: The proposed projects could contribute to cumulative dewatering activities that could interfere with remediation of the existing South Plume and Lagoon Plume. (p. 4.8-74)

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

4.8-9 (RSPU, West Jibboom only, SO)

Implement Mitigation Measure 4.8-1.

Finding: Mitigation Measure 4.8-9 would minimize risk of exposure to previously unidentified soil and/or groundwater contamination by requiring that work stop in the event of a discovery and the appropriate analysis occur to identify the type and extent of the contamination. Depending on the results, appropriate remediation would be completed prior to resuming construction activities in the affected area. The handling, storage, transportation and disposal of any contaminated soil or groundwater would be accomplished with applicable federal, State and local laws. Coordination with appropriate regulatory agencies would ensure that the public is not exposed to contaminated soil or groundwater

as a result of the disruption of remediation activities. With the implementation of Mitigation Measure 4.8-9, the contribution of the proposed projects to this cumulative impact would be less than considerable and this cumulative impact would be less than significant.

With implementation of the mitigation measure(s), this impact is reduced to a less-than-significant level.

Noise and Vibration

4.10-3: The proposed projects could result in residential interior noise levels of 45 dBA Ldn or greater caused by noise level increases due to project operation. (p. 4.10-56)

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

4.10-3(a) (RSPU)

Prior to the issuance of building permits for residential projects within the RSP Area, the City shall require project applicants for residential development to submit a detailed noise study, prepared by a qualified acoustical consultant, to identify design measures necessary to achieve the City interior standard of 45 Ldn in the proposed new residences. The study shall be submitted to the City for review and approval. Design measures such as the following could be required, depending on the specific findings of the noise study: double-paned glass windows facing noise sources; solid-core doors; increased sound insulation of exterior walls (such as through staggered-or double-studs, multiple layers of gypsum board, and incorporation of resilient channels); weather-tight seals for doors and windows; or sealed windows with an air conditioning system installed for ventilation. This study can be a separate report, or included as part of the Noise and Vibration Reduction Plan for the proposed projects. The building plans submitted for building permit approval shall be accompanied by certification of a licensed engineer that the plans include the identified noise-attenuating design measures and satisfy the requirements of this mitigation measure.

4.10-3(b) (MLS)

Implement Mitigation Measure 4.10-2(b) to minimize noise from outdoor amplified sound systems.

Finding: Implementation of Mitigation Measures 4.10-3(a) and 4.10-3(b) would ensure that future residences are designed such that interior noise levels would not exceed the City standard of 45 Ldn. This would be achieved by the

implementation of detailed noise studies to identify project-specific noise minimization and avoidance measures and the implementation of those measures. This impact would be considered less than significant.

With implementation of the mitigation measure(s), this impact is reduced to a less-than-significant level.

4.10-5: The residential, non-residential, and mixed-use buildings constructed pursuant to the RSPU could be exposed to vibration levels due to existing rail operations and/or I-5 traffic. (p. 4.10-65)

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

4.10-5(RSPU)

- a) *The historic structures in the Central Shops Historic District shall be stabilized using methods that would protect against vibration levels identified in the screening analysis (shown in Figure 6.8-3 of the 2007 RSP EIR).*
- b) *Prior to design review, the applicant shall have a certified vibration consultant prepare a site-specific vibration analysis for residential uses and historic structures that are within the screening distance (shown in Figure 6.8-3 of the 2007 RSP EIR) for freight and passenger trains or light rail trains. The analysis shall detail how the vibration levels at these receptors would meet the applicable vibration standards to avoid potential structural damage and human annoyance. The results of the analysis shall be incorporated into project design.*

Finding: Implementation of Mitigation Measure 4.10-5 would reduce impacts to a less-than-significant level by ensuring that vibration levels do not cause substantial annoyance for residents and users of the RSP Area.

With implementation of the mitigation measure(s), this impact is reduced to a less-than-significant level.

4.10-6: The proposed projects would result in exposure of people to cumulative increases in construction noise levels. (p. 4.10-70)

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

4.10-6 (RSPU, KPMC, MLS)

Implement Mitigation Measure 4.10-1.

Finding: Implementation of Mitigation Measure 4.10-6 would reduce the contribution of the proposed projects to cumulative construction noise levels at the existing noise-sensitive land uses located near and within the RSP Area. With the implementation of Mitigation Measure 4.10-6 listed above, the contribution of the proposed projects to this cumulative impact would be less than considerable, and the impact would be reduced to a less-than-significant level.

With implementation of the mitigation measure(s), this impact is reduced to a less-than-significant level.

4.10-9: Implementation of the proposed projects would contribute to cumulative increases in residential interior noise levels of 45 dBA Ldn or greater. (p. 4.10-77)

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

4.10-9(a) (RSPU)

Implement Mitigation Measures 4.10-3(a).

4.10-9(b) (RSPU, MLS)

Implement Mitigation Measure 4.10-3(b).

Finding: Implementation of Mitigation Measures 4.10-9(a) and (b) would ensure that existing and planned residences are designed such that interior noise levels would not exceed the City standard of 45 Ldn. This would be achieved by the implementation of detailed noise studies to identify project-specific noise minimization and avoidance measures and the implementation of those measures. This impact would be considered less than significant.

With implementation of the mitigation measure(s), this impact is reduced to a less-than-significant level.

Public Services

4.11-6: The proposed projects could result in a school located in proximity to existing hazards, specifically railroad tracks. (p. 4.11-39)

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

4.11-6 (RSPU)

Prior to school site approval within 1,500 feet of the railroad tracks, the SCUSD shall retain a competent professional to prepare a safety study that assesses cargo manifests, frequency, speed, and schedule of railroad traffic, grade, curves, type and condition of track, need for sound or safety barriers, need for pedestrian and vehicle safeguards at railroad crossings, presence of high pressure gas lines near the tracks that could rupture in the event of a derailment, and preparation of an evacuation plan. Based on this information and the proposed location and design of the school, the study shall demonstrate that the school design and construction would not expose students to risks associated with train accidents. In the event these conditions cannot be satisfied, SCUSD shall proceed in a manner that complies with California Code of Regulations, Title 5, section 14010(d).

Finding: Implementation of Mitigation Measure 4.11-6 would reduce the impact to a less-than-significant level by ensuring that proper precautions are taken to protect students from potential hazards and that school structures are designed in such a way as to reduce the impact of noise resulting from placing a school near a railroad track.

With implementation of the mitigation measure(s), this impact is reduced to a less-than-significant level.

4.11-8: The proposed projects would increase the demand for parks and recreational facilities. (p. 4.11-55)

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

4.11-8 (RSPU)

Prior to filing of the final map, the project applicant shall reach agreement with the City on which of the proposed project elements and acreage meet the applicable City parkland dedication requirements. The project applicant shall pay in-lieu fees (Quimby) on the difference in acreage between the City parkland requirement and the amount of parkland the proposed project would supply. The applicant shall pay Park Impact Fees (PIF) or enter into a “turnkey” agreement to construct the park facilities to satisfy its PIF obligation.

Finding: Mitigation Measure 4.11-8 would ensure that City park standards reflective of urban residential needs are met through dedication of parks and open space, payment of in-lieu fees and/or provision of “turnkey” parks improvements. Consistent with General Plan Policy ERC 2.2.6, this mitigation

measure allows the City to consider the urban nature of the RSP Area, and the recreational value of project elements that are not typical parks, such as large plazas and the Central Shops. With the proposed mitigation, this measure would be less than significant.

With implementation of the mitigation measure(s), this impact is reduced to a less-than-significant level.

4.11-9: The proposed projects would contribute to cumulative increases in demand on City parks and recreational facilities. (p. 4.11-58)

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

4.11-9 (RSPU)

Implement Mitigation Measure 4.11-8.

Finding: Mitigation Measure 4.11-8 would ensure that the RSPU would provide parks and recreational facilities adequate to offset its contribution to increased cumulative demand through parkland dedication, provision of “turnkey” parks and/or in-lieu fees. The City would use in lieu fees from this and other residential development projects to fund parks and recreational facilities as needed throughout the community, including regional parks, as indicated by the Parks Master Plan and applicable City policies. With mitigation, this impact would be less than significant.

With implementation of the mitigation measure(s), this impact is reduced to a less-than-significant level.

Transportation

4.12-1: The proposed projects could worsen conditions at intersections in the City of Sacramento. (p. 4.12-181)

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

4.12-1(a) (RSPU)

- i. Implement Event Transportation Management Plan (TMP) to the satisfaction of the City Traffic Engineer and subject to the performance standards set forth within, including:*

1. Vehicle Queuing on City Streets: Through added intersections capacity and/or traffic management, traffic does not queue back to upstream locations during the Pre-Event peak hour including (but not limited to):
 - Northbound 7th Street traffic does not spill back from Railyards Boulevard into the UPRR undercrossing (i.e., queues do not extend any greater than 600 feet from Railyards Boulevard)
 - Westbound North B Street traffic does not spill back from 7th Street to 8th Street
 - Westbound North B Street traffic does not spill back from 8th Street to 12th Street
 - Southbound 7th Street traffic does not spill back to LRT tracks at North B Street
2. Pedestrian Flows: Through pedestrian flow management, pedestrians do not spill out of sidewalks onto streets with moving vehicles, particularly along 7th Street between Richards Boulevard and G Street, Railyards Boulevard between 5th Street and 8th Street, and North B Street between 7th Street and 12th Street.
3. Vehicular Parking: A comprehensive parking plan is implemented that includes (but is not limited to) a reservation system, smartphone parking app, directional signage, real-time parking garage occupancy, etc. that minimizes unnecessary vehicular circulation (while looking for parking) within and adjacent to the RSP Area.
4. Bicycle Parking: Signage is clearly visible to direct bicyclists to MLS Stadium event bicycle parking, which has an adequate supply to accommodate a typical MLS Stadium event.
5. Light Rail Transit: A new light rail station/stop is constructed on 7th Street north of Railyards Boulevard and operational at the time the stadium opens, providing an adequate level of LRT service to meet the Pre- and Post-Event ridership demands.
6. Bus/Paratransit: Specific locations are provided to accommodate public buses and paratransit vehicle stops within one block of the MLS Stadium.
7. Ridesharing: Specific locations are provided for pick-up / drop-off areas such that taxi, Uber, or similar ridesharing services do not impede overall vehicular or pedestrian flow (including maintaining

uncongested conditions along 10th Street to enable emergency vehicle response).

8. *Truck Staging: Delivery trucks associated with special events do not park or idle along 7th Street, 8th Street, North B Street, or Railyards Boulevard.*
- ii. *Each project developed pursuant to the RSPU (including the Land Use Variant) shall pay the applicable fee for the I-5 Subregional Corridor Mitigation Program (SCMP) prior to issuance of building permits.*
- iii. *Convert existing Dos Rios Street leg at 12th Street/North B Street intersection to a right-turn only intersection that does not operate as part of the traffic signal.*

4.12-1(b) (KPMC)

The following measures shall be implemented prior to issuance of the Certificate of Occupancy for Phase 1 of the KP Medical Center.

- i. *Implement Mitigation Measure 4.12-1(a)(ii).*
- ii. *Implement Transportation Demand Management (TDM) Program.*
- iii. *Widen Railyards Boulevard at 7th Street to provide a dedicated northbound left-turn lane and dedicated southbound right-turn lane. Operate signal with protected northbound left-turn phasing.*
- iv. *Coordinate traffic signals on Railyards Boulevard at 5th, 6th, and 7th Streets.*
- v. *Implement either Option 1a, 1b, or Option 1c:*
 - *Option 1a: Extend 5th Street northerly from South Park Street to North B Street. Install traffic signal at the 5th Street/South Park Street intersection. Operate with 5th Street/North B Street intersection with side-street stop-control. Widen eastbound North B Street at 7th Street to include a dedicated left-turn lane and a shared through/right lane and operate east-west approaches with protected left-turn phasing.*
 - *Option 1b: Extend South Park Street easterly from 5th Street and extend 6th Street northerly from South Park Street extension to North B Street. Install traffic signal at the 5th Street/South Park Street intersection. Operate 6th Street/North B Street intersection with side-street stop-control. Widen eastbound North B Street at 7th Street to include a dedicated*

left-turn lane and a shared through/right lane and operate east-west approaches with protected left-turn phasing.

- *Option 1c: Widen 7th Street/North B Street intersection to consist of a left-turn lane and a shared through/right lane on all approaches. Operate signal with protected left-turn phasing.*

4.12-1(c) (MLS)

- i. Implement Mitigation Measure 4.12-1(a)(i).*
- ii. Convert existing Dos Rios Street leg at 12th Street/North B Street intersection to a right-turn only intersection that does not operate as part of the traffic signal.*
- iii. Implement Transportation Demand Management (TDM) Program, if required by city code.*
- iv. Construct South Park Street between 6th Street and 7th Street.*
- v. Construct 6th Street between Railyards Boulevard and North B Street.*
- vi. Install traffic signals at 7th Street/South Park Street, 6th Street/North B Street, Railyards Boulevard/8th Street, and North B Street/8th Street.*
- vii. Widen 7th Street at Railyards Boulevard to provide dedicated northbound and southbound left-turn lanes, and operate signal with protected left-turn phasing.*
- viii. Widen/restripe 7th Street at North B Street to consist of one left-turn lane and one shared through/right lane on all approaches, and operate signal with protected left-turn phasing.*

Finding: The RSPU and Land Use Variant are located in a Tier 1 Priority Investment Area of the City, in which LOS F may be permitted under certain conditions. The RSPU and Land Use Variant each include a variety of transportation improvements intended to accommodate non-auto modes of travel, which allow for an LOS F condition to be permitted. Although certain City intersections that are adjacent to state highway facilities would operate at LOS F, the RSPU and Land Use Variant would pay the I-5 SCMP, which helps fund state highway improvements as well as transit service expansions. Therefore, with implementation of required mitigation measures, this impact is less than significant after mitigation.

Through payment of the I-5 SCMP, the KP Medical Center would mitigate impacts to the state highway system. Other mitigation options for the KP Medical

Center include roadway system upgrades within the RSP Area that would substantially improve otherwise highly congested travel corridors. Further, mitigation calls for the project to develop and implement a TDM program. Therefore, with implementation of required mitigation measures, this impact is less than significant after mitigation.

The Event TMP describes recommended vehicle routing, traffic management, pedestrian linkages, transit accommodation, and parking necessary to accommodate a sold-out 25,000-person MLS soccer match. As the data in Table 4.12-60 shows, implementation of the Event TMP would improve operations from LOS E or F at several intersections surrounding the stadium to LOS D or better. Other mitigations for the MLS Stadium include roadway extensions, intersection widenings, and enhancements to bicycle and pedestrian facilities (as is described later). Therefore, with implementation of required mitigation measures, this impact is less than significant after mitigation.

4.12-2: The proposed projects could worsen conditions on freeway facilities maintained by Caltrans. (p. 4.12-207)

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

4.12-2 (RSPU, KPMC)

Implement Mitigation Measure 4.12-1(a)(ii).

Finding: Through payment of the I-5 SCMP, the RSPU, Land Use Variant, and KP Medical Center would fully mitigate their impacts to the state highway system through fare-share contributions toward Caltrans facility improvements. Therefore, this impact is less than significant after mitigation.

With implementation of the mitigation measure(s), this impact is reduced to a less-than-significant level.

4.12-6: The proposed projects could adversely affect existing or planned pedestrian facilities or fail to provide for access for pedestrians. (p. 4.12-216)

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

4.12-6 (MLS)

Implement Mitigation Measure 4.12-1(a)(i).

Finding: The implementation of the Event Transportation Management Plan to the satisfaction of the City Traffic Engineer, would result in use of a variety of pedestrian management tools, that could include providing additional parking spaces within the RSPU to reduce pedestrian flows from the area north of North B Street, wider sidewalks, shuttles, special-event light rail trains, reduced parking supplies, and extended pedestrian walk phases would be improved pedestrian LOS at these facilities. Refer to Appendix J.2 for a detailed discussion of these and other potential improvements. Given the current uncertainty of specific MLS Stadium operations, conditions would be monitored once it is operational and the Event TMP would be revised to include other measures to improve these conditions. The Event TMP including the performance measures pertaining to pedestrian flow shall be approved by City Traffic Engineer prior to issuance of the Certificate of Occupancy for the proposed Stadium. Accordingly, pedestrian facility impacts on streets between the proposed Stadium and identified parking resources, including North 7th Street from North B Street to Railyards Boulevard would be mitigated to a less-than-significant level.

With implementation of the mitigation measure(s), this impact is reduced to a less-than-significant level.

4.12-7: The proposed projects could cause construction-related traffic impacts. (p. 4.12-218)

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

4.12-7 (RSPU, KPMC, MLS)

Before issuance of grading permits for the project site, the project applicants shall prepare a detailed Construction Traffic Management Plan that will be subject to review and approval by the City Department of Public Works, in consultation with Caltrans, affected transit providers, and local emergency service providers including the City of Sacramento Fire and Police departments. The plan shall ensure that acceptable operating conditions on local roadways and freeway facilities are maintained. At a minimum, the plan shall include:

- *The number of truck trips, time, and day of street closures*
- *Time of day of arrival and departure of trucks*
- *Limitations on the size and type of trucks, provision of a staging area with a limitation on the number of trucks that can be waiting*
- *Provision of a truck circulation pattern*

- *Identification of detour routes and signing plan for street closures*
- *Provision of driveway access plan so that safe vehicular, pedestrian, and bicycle movements are maintained (e.g., steel plates, minimum distances of open trenches, and private vehicle pick up and drop off areas)*
- *Maintain safe and efficient access routes for emergency vehicles and transit*
- *Manual traffic control when necessary*
- *Proper advance warning and posted signage concerning street closures*
- *Provisions for pedestrian and bicycle safety*

A copy of each construction traffic management plan shall be submitted to local emergency response agencies and transit providers, and these agencies shall be notified at least 30 days before the commencement of construction that would partially or fully obstruct roadways.

Finding: The implementation of Mitigation Measure 4.12-7 would reduce construction related traffic impacts to less than significant, through the development and implementation of a traffic management plan, that would include measures using a variety of traffic controls to minimize traffic impacts.

With implementation of the mitigation measure(s), this impact is reduced to a less-than-significant level.

4.12-8: The proposed projects could contribute to cumulatively unacceptable intersection operations in the City of Sacramento. (p. 4.12-220)

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

4.12-8(a) (RSPU)

- i. Implement Mitigation Measure 4.12-1(a)(i).*
- ii. Implement Mitigation Measure 4.12-1(a)(ii).*

4.12-8(b) (KPMC)

- i. Implement Mitigation Measure 4.12-1(a)(ii).*

ii. *Implement Mitigation Measure 4.12-1(b)(ii).*

4.12-8(c) (MLS)

i. *Implement Mitigation Measure 4.12-1(a)(i).*

ii. *Implement Mitigation Measure 4.12-1(c)(iii).*

Finding: The RSPU and Land Use Variant are located in a Tier 1 Priority Investment Area of the City, in which LOS F may be permitted under certain conditions. The RSPU and Land Use Variant each include a variety of transportation improvements intended to accommodate non-auto modes of travel, which allow for an LOS F condition to be permitted. Although certain City intersections that are adjacent to state highway facilities would operate at LOS F, the RSPU and Land Use Variant would pay the I-5 SCMP, which helps fund state highway improvements as well as transit service expansions. Therefore, with implementation of required mitigation measures, this impact is less than significant after mitigation.

Through payment of the I-5 SCMP, the KP Medical Center would mitigate impacts to the state highway system. Further, mitigation calls for the project to develop and implement a TDM program. Therefore, with implementation of required mitigation measures, this impact is less than significant after mitigation.

The Event TMP describes recommended vehicle routing, traffic management, pedestrian linkages, transit accommodation, and parking necessary to accommodate a sold-out 25,000-person MLS soccer match. This impact is less than significant after mitigation.

With implementation of the mitigation measure(s), this impact is reduced to a less-than-significant level.

4.12-9: The proposed projects could worsen cumulative conditions on freeway facilities maintained by Caltrans. (p. 4.12-224)

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

4.12-9 (RSPU, KPMC)

Implement Mitigation Measure 4.12-1(a)(ii).

Finding: Through payment of the I-5 SCMP, the RSPU and KPMC would fully mitigate their impacts to the state highway system. Therefore, this impact is less than significant after mitigation.

With implementation of the mitigation measure(s), this impact is reduced to a less-than-significant level.

4.12-13: The proposed projects could adversely affect existing or planned pedestrian facilities or fail to provide for access for pedestrians under cumulative conditions. (p. 4.12-229)

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

4.12-13 (MLS)

Implement Mitigation Measure 4.12-1(a)(i).

Finding: The implementation of the Event Transportation Management Plan to the satisfaction of the City Traffic Engineer would result in use of a variety of pedestrian management tools, that could include providing additional parking spaces within the RSPU to reduce pedestrian flows from the area north of North B Street, wider sidewalks, shuttles, special-event light rail trains, reduced parking supplies, and extended pedestrian walk phases would be improved pedestrian LOS at these facilities. Refer to Appendix J.2 for a detailed discussion of these and other potential improvements. Given the current uncertainty of specific MLS Stadium operations, conditions would be monitored once it is operational and the TMP would be revised to include other measures to improve these conditions. The Event TMP including the performance measures pertaining to pedestrian flow shall be approved by City Traffic Engineer prior to issuance of the Certificate of Occupancy for the proposed Stadium. Accordingly, pedestrian facility impacts on streets between the proposed Stadium and identified parking resources, including North 7th Street from North B Street to Railyards Boulevard would be mitigated to less than significant.

With implementation of the mitigation measure(s), this impact is reduced to a less-than-significant level.

4.12-14: The proposed projects could cause construction-related traffic impacts under cumulative conditions. (p. 4.12-231)

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

4.12-14 (RSPU, KPMC, MLS)

Implement Mitigation Measure 4.12-7.

Finding: The implementation of the above mitigation measure would reduce this impact to less than significant through the development and implementation

of a traffic management plan that would include measures that would use a variety of traffic controls to minimize traffic impacts. With the implementation of Mitigation Measure 4.12-14, construction related traffic impacts would be mitigated to less than significant.

With implementation of the mitigation measure(s), this impact is reduced to a less-than-significant level.

C. Significant or Potentially Significant Impacts for which Mitigation Measures Are Found To Be Infeasible.

Mitigation measures to mitigate, avoid, or substantially lessen the following significant and potentially significant environmental impacts of the project have been identified. However, pursuant to Section 21081(a)(3) of the Public Resources Code and Section 15091(a)(3) of the CEQA Guidelines, as to each such impact and mitigation measure, the City Council, based on the evidence in the record before it, specifically finds that the mitigation measures are infeasible. The impact and mitigation measures and the facts supporting the finding of infeasibility of each mitigation measure are set forth below. Notwithstanding the disclosure of these impacts and the finding of infeasibility, the City Council elects to approve the projects due to the overriding considerations set forth below in Section F, the statement of overriding considerations.

Noise and Vibration

4.10-2: Operations of the proposed projects could result in a substantial permanent increase in ambient exterior noise levels in the project vicinity. (p. 4.10-28)

Finding: No feasible mitigation strategies have been identified to reduce the on-road transportation noise impacts to less than significant. Alternative modes of transportation (i.e., walking, biking, and transit) are already accounted for in the above traffic noise estimates, but the use of alternate modes of transportation cannot be required by the project. The reduction in vehicular use needed to mitigate these roadway noise impacts is not feasible for the proposed projects. In addition, typical measures to reduce roadway noise impacts, such as noise walls, setbacks, and rubberized asphalt, are not considered feasible mitigation for development in the urban core of the City. This impact is considered significant and unavoidable.

Impacts of non-transportation noise sources (i.e., HVAC units, amplified sound and loading docks), even with implementation of Mitigation Measure 4.10-2, are significant and are included in Section D, Significant and Unavoidable Impacts, below.

For these reasons, mitigation to reduce on-road transportation noise is infeasible and the impact remains significant and unavoidable.

D. Significant and Unavoidable Impacts.

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

Aesthetics, Light and Glare

4.1-3: The proposed projects could create substantial new sources of light. (p. 4.1-78)

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

4.1-3(a) (RSPU, MLS)

- i. East of 6th Street, all exterior lighting and advertising (including signage) shall be directed onto the specific location intended for illumination (e.g., parking lots, driveways, and walkways) and shielded away from adjacent properties and public rights-of-way to minimize light spillover onto adjacent areas. Light structures for surface parking areas, vehicular access ways, and walkways shall not exceed a height of 25 feet. Monument lighting and night-lit signage is prohibited on building facades that face existing residential neighborhoods.*
- ii. Prior to issuance of a Site Plan and Design Review Permit for each specific development project, the applicant shall submit a lighting plan to the Development Services Department for review and approval. The plan shall specify the lighting type and placement to ensure that the effects of security and other outdoor lighting are minimized on adjacent uses and do not create spillover effects.*
- iii. Landscape illumination and exterior sign lighting shall follow the City Code.*

4.1-3(b) (MLS)

- i. The project applicant shall require construction contractors to ensure that all lighting related to construction activities shall be*

shielded or directed to restrict any direct illumination onto property located outside of the Stadium project site boundaries that is improved with light-sensitive uses.

- ii. Prior to issuance of a building permit, the project applicant shall submit to the Community Development Department a signage and lighting design plan for the Stadium which establishes lighting design standards and guidelines. The lighting design plan shall, at a minimum:
 - *Require exterior lighting included within the Stadium to incorporate fixtures and light sources that focus light on-site to minimize spillover light;*
 - *Ensure that project lighting shall not cause more than two foot-candles of lighting intensity or direct glare from the light source at any residential property. This would preclude substantial spillover light from bright lighting sources; and*
 - *Require that for exterior LED lighting, all light emitting diodes used within the integral electronic display shall have a horizontal beam spread of maximum 165 degrees wide and 65 degrees vertically, and shall be oriented downwards to the plaza/street, rather than upwards.**
- iii. Prior to issuance of a building permit for the Stadium signage displays, the project applicant shall retain a lighting design expert who shall develop plans and specifications for the proposed lighting displays, establish maximum luminance levels for the displays, and install and test the displays to insure compliance with all City lighting regulations and these mitigation measures.*
- iv. The project applicant shall comply with City Code Section 8.072.010, which establishes regulations regarding the use of searchlights.*

Finding: Implementation of Mitigation Measure 4.1-3(a) and (b) would reduce potential lighting impacts to surrounding areas through appropriate site design and configuration. Review and approval of the proposed lighting plan through the City's Site Plan and Design Review process would ensure that the potential that spillover lighting would be reduced and potential to create light pollution disturbances to adjacent uses minimized. Notwithstanding the implementation of these measures, the development of the Stadium on a site that is currently vacant and dark would result in a substantial change in the existing environment. This impact associated with the proposed MLS Stadium would remain significant and unavoidable.

For these reasons, the impact remains significant and unavoidable.

Air Quality

4.2-3: The proposed projects could result in long-term (operational) emissions of NO_x, ROG, PM₁₀, and PM_{2.5}. (p. 4.2-51)

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

Consistent with the direction of the SMAQMD, no further mitigation required.

Finding: The incremental build-out of the RSPU, RSPU Land Use Variant, and KP Medical Center, MLS Stadium (during both an event day non-event day) would result in emissions of ROG and NO_x that would exceed the significance thresholds specified by the SMAQMD. The operation of the Stormwater Outfall would not emit a substantial amount of criteria pollutant emissions during its operation; however, the combined operation emissions of all the proposed projects would result in ROG and NO_x emissions that would exceed SMAQMD significance threshold, creating a significant impact.

As is described under Impact 4.2-1, the SMAQMD recommends that lead agencies require projects creating emissions that would exceed the District's daily thresholds of ROG and/or NO_x reduce their ozone precursor emissions from transportation sources by 15 percent. This percentage is based on the project location within the Sacramento Urban Core, which is part of the Sacramento Area Ozone Implementation Plan (SIP). SMAQMD calculates this 15 percent using NO_xe, which is calculated by adding the mitigated ROG emissions (divided by 3) to mitigated NO_x emissions. As described under Impact 4.2-1, and presented in the Draft RSPU AQMP in Appendix C.2, using the SMAQMD Recommended Guidance for Land Use Emission Reduction, the percent reduction of NO_xe after mitigation for each proposed project that exceeds the SMAQMD significance threshold for ROG and NO_x are presented in Table 4.2-9.

As shown in Table 4.2-9, the RSPU without an MLS match and the RSPU Land Use Variant would result in a 17 and 16 percent reduction in NO_xe emissions, respectively, by simply implementing the design features proposed under the Railyards Specific Plan Update. The RSPU with MLS match operation would result in a 15 percent reduction in NO_xe emissions after mitigation. All proposed projects would meet or exceed the 15 percent emission reduction/mitigation guideline established by the SMAQMD.

Even with achievement of the SMAQMD-required 15 percent reduction in operational mobile source emissions through the incorporation of feasible project design elements and best management practices, NO_x and ROG emissions

associated with the RSPU and RSPU Land Use Variant would exceed the SMAQMD threshold of 65 pounds per day. Thus, this impact would remain significant and unavoidable. This impact conclusion is consistent with the 2007 RSP EIR.

For these reasons, the impact remains significant and unavoidable.

4.2-9: The proposed projects could contribute to cumulative increases in long-term (operational) emissions of NO_x ROG, PM₁₀ and PM_{2.5}. (p. 4.2-75)

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

Consistent with the direction of the SMAQMD, no further mitigation required.

Finding: As is described under Impact 4.2-3, above, the traffic reduction variables and other emission reductions built into the design and locality of the proposed projects would exceed 15 percent reduction in NO_xe emissions after mitigation. Since the proposed RSPU would be designed as a high-density, mixed-use, transit-oriented development, much of the reduction would be achieved by project design and location within the Sacramento urban core with access to a variety of transportation options. Nonetheless, even with the inclusion of the above-mentioned feasible design features and best management practices, NO_x and ROG emissions associated with either of the project scenarios would still exceed the SMAQMD threshold of 65 lbs/day. Thus, operational emissions of ozone precursors would be significant and unavoidable.

For these reasons, the impact remains significant and unavoidable.

Biological Resources

4.3-2: Development of the proposed projects could result in the loss of potential nesting habitat for Swainson's hawk, white-tailed kite, purple martin, and other sensitive and/or protected bird species. (p. 4.3-40)

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

4.3-2(a) (RSPU, KPMC, MLS, SO)

The project applicant shall conduct any tree removal activities required for project construction outside of the migratory bird and raptor breeding season (February 1 through August 31) where feasible. For any construction activities that will occur between February 1 and August 31,

the applicant shall conduct preconstruction surveys in suitable nesting habitat within 500 feet of the construction area for nesting raptors and migratory birds. Surveys shall be conducted by a qualified biologist. In addition, all trees slated for removal during the nesting season shall be surveyed by a qualified biologist no more than 48-hours before removal to ensure that no nesting birds are occupying the tree. For Swainson's hawk nesting habitat, surveys shall be conducted in accordance with the Swainson's Hawk Technical Advisory Committee's Recommended Timing and Methodology for Swainson's Hawk Nesting Surveys in California's Central Valley).

If active nests are found during the survey, the applicant shall implement appropriate mitigation measures to ensure that the species will not be adversely affected, which will include establishing a no-work buffer zone as, approved by CDFW, around the active nest.

Measures may include, but would not be limited to:

- 1) Maintaining a 500-foot buffer around each active raptor nest. No construction activities shall be permitted within this buffer. Maintaining a 100-ft buffer around each active purple martin nest. No construction activities are permitted within this buffer. For other migratory birds, a no-work buffer zone shall be established, approved by CDFW, around the active nest. The no-work buffer may vary depending on species and site specific conditions as approved by CDFW.*
- 2) Depending on conditions specific to each nest, and the relative location and rate of construction activities, it may be feasible for construction to occur as planned within the buffer without impacting the breeding effort. In this case (to be determined on an individual basis), the nest(s) shall be monitored by a qualified biologist during construction within the buffer. If, in the professional opinion of the monitor, the project would impact the nest, the biologist shall immediately inform the construction manager. The construction manager shall stop construction activities within the buffer until the nest is no longer active. Completion of the nesting cycle shall be determined by a qualified biologist.*

4.3-2(b) (RSPU)

If three years of consecutive surveys of the suitable habitat (i.e., weep holes) within the I Street Bridge viaduct, I-5 elevated structure within the RSP Area, or the proposed new I Street Bridge over the Sacramento River do not indicate purple martins use of the area as breeding habitat, then no further mitigation is required. The following mitigation shall only be required if purple martin have been documented nesting in the suitable

habitat (i.e., weep holes) within the I Street Bridge viaduct, or the I 5 elevated structure within the RSP Area, or the proposed new I Street Bridge for at least one of three previous years prior to development within 500 feet of aforementioned areas.

Prior to construction within 500 feet of an active purple martin colony (active within the past three years), the applicant shall retain a qualified biologist to prepare and then shall implement a Purple Martin Monitoring and Management Plan (PMMMP), to the satisfaction of the City. The PMMMP shall be enforced by the City in areas of suitable habitat (i.e., weep holes) within 500 feet of the I Street Bridge viaduct, or the elevated structure of Interstate 5 within the RSP Area. The PMMMP shall identify land use and building design requirements, landscape design and maintenance requirements, and management actions for the protection, enhancement, creation, and/or replacement of purple martin habitat within the RSP Area. Performance of the PMMMP shall be based on land use, and building design standards, landscape design, and maintenance criteria, and management actions that benefit purple martin. The PMMMP shall be tailored to the status and nesting locations of purple martins onsite at the time of plan creation, and will include at minimum the criteria below, or equivalent measures to conserve, protect, and restore purple martin habitat.

- *Land Use and Building Design Criteria:*
 - *Prohibit buildings that obstruct flight path to and from nest sites within 120 feet of nesting locations.*
 - *Maintain a minimum of 21 feet of vertical space beneath weep holes*
 - *Maintain 230 feet of perching wire within 200 feet of the colony*
- *Landscape Design and Maintenance Requirements:*
 - *Prohibit trees taller than nest height within 330 feet of nest sites*
 - *Limit tree plantings within 500 feet of the site to those that produce suitable nesting material (pine species). Areas beneath trees shall not be landscaped, and litter material left in place for next material use by birds*
 - *Ensure suitable nesting material is available for martin use. If no nest material is available for martins, place nesting material (straw, pine needles, etc.) within area for use by purple martin during the breeding bird season*

- *Prohibit planting of ornamental fruit bearing trees within 500 feet of purple martin nests, including the colonization of weedy fruit-bearing trees such as privet*
- *Management Actions:*
 - *Install, or cause to be installed, and/or maintain to ensure good working order, nest guards on weep holes where purple martin are known to nest, subject to approval from the facility's owner.*

Finding: Implementation of Mitigation Measure 4.3-2(a) would reduce impacts to nesting birds by requiring pre-construction surveys to identify any nesting birds, and if found, observing no-disturbance zones around nest sites, and therefore would reduce impacts to nesting birds during construction activities to less-than-significant levels.

Implementation of Mitigation Measure 4.2-2(b) would be enforced as long as the I Street purple martin colony uses habitat within the RSP Area for at least one of the previous three years prior to commencement of development within the Riverfront District. Mitigation Measure 4.2-2(b) would reduce potential impacts to the I Street Bridge purple martin colony by mitigating for habitat alterations (i.e., land use change, development) in the vicinity of nest sites. The Purple Martin Monitoring and Management Plan (PMMMP) would define and implement building setback, and height limitations to preserve flight approaches, define landscape designs and maintenance requirements to preserve availability of nest material near breeding sites, and identify and require habitat enhancement, creation, or replacement to compensate for indirect effects related to habitat alterations associated with development activities. While Mitigation Measure 4.2-2(b) may reduce the effects of potential impacts to purple martin from development there remains considerable uncertainty of factors other than habitat modifications affecting the I Street colony of purple martin (i.e., disease, neonicotinoid pesticides). As such, given the downward trend in population numbers of the I Street Bridge purple martin colony, and because the PMMMP is not guaranteed to mitigate for the potential impacts to habitat surrounding purple martin nest sites, impacts related to the development of the proposed RSPU would remain significant and unavoidable.

For these reasons, the impact remains significant and unavoidable.

4.3-11: Implementation of the proposed projects, in combination with other cumulative development, could/would contribute to the cumulative harm to, or loss of nesting habitat, for Swainson's hawk, white-tailed kite, purple martin, and other sensitive and/or protected bird species. (p. 4.3-71)

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

4.3-11(a) and 4.3-11(b) (RSPU)

Implement Mitigation Measure 4.3-2(a) and 4.3-2(b).

Finding: Implementation of Mitigation Measures 4.3-11(a) would reduce impacts to nesting birds by requiring pre-construction surveys to identify any nesting birds, and if found, observing no-disturbance zones around nest sites, and therefore would reduce impacts to nesting birds during construction activities to a less-than-significant level.

Implementation of Mitigation Measure 4.2-2(b) would be enforced as long as the I Street purple martin breeding colony is extant within the RSP Area for at least one of the previous three years from the time of commencement of development within the RSP Area. Mitigation Measure 4.2 2(b) would reduce potential impacts to the I Street Bridge purple martin colony by mitigating for habitat alterations (i.e., land use change, development) in the vicinity of the nest sites. The PMMMP would define and implement building setback, and height limitations to preserve flight approaches, define landscape design, and maintenance requirements to preserve availability of nest material near breeding sites, and identify, and require habitat enhancement, creation, or replacement to compensate for indirect effects related to habitat alterations. However, given the downward trend in population numbers of the I Street Bridge purple martin colony (and the Sacramento region population as a whole), and because the PMMMP is not guaranteed to mitigate for the proposed RSPU's cumulative contribution to the I Street Bridge purple martin colony, the impact development of the proposed RSPU would remain significant and unavoidable.

For these reasons, the impact remains significant and unavoidable.

Cultural Resources

4.4-8: The proposed projects could contribute to the cumulative loss or alteration of archaeological resources, including human remains. (p. 4.4-77)

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

4.4-8 (RSPU, KPMC, MLS, SO)

Implement Mitigation Measure 4.4-1(a) through 4.4-1(d).

Finding: Implementation of Mitigation Measures 4.4-1(a) through 4.4 1(d) would ensure that existing archaeological resources are identified, evaluated and treated promptly before they can be damaged or destroyed during construction. However, as noted above, archaeological resources are finite. As such, the loss

of this material record cannot be completely mitigated. Therefore, the project's potential contribution to this impact would be significant and unavoidable.

For these reasons, the impact remains significant and unavoidable.

Noise and Vibration

4.10-1: Construction of the proposed projects could generate noise that would conflict with City standards. (p. 4.10-21)

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

4.10-1 (RSPU, KPMC, MLS)

The contractor shall ensure that the following measures are implemented during all phases of project construction:

- a) *Whenever construction occurs within 130 feet to occupied residences (on or offsite), temporary barriers shall be constructed around the construction sites to shield the ground floor of the noise-sensitive uses. These barriers shall be of ¾-inch Medium Density Overlay (MDO) plywood sheeting, or other material of equivalent utility and appearance, and shall achieve a Sound Transmission Class of STC-30, or greater, based on certified sound transmission loss data taken according to ASTM Test Method E90 or as approved by the City of Sacramento Building Official.*
- b) *Construction equipment staging areas shall be located as far as feasible from residential areas while still serving the needs of construction contractors.*
- c) *Use of auger displacement for installation of foundation piles, if feasible. If impact pile driving is required, "sonic" pile-drivers shall be used, unless engineering studies are submitted to the City that show this is not feasible, based on geotechnical considerations.*
- d) *Prior to impact pile driving activities in Blocks 49, 50 and 52, the applicant shall coordinate with the KCRA building management staff in order to minimize disruption from pile driving, to the extent feasible..*

Finding: Implementation of Mitigation Measure 4.10-1 would reduce construction noise at the proposed project sites to the extent feasible. Restricting heavy-duty equipment operations in close proximity to buildings would substantially reduce exterior and interior noise at adjacent buildings. Use of auger displacement would reduce noise levels of pile installation to be

comparable to the existing noise levels of passing trains. If auger displacement is not feasible based on geotechnical considerations, use of sonic pile drivers would reduce noise levels by about 5dBA compared to impact pile drivers. These measures would minimize interior noise and associated sleep disturbance and any potential hearing loss effects at nearby receptors during excavation, and construction. However, even with implementation of these mitigation measures, it is likely that construction activities would result in increased levels of annoyance, interruption of conversation, and potential sleep disturbance at surrounding receptors during the day and occasionally at night, as permitted by the City. This impact would be considered significant and unavoidable during the short-term duration of construction activities on the proposed project sites.

For these reasons, the impact remains significant and unavoidable.

4.10-2: Operations of the proposed projects could result in a substantial permanent increase in ambient exterior noise levels in the project vicinity. (p. 4.10-28)

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

4.10-2 (a) (RSPU, KPMC, MLS)

The project sponsor shall ensure that the following measures are implemented for all development under the proposed Specific Plan:

- i. Prior to the issuance of building permits, the applicant shall submit engineering and acoustical specification for project mechanical HVAC equipment and the proposed locations of onsite loading docks to the Planning Director demonstrating that the HVAC equipment and loading dock design (types, location, enclosure, specification) will control noise from the equipment to at least 10 dBA below existing ambient levels at nearby residential and other noise-sensitive land uses.*
- ii. Noise-generating stationary equipment associated with proposed commercial and/or office uses, including portable generators, compressors, and compactors shall be enclosed or acoustically shielded to reduce noise-related impacts to noise-sensitive residential uses.*
- iii. In order to avoid the exposure of rail noise to onsite future sensitive receptors that would exceed the City of Sacramento exterior noise standards, residential units within Blocks 35, 49 and 50 shall not be placed closer than 190 feet from the centerline of the UPRR rail line.*

4.10-2(b) (MLS)

- i. *The project applicant shall retain a qualified acoustical consultant to verify that the MLS Stadium architectural and outdoor amplified sound system designs incorporate all feasible acoustical features in order to comply with the City of Sacramento Noise Control Ordinance.*
- ii. *The project applicant shall be required to limit speakers at temporary plaza stages outside the stadium to be no louder than 100 dBA measured five (5) feet from the source.*

Finding: No feasible mitigation strategies have been identified to reduce the on-road transportation noise impacts to less than significant. On-road transportation noise is discussed in Section C, Significant or Potentially Significant Impacts for which Mitigation Measures Are Found To Be Infeasible.

Impacts of most non-transportation noise sources (i.e., HVAC units, amplified sound and loading docks), with implementation of Mitigation Measure 4.10-2(a), would be reduced to less-than-significant levels. While it is likely that through the implementation of Mitigation Measure 4.10-2(b) the outdoor amplified sound system at the proposed MLS Stadium could be designed to minimize noise exposure at off-site residences through such measures as speaker height, orientation, and volume control, outdoor speaker operations during concerts would be expected to exceed the exterior daytime and nighttime noise standards of the Noise Control Ordinance at the existing and future sensitive receptors. As a result, impacts of amplified exterior sound systems and game noise would be considered significant and unavoidable.

For these reasons the impact remains significant and unavoidable.

4.10-4: Construction of the proposed projects could expose existing and/or planned buildings, and persons within, to vibration that could disturb people and damage buildings. (p. 4.10-59)

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

4.10-4 (RSPU, KPMC, MLS)

Prior to the issuance of any building permit for each phase of project development, the project applicant shall develop a Vibration Reduction Plan in coordination with an acoustical consultant, geotechnical engineer, and construction contractor, and submit the Plan to the City Chief Building Official for approval. The Plan shall include the following elements:

- 1) *To mitigate vibration, the Plan shall include measures such that surrounding buildings will be exposed to less than 80 VdB and 83 VdB where people sleep and work, respectively, and less than 0.25 PPV for historic buildings to prevent building damage.*

Measures and controls shall be identified based on project-specific final design plans, and may include, but are not limited to, some or all of the following:

- 1) *Buffer distances and types of equipment selected to minimize vibration impacts during construction at nearby receptors in order to meet the specified standards.*
- 2) *Implement a vibration, crack, and line and grade monitoring program at existing historic buildings located within 47 feet of construction activities. The following elements shall be included in this program:*

a. During building construction:

- i. The construction contractor shall regularly inspect and photograph crack gauges, maintaining records of these inspections to be included in post-construction reporting. Gauges shall be inspected every two weeks, or more frequently during periods of active project actions in close proximity to crack monitors, such as during the building construction of blocks 23 and 24.*
- ii. The construction contractor shall collect vibration data from receptors and report vibration levels to the City Chief Building Official on a monthly basis. The reports shall include annotations regarding project activities as necessary to explain changes in vibration levels, along with proposed corrective actions to avoid vibration levels approaching or exceeding the established threshold.*
- iii. With regards to historic structures, if vibration levels exceed the threshold and monitoring or inspection indicates that the project is damaging the building, the historic building shall be provided additional protection or stabilization. If necessary and with approval by the City Chief Building Official, the construction contractor shall install temporary shoring or stabilization to help avoid permanent impacts. Stabilization may involve structural reinforcement or corrections for deterioration that would minimize or avoid potential structural failures or avoid accelerating damage to the historic structure. Stabilization shall be conducted following the Secretary of Interior Standards Treatment of Preservation. This treatment shall ensure retention of the historical resource's*

character-defining features. Stabilization may temporarily impair the historic integrity of the building's design, material, or setting, and as such, the stabilization must be conducted in a manner that will not permanently impair a building's ability to convey its significance. Measures to shore or stabilize the building shall be installed in a manner that when they are removed, the historic integrity of the building remains, including integrity of material.

b. Post-construction

- i. The applicant (and its construction contractor) shall provide a report to the City Chief Building Official regarding crack and vibration monitoring conducted during demolition and construction. In addition to a narrative summary of the monitoring activities and their findings, this report shall include photographs illustrating the post-construction state of cracks and material conditions that were presented in the pre-construction assessment report, along with images of other relevant conditions showing the impact, or lack of impact, of project activities. The photographs shall sufficiently illustrate damage, if any, caused by the project and/or show how the project did not cause physical damage to the historic and non-historic buildings. The report shall include annotated analysis of vibration data related to project activities, as well as summarize efforts undertaken to avoid vibration impacts. Finally, a post-construction line and grade survey shall also be included in this report.*
- ii. The project applicant (and its construction contractor) shall be responsible for repairs from damage to historic and non-historic buildings if damage is caused by vibration or movement during the demolition and/or construction activities. Repairs may be necessary to address, for example, cracks that expanded as a result of the project, physical damage visible in post-construction assessment, or holes or connection points that were needed for shoring or stabilization. Repairs shall be directly related to project impacts and will not apply to general rehabilitation or restoration activities of the buildings. If necessary for historic structures, repairs shall be conducted in compliance with the Secretary of Interior Standards Treatment of Preservation. The project applicant shall provide a work plan for the repairs and a completion report to ensure compliance with the SOI Standards to the City Chief Building Official and City Preservation Director for review and comment.*

Finding: Implementation of Mitigation Measure 4.10-4 would ensure that construction activities at the proposed project sites would not result in building damage at the nearest historic building structures, and would reduce human

disturbance to the extent feasible. However, the proposed projects would still result in infrequent but substantial vibration during construction that would likely result in disturbance impacts at the nearest onsite sensitive land uses if construction activities were to occur within 148 feet of receptors at night, as permitted by the City. While implementation of the mitigation measures described above would avoid building damage and would reduce vibration impacts to surrounding receptors, it is likely that construction activities would still adversely affect surrounding receptors at times during construction on the proposed project sites. Consequently, this impact would be significant and unavoidable during the short-term duration of construction activities on the proposed project sites.

For these reasons, the impact remains significant and unavoidable.

4.10-7: The proposed projects would contribute to cumulative construction that could expose existing and/or planned buildings, and persons within, to significant vibration. (p. 4.10-71)

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

4.10-7 (RSPU, KPMC, MLS)

Implement Mitigation Measure 4.10-4.

Finding: Implementation of Mitigation Measure 4.10-7 would ensure that construction activities in the RSP Area would not result in building damage at the nearest historic and non-historic building structures, and would reduce human disturbance to the extent feasible. While implementation of the mitigation measures described above would avoid vibration-caused building damage and would reduce vibration impacts to surrounding receptors, it is likely that the combined cumulative construction activities could still adversely affect surrounding sensitive land uses during periods of construction. With the implementation of Mitigation Measure 4.10-7 listed above, the contribution of the proposed project to this cumulative impact would remain considerable, and the impact would remain significant and unavoidable.

For these reasons, the impact remains significant and unavoidable.

Transportation

4.12-3: The proposed projects could worsen vehicle queuing at off-ramps on I-5. (p. 4.12-209)

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

4.12-3 (RSPU, KPMC, MLS)

Implement Mitigation Measure 4.12-1(a)(ii).

Finding: Through payment of the I-5 SCMP, the RSPU, KP Medical Center, and MLS Stadium would mitigate impacts to the state highway system, particularly queuing impacts at the I-5/Richards Boulevard interchange off-ramps. However, since the timing of this interchange upgrade is unknown, these queuing impacts could occur for a number of years prior to the interchange reconstruction. Therefore, impacts associated with queuing at the I-5/Richards Boulevard interchange off-ramp are considered significant and unavoidable in the short-term, and less than significant after interchange reconstruction.

None of the identified improvements within the I-5 SCMP would directly reduce queuing on the I-5 NB off-ramp at J Street. Since this impact occurs during AM and Pre-event peak hours, each of the proposed projects contributes to the creation of the impact. This impact is considered significant and unavoidable.

For these reasons, the impact remains significant and unavoidable.

4.12-10: The proposed projects could worsen vehicle queuing at off-ramps on I-5 under cumulative conditions. (p. 4.12-225)

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

4.12-10 (RSPU, KPMC, MLS)

Implement Mitigation Measure 4.12-1(a)(ii).

Finding: Through payment of the I-5 SCMP, the RSPU, Land Use Variant, KP Medical Center, and MLS Stadium would mitigate impacts to the state highway system, particularly queuing impacts at the I-5/Richards Boulevard interchange off-ramps. Therefore, impacts associated with queuing at the I-5/Richards Boulevard interchange off-ramp are considered less than significant after interchange reconstruction.

None of the identified improvements within the I-5 SCMP would directly reduce queuing on the I-5 NB off-ramp at J Street. Since this impact occurs during AM and Pre-event peak hours, each of the proposed projects contributes to the creation of the impact. This impact is considered significant and unavoidable.

For these reasons, the impact remains significant and unavoidable.

Utilities

4.13-7: The proposed projects would contribute to cumulative increases in demand for water supply and treatment. (p. 4.13-41)

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

4.13-7 (RSPU)

In order to ensure that sufficient capacity would be available to meet cumulative demands, the City shall implement, to the extent needed in order to secure sufficient supply, one or more of the following:

- a. *Maximize Water Conservation*
- b. *Implement New Water Diversion and/or Treatment Infrastructure*
- c. *Implement Additional Groundwater Pumping*

Finding: Implementation of one or more of the above options could sufficiently increase water treatment capacity to meet cumulative demand. However, because future water supply sources are not known and the specific method of securing additional water supply is still under consideration by the City and has not yet been determined, and because significant environmental effects could result from implementation of each of the above options, the impact is considered significant and unavoidable.

For these reasons, the impact remains significant and unavoidable.

E. Project Alternatives.

The City Council has considered the project alternatives presented and analyzed in the final SEIR and presented during the comment period and public hearing process. Some of these alternatives have the potential to avoid or reduce certain significant or potentially significant environmental impacts, as set forth below. The City Council finds, based on specific economic, legal, social, technological, or other considerations, that these alternatives are infeasible. Based on the impacts identified in the Final EIR and other reasons summarized below, and as supported by substantial evidence in the record, the City Council finds that approval and implementation of the Projects as proposed is the most desirable, feasible, and appropriate action and hereby rejects the other alternatives and other combinations and/or variations of alternatives as infeasible based on consideration of the relevant factors set forth in CEQA Guidelines Section 15126.6, subdivision (f). (See also CEQA Guidelines, Section 15091, subd. (a)(3).) Each alternative and the facts supporting the finding of infeasibility of each alternative are set forth below.

Alternatives Considered and Dismissed from Further Consideration

In identifying alternatives to the proposed projects, primary consideration was given to alternatives that could reduce significant unavoidable impacts resulting from the proposed projects while still obtaining the projects' objectives. Certain impacts that are identified as being significant and unavoidable under the proposed projects (e.g., increase in air pollutants from project construction and operation) are due primarily to developing an area that is currently undeveloped or intensifying development activity beyond current levels. These impacts would not be possible to eliminate, but could be reduced, for example, by limiting the size of the project, reconfiguring uses, or implementing mitigation measures. Alternatives that reduce the intensity of development on the project site or change the location of the project are addressed later in this chapter.

The 2007 RSP EIR considered a number of alternatives that were dismissed from further analysis because they would not meet most of the basic project objectives and/or would not substantially reduce identified significant impacts. The 2007 RSP EIR discusses those alternatives that were dismissed from further consideration on pages 8-4 through 8-7. This list is applicable to the RSPU as well. The alternatives that were considered but dismissed in the 2007 EIR are summarized below.

- **Low Density Residential-Only Alternative:** The low-density, residential-only alternative proposed to develop the RSP Area as mostly single-family residential units, but was determined to be economically infeasible based on the high cost of site remediation and a failure to meet most of the objectives of the 2007 RSP. Although extensive remediation has occurred since 2007, a low density residential development would still not be economically feasible due to the costs of infrastructure and developing in a downtown area, particularly given the residential restrictions in the 2015 Land Use Covenant and the remediation standards that require extensive fill wherever there would be contact with soil (e.g., backyards). Therefore, the reasons for rejecting this alternative in 2007 would be valid for the 2016 RSPU as well. In addition, a low-density development would not be consistent with the City's 2035 General Plan, which envisions high-density residential development in the Central City.
- **Low Building Height Alternative:** The low building height alternative would keep the same densities for the RSP but limit building heights to four stories. This alternative would reduce impacts associated with dense development, such as traffic congestion, but was found to be unlikely to generate the revenues needed to support the high cost of infrastructure improvements. Further, it was likely that the reduction in residential, office and retail uses in the RSP Area would be shifted to other locations in the area, so the impacts would be dispersed rather than eliminated, and could even be greater than the 2007 RSP, particularly impacts stemming from increased vehicle miles traveled (VMT). The alternative was dismissed because it failed meet most of the basic objectives of the 2007 RSP and

also failed to substantially lessen environmental impacts. The same rationale would apply to the RSPU, which is intended to be a high-density, urban mixed-use project.

- **Central Shops Rehabilitation/Center City Park Alternative:** This alternative would have focused around the redevelopment of the Central Shops and provide a large-scale active and passive park space in the remainder of the RSP Area. The alternative was dismissed from further consideration because it would result in greater environmental effects associated with housing, office, retail and other uses eliminated from the 2007 RSP being developed elsewhere in the greater Sacramento region, and because it would fail to meet any the objectives of the 2007 RSP. This would be true for the RSPU as well.

No other potentially feasible alternatives to the proposed RSPU have been identified that are not encompassed by or addressed in the alternatives analyzed in Chapter 6, Alternatives, of the SEIR.

For the proposed projects analyzed in the SEIR, there are three project-specific components, each of which would result in significant impacts, and are therefore subject to separate alternatives analyses. The following alternatives were considered but dismissed from further analysis for the project components because they would not fulfill most of the project objectives, would not eliminate or substantially lessen environmental effects, and/or would otherwise be infeasible.

KP Medical Center

- **No Pile Driving Alternative:** One of the significant impacts associated with development of the KP Medical Center is noise associated with pile driving during construction. A preliminary Foundations Assessment Report was prepared to assess site suitability for construction. Based on soil conditions, liquefaction potential and lack of bearing capacity, the Report concludes that pile driving would be required to construct the KP Medical Center as proposed. The maximum height that could be achieved on the KP Medical Center site using conventional construction techniques (without pile driving) would likely be 4 stories. In order to contain the hospital uses described for the hospital and hospital support building (658,000 sf and 210,000 sf, respectively, the floor plate would need to be approximately 5 acres (217,000 sf per floor). Floor plates of this size would be unwieldy, inefficient, and in some cases would not meet code. For example, the entire 252 beds planned for Phase 1 would need to be placed on one floor, which would be against such code requirements as those for exits and windows in patient rooms. For these reasons, a “no pile driving” alternative was not further analyzed.

- **Offsite Location:** The primary objectives of the KP Medical Center are to relocate medical uses from Kaiser's existing older facility located at Morse Avenue in Sacramento to a new, seismically-safe medical center. In order to accommodate the patient demand that currently exists at the Morse Avenue facility, the new KP Medical Center needs to be at least as large as the Morse Avenue facility. The number of inpatient beds, the square footage and types of services provided on site, and the medical office facilities must at least be comparable in size and scale to the Morse Avenue facility. For these reasons, an offsite location would need to be approximately 17.8 acres, and could be larger if placed in a suburban location necessitating surface parking and low-profile building forms.

In addition, the facility would need to be located near a major transportation corridor so that it could be quickly and easily accessed by emergency vehicles. A suburban location would be acceptable, if there could be adequate separation from residences and/or other sensitive uses so that they would not be subject to repeated helicopter noise. Access to transit is also important for Kaiser patients who do not drive. Finally, the hospital must be located in an area with greater than 100-year flood protection. One possible site, the Sleep Train Arena site in Natomas, would not have full 100-year flood protection in the near term. The City is not aware of another site within the city boundaries that would meet these criteria and would be available to Kaiser Permanente for purchase and use as a hospital, and would have fewer or less severe environmental effects than the proposed KP Medical Center in the Railyards. For these reasons, an offsite location alternative was not further analyzed.

- **Existing Morse Avenue Facility:** Upgrading and/or expanding the Morse Avenue facility is also not considered feasible. The existing facility does not meet seismic code, so extensive and expensive retrofitting would be needed. Bringing the existing facility up to code would require larger hospital rooms and other facilities, so that the number of beds that could be accommodated within the existing facility would be substantially reduced. Renovation would also disrupt ongoing services. Expanding the existing facility and/or building a new 420-bed facility would be more costly and take longer than a new facility at the RSP Area. It would also be more disruptive of ongoing services at the Morse Avenue facility. A new building at Morse Avenue would require demolition of the existing hospital, which would result in additional construction air emissions. In addition, the RSP Area is better situated for transportation and transit than the Morse Avenue facility. For these reasons, an existing facility alternative was not further analyzed.

MLS Stadium

Enclosed Stadium: Among the impacts of the MLS Stadium is noise from crowds and amplified speech and entertainment. One way to reduce crowd noise and noise from events within the Stadium would be to cover the stadium, so that these noises would be confined to the interior. This alternative was not addressed further for several reasons:

- Soccer is an outdoor sport. The vast majority of all professional soccer stadiums do not have a fully enclosed roof. The few examples where soccer is played indoors exist within stadiums that accommodate a range of 30,000 to 75,000 attendees, are used as multipurpose venues and have retractable roofs. Few soccer stadiums in the world fit within this model. For example, there is only one professional soccer team in the world that currently plays within a domed stadium (no retractable roof). The Sapporo Dome is located in Sapporo, Japan. The stadium has a fully retractable soccer pitch. A fully enclosed roof typically increases the stadium cost by approximately \$100 Million. A retractable roof typically increases the stadium cost by approximately \$150 Million.
- The MLS does not consider artificial turf to be acceptable for the play field. A retractable roof would therefore require adding grow lights to the project. This would not only add project costs but also substantially increase the energy loads of the building.
- A retractable roof would decrease the energy efficiency of the building.
- There are typically three types of roofs used by professional soccer stadiums that are not enclosed—no roof, canopies that cover a portion of the stands, and full wraparound roof. Under the latter, which is the type of roof proposed for the MLS Stadium, the pitch and portions of the seating are open to the sky. This type of roof provides the most screening and protection from weather without being fully enclosed, along with energy optimization through solar utilization.

For the above reasons, a fully enclosed stadium was not analyzed.

Stormwater Outfall

- **Alternative Location:** The impacts of the Stormwater Outfall would be the result of construction activities along the Sacramento River bank. One option would be to relocate the Outfall. However, given that the Outfall must discharge to the river, any location is likely to have similar impacts. Further, the current presence of the I Street Bridge limits the distance downstream that the Outfall structure could be constructed, and the planned location of the I Street Bridge replacement limits the distance upstream that the Outfall structure could be placed.
- **Cistern:** The 2007 RSP provided for the construction of a subsurface cistern, which would detain the first-flush component of stormflows, and then discharge the water to the City's combined sewer system in the vicinity of 3rd & I Streets. Drainage flows in excess of the first-flush storage capacity would be detained in a second chamber and discharged to the Sacramento River. The proposed RSPU does not include the cistern because decentralized low impact development (LID) measures were determined to be more effective than the centralized water quality treatment that would have occurred within the cistern. Further, because it would require construction of both a cistern and an outfall on the river, this alternative would have similar impacts to the RSPU Stormwater Outfall.

For these reasons, the cistern was not considered further in the alternatives analysis.

Summary of Alternatives Considered

CEQA mandates that an EIR evaluate a reasonable range of alternatives to the project or project locations that generally reduce or avoid potentially significant impacts of the project. CEQA requires that every EIR also evaluate a "No Project" alternative. Alternatives provide a basis of comparison to the project in terms of their significant impacts and their ability to meet project objectives. This comparative analysis is used to consider reasonable, potentially feasible options for minimizing environmental consequences of the project. The alternatives to the RSPU are the (1) No Project/No Build Alternative; (2) No Project/No Action Alternative; and the (3) Reduced Density Alternative. The alternatives to the KP Medical Center project are the (4) No Project/No KP Medical Center Alternative and (5) Reduced Medical Center Alternative. The MLS Stadium alternatives include the (6) No Project/No MLS Stadium Alternative; (7) Smaller Stadium Alternative; (8) Relocated Railyards Stadium Alternative; and (9) Natomas MLS Stadium Alternative. The Alternative to the Stormwater Outfall is the (10) No Project/Stormwater Outfall Alternative.

The City Council rejects the Alternatives set forth in the Final SEIR and summarized below because the City Council finds that there is substantial evidence, including evidence of economic, legal, social, technological, and other considerations described in this Section E in addition to those described in

Section G below under CEQA Guidelines 15091(a)(3), that make infeasible such alternatives. In making these determinations, the City Council is aware that CEQA defines “feasibility” to mean “capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, social, legal, and technological factors.” The Council is also aware that under CEQA case law the concept of “feasibility” encompasses (i) the question of whether a particular alternative promotes the underlying goals and objectives of a project and (ii) the question of whether an alternative is “desirable” from a policy standpoint to the extent that desirability is based on a reasonable balancing of the relevant economic, environmental, social, legal, and technological factors.

RSPU Alternatives

Alternative 1: No Project/No Build Alternative

Description

The CEQA Guidelines require the evaluation of the comparative impacts of the "No Project" alternative (CEQA Guidelines Section 15126.6(e)(1)). The No Project/No Build Alternative describes an alternative in which no development would occur in the RSP Area with the exception of the continued current use of the Sacramento Valley Station; office and retail uses in the adjacent Railway Express Annex (REA) building; parking lots that front on 7th Street between F and H Streets; and streets that were called for in the 2007 RSP, constructed following approval of the 2007 RSP, and will be opened in the coming months, including 5th and 6th Streets between H Street and Railyards Boulevard, as well as Railyards Boulevard from 7th Street to Bercut Drive. The site-specific conditions of the No Project/No Build alternative are best described by the existing conditions presented in the environmental setting sections in Chapter 4 of the Draft SEIR.

Under the No Project/No Build Alternative, the City Council would not approve the project, and none of the mitigation measures identified within the Draft SEIR would be implemented. The alternatives analysis must also describe conditions that could reasonably be expected to occur if the RSPU project is not approved. In this case, it is reasonable to assume that, if the project is not approved, the project site would remain largely undeveloped, with the exception of the existing uses described above. Therefore, the impacts of the No Project/No Build Alternative would be identical to the existing conditions described in the settings of Chapter 4 of the Draft SEIR. Alternatively, if the RSPU project is not approved, the RSP Area could be redeveloped under current conditions consistent with the land use designations and allowable uses identified in the 2007 RSP and 2035 General Plan (see Alternative 2 below).

Relationship to Project Objectives

None of the RSPU objectives would be realized under Alternative 1. Nor would any of the KP Medical Center or MLS Stadium objectives be realized under this alternative.

Facts in Support of Finding of Infeasibility

Because the RSPU would accommodate growth that would inevitably occur within the Sacramento region, the No Project/No Development Alternative would result in development occurring in other locations in the region. Because of the lack of development capacity in the core of the region, it is reasonable to assume that the development would be further distant from the downtown core. There could be significant effects related to such development elsewhere in the region, and some effects could be more severe. To the extent that such development were more dispersed and less dense than the proposed RSPU, some impacts might be more significant. For example, VMT would increase, and as a result impacts on air quality and greenhouse gasses would be more severe. Depending on location and the acreage that is disturbed, impacts on biological and cultural resources could increase if development is located on undeveloped land on the urban edge. However, it is not known where or what type of development would occur if the RSPU is not approved, so it would be speculative to provide a more definitive discussion of potential impacts.

While the No Project/No Build Alternative would avoid impacts associated with the projects, this alternative would not further any of the projects' objectives or provide any of the benefits contemplated by the projects. Additionally, this alternative would result in different and greater significant impacts than the proposed RSPU. Therefore, Alternative 1 is rejected.

Alternative 2: No Project/No Action Alternative

Description

The No Project/No Action Alternative assumes that the RSP Area would be redeveloped under current conditions consistent with the land use designations and allowable uses identified in the 2007 RSP and 2035 General Plan (see Figure 6-1). For the most part, the types of uses (e.g., office, high density residential, historic/cultural) are very similar, although the number of units, square footage, distribution and mix of uses differ. In addition, there would be no regional medical center under the 2007 RSP. The 2007 RSP did provide for a sports and entertainment center overlay, which could potentially be the site of a soccer stadium, although the overlay site is not located near the proposed MLS Stadium site.

In general, the amount of residential and office development could be higher under the No Action Alternative, while the amount of retail would be much higher (1.4 million sf for the 2007 RSP compared to 515,000 sf under the RSPU). Land uses have also been redistributed in some cases. For example, the area bound by 7th and 10th Streets, Railyards Boulevard and the northern embankment is designated residential/mixed use (allowing retail and neighborhood office, but not other office uses) in the 2007 RSP, but C-3 in the 2016 RSPU, which allows both residential and high rise office.

A number of elements would be very similar. The Central Shops District would have a similar amount of development (approximately 485,000 sf) with historic/cultural, retail, entertainment and office uses. Both the 2007 RSP and 2016 RSPU provide for an approximately 10-acre park in the northwest corner of the RSP Area. The assumed uses in the Transit Zone, such as the intermodal facility would be identical. The backbone infrastructure would be similar, with some variation in the street layout. Several roads have already been constructed along the alignments identified in the 2007 RSP, including Railyards Boulevard and the extensions of 5th and 6th Streets. The railroad tracks have also been relocated to the current alignment as called for in the 2007 RSP. Like the 2016 RSPU, this alternative would also have a conceptual location for a school, fire station and police substation.

Other key differences between the 2007 RSP and the 2016 RSPU include:

- The 2007 RSP included a Sports and Entertainment Facility Overlay on four blocks north of the rail line and on either side of 7th Street. The 2016 RSPU does not include this overlay, but does provide for the MLS Stadium farther north in the RSP Area, east of 7th Street.
- The 2007 RSP would manage stormwater flows with a cistern that would detain those flows, and discharge them to both the City's CSS and a new outfall on the Sacramento River. The 2016 RSPU does not include a cistern, and all stormwater would be discharged to the river through a new outfall.
- The 2016 RSPU anticipates both a new medical center and a soccer stadium. While these uses would be allowed under the 2007 RSP, they were not anticipated uses or analyzed in either the 2007 RSP or the 2007 RSP EIR.

The No Project/No Action Alternative allows for a maximum of 12,500 residential units (including 400 units in mixed-use flex), 2.9 million square feet of office uses (including 491,000 sf in mixed-use flex), 1.4 million square feet of retail uses, 491,000 sf of mixed-use flex space (which could be developed as 491,000 sf of office, retail, or other non-residential uses, or approximately 400 residential units, or some combination of these uses), 1,100 hotel rooms, 485,390 sf of historic

and cultural uses, 41.2 acres of open space, 1.7 acres of utilities, and 9,700 parking spaces.

Relationship to Project Objectives

Alternative 2 would meet many of the RSPU project objectives, because it would contain a similar mix of uses. However, project objectives relating to the MLS Stadium and the KP Medical Center would be wholly unmet. Alternative 2 would develop the Railyards with transit-oriented, mixed-use development, and could promote a 24-hour urban village with a range of complementary uses (e.g., retail, office, hospitality, educational) and a mix of housing types. This development would be integrated into the existing Central City through the extension of roads, bike paths and pedestrian facilities, and would connect to the Sacramento River waterfront. Alternative 2 would provide a transportation corridor that accommodates a variety of transportation modes, and would complement and support the Sacramento Valley Station and the Sacramento Intermodal Transit Facility. The Central Shops would be used as a community resource, including a museum and tourist-oriented retail uses.

Facts in Support of Finding of Infeasibility

Many impacts caused by Alternative 2 would either be the same as or less than the impacts of the RSPU. However, because of the greater number of residential units, Alternative 2 would have a higher water demand than the proposed RSPU (approximately 2,107 to 2,186 afy compared to 1,871 to 2,278 afy). While this demand could be met under existing conditions, under cumulative conditions there could be times when total City water demand would exceed its available treated supply (Impact 4.13-7). This impact would be slightly more severe under Alternative 2, due to the higher demand.

While the No Project/No Action Alternative would avoid some of the impacts associated with the projects, this alternative would not further any of the project objectives or provide any of the benefits contemplated by the projects as relating to the MLS Stadium and KP Medical Center, and is therefore rejected. The No Project/No Action Alternative would not provide health care-oriented development, and would not promote downtown development to the extent that the RSPU would, because this alternative would not have two of the major regional draws—the KP Medical Center and the MLS Stadium.

Alternative 3: Decreased Density/Intensity Alternative

Description

The purpose of Alternative 3, Decreased Density/Intensity, is to reduce those impacts associated with the level of development that would occur within the RSP Area. By reducing the number of residential units and the square footage for retail, commercial and other uses, the resident, employee and visitor population

within the RSP Area would drop, resulting in a reduction in the number of vehicles associated with RSP Area development, and the associated levels of air emissions and traffic noise. The demand for public and utility services would also be reduced.

The Decreased Density/Intensity Alternative would retain the same distribution of land uses, but would reduce the total amount of development that would be allowed within the RSP Area. Under this alternative, there would be a 40 percent reduction in residential, office and retail uses. As shown in Table 6-2 of the SEIR, the number of residential uses would be reduced to 3,600 to 6,000 units, office would be reduced to 2.3 msf, and retail uses would be reduced from 514,000 to 308,000 sf. The number of hotel rooms would be reduced to 660. Flex space and office and retail uses within the Central Shops District would also be reduced by 40 percent. The KP Medical Center Phase 2 medical office buildings would also be reduced in size. Several components of the proposed projects would be unchanged, including:

- The location, acreage and layout of the Kaiser Permanente Medical Center would remain the same as proposed; however, the Phase 2 medical office buildings would be reduced in size by 40 percent in order to reduce peak hour trip generation associated with these offices, while maintaining the number of in-patient hospital beds.
- The MLS Stadium would remain the same.
- The roadway system and other infrastructure would not change.
- The museum would remain 180,000 sf.

Relationship to Project Objectives

Alternative 3 would meet some of the project objectives, because it would contain a similar mix of uses, including the MLS Stadium and the KP Medical Center. For example, Alternative 3 would develop the Railyards with transit-oriented, mixed-use development, and could promote a 24-hour urban village with a range of complimentary uses (e.g., retail, office, hospitality, health care, educational) and a mix of housing types. This development would be integrated into the existing Central City through the extension of roads, bike paths and pedestrian facilities, and would connect to the Sacramento River waterfront. A transportation corridor that accommodates a variety of transportation modes and complements the Sacramento Valley Station and the Sacramento Intermodal Transit Facility would be developed. The Central Shops would be used as a community resource, including a museum and tourist-oriented retail uses. Alternative 3 would also promote downtown development by providing the major regional draws, specifically the KP Medical Center and the MLS Stadium. However, the extent to which objectives related to the level of development (e.g., creating a vibrant, transit-oriented 24-hour development) could be substantially less under

Alternative 3 because there would be fewer residential units and less retail and office development. Further, the KP Medical Center objectives would not be realized due to the reduction in the size of the MOBs. For example, the KP Medical Center would not achieve objectives of efficiency, because some medical office uses would need to be located at a distance from the hospital, and would not be able to offer an expansion of advance medical services or accommodate the demands of future growth in membership. That growth would then have to be accommodated elsewhere in the region or City, resulting in additional environmental impacts, and a decrease in the efficiency gained by having a consolidated medical center with substantial medical office space. Moreover, maximizing efficiency by developing a single KP regional medical center is the primary project objective of that project, and failure to achieve it undermines the entire rationale for considering relocation of the Sacramento Medical Center from Morse Avenue to the RSP Area.

This alternative would meet all of the objectives of the proposed MLS Stadium.

Facts in Support of Finding of Infeasibility

Alternative 3, Decreased Density/Intensity, would avoid or lessen some impacts associated with the projects; however, this alternative would not further the key project objectives related to the provision of the number of residential units, and would reduce the expansion of medical office uses in the RSP Area. Alternative 3 therefore is rejected.

KP Medical Center Alternatives

Alternative 4: No Project/No KP Medical Center

Description

As discussed above, typically there are two types of “No Project” alternatives. The first assumes that no changes occur at the project site, so that the existing conditions are maintained. The second No Project alternative considers what could be expected to happen given existing zoning and reasonably foreseeable changes. For the KP Medical Center, under a No Project/No Build alternative, the existing site conditions would remain. That is, the site would remain undeveloped in close to its current state. Some additional grading could be undertaken in order to complete remediation activities, but then no additional changes would occur. The outcome of the No Project/No Build alternative is described in the existing conditions sections of Chapter 4 of the SEIR and in Alternative 1 for the RSPU.

For the “No Project/No Action” alternative, it is assumed that the RSPU would be developed, but with a different set of land uses in the area zoned as the Hospital Special Planning District (H SPD) under the proposed project. Typically, the existing zoning for the site would be assumed to be developed in a “No

Project/No Action” alternative. In this case, it is assumed that the RSPU would move forward without the KP Medical Center. Therefore, the land uses assumed under the Land Use Variant in Chapter 2 of the SEIR are assumed to be developed under this alternative. For this alternatives analysis, it is assumed that the approximately 17.8-acre site within the Railyards would remain zoned H SPD, which allows for office uses and conditionally allows residential uses (with a Conditional Use Permit), and the land uses would be those described for the Land Use Variant in Chapter 2 of the SEIR. The following uses are assumed to be developed within the KP Medical Center site:

- Office: 921,002 sf
- Retail: 92,100 sf
- Flex: 138,150 sf
- Residential: 250 dwelling units

It should be noted that these land uses are also allowed under the current zoning. The Residential/Commercial Mixed Use allows for up to 250 dwelling units per acre and a maximum FAR of 8.0. The above mix of land uses would require a minimum of 6.3 acres, which could easily be accommodated on the approximately 17.8-acre site.

A total of approximately 5,804 employees would be generated by Alternative 4.

The street system would be similar to the proposed KP Medical Center, except that Huntington Street would be extended between Railyards Boulevard and South Park Street. Utilities would also be similar, with main water and storm drain lines in Railyards Boulevard, Bercut Street, South Park Street and 5th Street, and main sewer lines in Railyards Boulevard and 5th Street.

Under this alternative, Kaiser would continue to operate its Sacramento Medical Center at the Morse Avenue location in unincorporated Sacramento County. The Morse Avenue facility offers a full hospital, inpatient and ambulatory surgical services, medical offices, emergency services, pharmacy, and other related healthcare services and administrative functions. However, as discussed previously, in order to continue using the Morse Avenue facility, seismic retrofits would be required to meet State requirements. At the same time, other changes would be required to meet code requirements, such as increasing the size of hospital rooms. As a result, the number of beds available within the existing facility would be reduced from 283 beds to approximately 70 beds, requiring a large addition and/or new facilities in order to maintain existing service levels.

Relationship to Project Objectives

Alternative 4 would not meet any of the KP Medical Center objectives, because it would not construct a new medical center campus in downtown Sacramento. In addition, Alternative 4 would not meet certain RSPU objectives, such as providing for a range of complimentary uses that include health care, and providing sufficient land, entitlements, and regulatory provisions to support the development of a Kaiser Permanente regional medical center.

Facts in Support of Finding of Infeasibility

While some of the impacts of the proposed projects would be lessened under Alternative 4, the demand for potable water would be higher than the proposed projects. Alternative 4, however, would not meet any of the basic project objectives of the KP Medical Center project. For instance, and without limitation, Alternative 4 would not locate a regional medical center downtown near existing and planned transit services. As a result, Kaiser Permanente medical services would continue to be provided at the Morse Avenue location, a hospital that does not meet current seismic requirements for hospitals. Therefore, Alternative 4, No Project/No KP Medical Center, is rejected.

Alternative 5: Reduced Medical Center

Description

Alternative 5 would replace the Morse Avenue facility, and would include an expansion beyond the existing services offered at Morse Avenue. Under Alternative 5, approximately 280 beds would be provided in the hospital. This size hospital would be large enough to replace the Morse Avenue facility, which currently has 287 beds. Other facilities would be reduced by a commensurate amount, so that Alternative 5 would be approximately two-thirds the size of the proposed KP Medical Center project. The Hospital Support Building (HSB) would be reduced from 210,000 sf to 140,000 sf. Similarly, only 200,000 sf of medical office buildings uses would be constructed, along with 2,440 parking spaces in parking garages. The Central Utility Plant would also be reduced by approximately one-third. A helistop would be located immediately west of the hospital building.

Alternative 5 would occupy the same blocks as the KP Medical Center project, bounded by South Park Street on the north, Bercut Street on the west, Railyards Boulevard on the south and 5th Street on the east. The footprint of the various structures would be similar, so the reduction in beds and square footage would be reflected primarily in building height. The hospital would be 10 floors in height, compared to 14 floors for the proposed KP Medical Center project. The medical office buildings would be 4 stories tall, rather than 6 stories. The western garage would be 5 levels, with 1 level below grade. The eastern garage would have 8 levels, with one below grade.

The roadway system for Alternative 5 would be the same as for the proposed KP Medical Center project. Access to the hospital would be provided from Railyards Boulevard, with access to the garage from Railyards Boulevard and Bercut Street. Utilities lines would also be similar, with the main water and stormwater lines in Railyards Boulevard, 5th Street, South Park Street and Bercut Street. Main sewer lines would be located in Railyards Boulevard and 5th Street. The hospital would have a central utility plant (CUP), which could be smaller than the 60,000 sf plant proposed for the project. The CUP would be located on a 20,000 sf site near the southeast corner of South Park Street and Bercut Drive.

Under Alternative 5, there would be approximately 2,830 employees at the KP Medical Center site, compared to the 4,465 employees at the proposed KP Medical Center.

While Alternative 5 would replace the Morse Avenue facility, it would not provide for any growth in membership and/or expansion of services as provided for by the proposed KP Medical Center. Therefore, it would not serve as a regional medical center to the extent that the proposed KP Medical Center would.

Relationship to Project Objectives

Alternative 5 would partially achieve the KP Medical Center project objectives by replacing the Morse Avenue facility with a seismically safe, up-to-date facility. However, because Alternative 5 would only provide for replacement, it would not have the flexibility to respond to evolving health care needs of KP members, provide capacity for long-term growth and development, nor allow for the provision of new advanced medical services beyond those currently provided at the Morse Avenue facility. In addition, because new facilities would need to be located elsewhere, there would be less opportunity for comprehensive planning for medical services and the efficiencies captured by the consolidation of those services at one location. Additionally, those new facilities at other locations would have their own environmental impacts. The Alternative 5 hospital would help transform downtown Sacramento into a commercial and community hub by diversifying the resources available within the downtown to include more medical facilities, but to a lesser extent than the proposed KP Medical Center project. Similarly, Alternative 5 would meet the RSPU project objectives to provide a range of uses, including health care, and to support the development of a Kaiser Permanente regional medical center, but to a lesser extent than the proposed KP Medical Center, for the reasons stated above. Further, because fewer of the KP medical services would be located in the RSP Area, this Alternative would not support the RSPU objectives to promote downtown development that is a regional draw to the extent that the proposed KP Medical Center would.

Facts in Support of Finding of Infeasibility

While the Reduced Medical Center Alternative would avoid impacts associated with the projects, this alternative would not meet some of the KP Medical Center

project objectives. Because Alternative 5 would provide only for the replacement of the Morse Avenue facility, Kaiser Permanente would need to build additional facilities elsewhere in the region to provide for membership growth. Depending on the location and size of such facilities, they could result in additional traffic, air quality, noise and related impacts that could be more severe than those under the RSPU. Moreover, the decentralization of member services to satellite MOBs would prevent the realization of the applicant's overriding project objective of maximizing efficiency in the provision of services. Therefore, Alternative 5 is rejected.

MLS Stadium Alternatives

Alternative 6: No Project/No MLS Stadium

Description

Under this alternative, the MLS Stadium would not be built within the RSP Area. As a result, there would not be a facility to accommodate a professional outdoor soccer team in Sacramento. As discussed earlier, a "No Build" alternative would assume that the MLS Stadium site would remain undeveloped and that the only changes that would occur would be related to finalizing remediation of the site. The conditions described in Chapter 4 settings and Alternative 1 would continue.

For a "No Action" alternative, land uses are typically based on existing uses. In this case, because it is assumed that the RSPU would be implemented on the remainder of the site, it is assumed that the land uses identified in the Land Use Variant in Chapter 2 would be developed on the stadium site, including:

- Residential: 750 units
- Retail: 30,700 sf
- Flex Space: 46,050 sf

The above uses are also consistent with the existing zoning of Residential Mixed Use, which allows up to 310 dwelling units per acre and a maximum FAR of 1.0. A minimum of 2.4 acres would be needed for the above residential uses and 1.76 acres for the retail and flex space uses. The stadium site is approximately 14 acres, which could accommodate these uses.

The roadway system would differ from the proposed MLS Stadium, because South Park Street, 8th Street and 9th Street would extend into the site to provide more circulation to the smaller blocks. Utilities would be similar, with main water and sewer lines in Railyards Boulevard, 7th Street and 10th Street, and storm drain lines in 7th Street and Railyards Boulevard.

A small park would be developed in the center of the site, and open space would continue to be provided along the embankment.

Relationship to Project Objectives

Alternative 6 would not achieve the objectives of the proposed MLS Stadium, because no new professional soccer stadium would be constructed. Further, Alternative 6 would not achieve RSPU project objectives related to providing a range of complementary uses that includes entertainment, promoting downtown development that is a regional draw for the City, and providing sufficient land, entitlements and regulatory provisions to support the development of a multi-purpose stadium that could accommodate a Major League Soccer franchise.

Facts in Support of Finding of Infeasibility

While the No Project/No MLS Stadium Alternative would avoid impacts associated with the MLS Stadium, this alternative would not meet any of the MLS Stadium project objectives. This alternative would not provide an additional entertainment venue near the City's downtown core and would not help expand the City's desire to attract additional professional sports franchises. Alternative 6 would also exacerbate some of the environmental impacts as analyzed in the SEIR. Therefore, Alternative 6, No Project/No MLS Stadium, is rejected.

Alternative 7: Smaller Stadium

Description

This alternative would reduce the size of the MLS stadium to 18,000 capacity, which is the same size as another professional soccer facility, Avaya Field in San Jose. Although the capacity would be reduced by 28 percent, the size of the building would not change substantially, because the size of the field could not be reduced and there would still need to be paved entryways and gathering spaces outside of and within the stadium.

The facilities at the Alternative 7 stadium would be essentially the same as for the 25,000-capacity stadium, but in some cases they would be smaller. For example, the seating bowl would be shorter and there would be fewer concessions. Some components would likely be similar in size, such as the field itself and team facilities and locker rooms. The reduction in square footage would result in a smaller footprint and a lower profile for the stadium. However, due to its location, it is unlikely that an additional, usable parcel could be created for non-stadium-related retail or other purposes. Therefore, this analysis assumes that Alternative 7 would use the entire area dedicated to the 25,000-capacity stadium, with any excess space dedicated to landscaping or plazas.

The smaller stadium is anticipated to host the same number of events as the proposed MLS Stadium; however, attendance levels would be reduced to the

stadium's smaller size. Estimated attendance would range from 4,000 people at community events to 21,500 at concerts. As with the 25,000-capacity stadium, the 18,000-capacity stadium is assumed to have additional capacity for concerts, because the field could be used for attendees. Soccer-related events would have an expected attendance of 12,600 to 18,000 under Alternative 7, compared to 18,000 to 25,000 under the proposed MLS Stadium. On an average daily and annual basis, attendance would be approximately 30 percent lower under Alternative 7, compared to the 25,000-capacity MLS Stadium.

Employment levels would also be similar, although reduced due to the reduction in attendance levels. The permanent staff would need to include the same number of staff for management, maintenance, and ticket sales. Players, coaches, trainers and scouts are also considered in the permanent employee number, although they would only be at the stadium on event days. For this analysis, it is assumed that the permanent staff would not change. Temporary, event-day staff would be more dependent on attendance levels. Alternative 7 is estimated to require from 102 to 330 temporary staff on event days, including police, EMTs, security, stagehands and cleaning staff.

Relationship to Project Objectives

Alternative 7 could meet some of the project objectives of bringing a state-of-the-art stadium and entertainment facility to RSP Area; it could provide a catalyst to development of the RSP Area and would be accessible by multiple modes of transportation. The ability of Alternative 7 to meet the basic objectives of the project such as serving as a catalyst and promoting major entertainment events could be limited by its size, with annual attendance reduced from 748,000 to 529,000. The smaller size of the stadium could also make it more difficult to achieve the objective of meeting MLS industry standards. Similarly, Alternative 7 would contribute to RSPU project objectives to a lesser extent than the proposed MLS Stadium, particularly those objectives related to providing a range of complementary uses that includes entertainment, promoting downtown development that is a regional draw for the City, and providing sufficient land, entitlements and regulatory provisions to support the development of a multi-purpose stadium that could accommodate a Major League Soccer franchise.

Facts in Support of Finding of Infeasibility

While the Smaller Stadium Alternative would lessen some impacts associated with the MLS Stadium, this alternative would only partially meet the MLS Stadium project objectives. However, because Alternative 5 would provide only 72 percent of the capacity as compared to the proposed project, the size and quality of events at the MLS Stadium could be affected, potentially reducing the number of visitors to the RSP Area and the downtown area. The reduced capacity of the MLS Stadium could also make it more difficult to construct a stadium that meets MLS industry standards. Therefore, Alternative 7 is rejected.

Alternative 8: Relocated Railyards Stadium

Description

Under Alternative 8, a 25,000-capacity stadium would be constructed in the RSP Area, but at a different location. Given that approximately 14 contiguous acres are needed for the stadium, the only location with the appropriate dimensions within the RSP Area is located directly to the west of the proposed MLS Stadium site. The Alternative 8 site would be bounded by 7th Street on the east, Railyards Boulevard on the south, 5th Street on the west and the embankment on the north. This alternative location would reduce impacts specific to the MLS Stadium, such as crowd noise and lighting, by moving the source of those impacts farther from the sensitive uses east of 7th Street and south of the RSP Area. The entrance to the Alternative 8 stadium and the associated plazas and stages would front 7th Street. As shown in Figure 6-2 in the SEIR, there would be a strip of land to the west of the stadium, along 5th Street, that could be developed with commercial uses, similar to the land uses assumed to be located between 7th and 8th Streets for the proposed MLS Stadium site. Also as shown in Figure 6-2, the residential land uses that would be displaced by the relocated stadium would be moved to the former location, essentially swapped with the stadium. Therefore, the area bounded by 7th Street, North 10th Street, Railyards Boulevard and the embankment would be zoned R-5.

Alternative 8 is assumed to have the same number of dwelling units and non-residential square footage as would occur under the proposed MLS Stadium.

The two sites are slightly different in size, which could affect the layout and design of the residential and commercial buildings. The current MLS Stadium/C-3 site is a total of 21 acres, including developable lots and open space. The stadium itself would occupy approximately 13.27 acres, and the residential and commercial development would occupy 6.89 acres. The R-5 Residential Site is composed of approximately 18.16 acres, including 17.03 acres of developable lots and 1.13 acres of open space. Under Alternative 8, the MLS Site/C-3 development program would need to occupy the 18.16-acre site. Assuming the stadium is the same size, there would be approximately 4.89 acres available for the accompanying residential and commercial development, a reduction of 2 acres or about 30 percent the area available under the proposed MLS Stadium. The C-3 zone allows up to 450 dwelling units per acre and an FAR of 8.0, so the residential, retail and flex space could easily be accommodated on the smaller site. The current site of the proposed MLS Stadium is larger than the current area proposed for R-5 zoning, so that level of residential and retail development could be accommodated as well.

The roadway system would be altered to provide through access to the residential blocks east of 7th Street and 6th Street and Judah Street would not be extended north of Railyards Boulevard.

The Alternative 8 site is encumbered by an affordable and market rate housing covenant in favor of California Department of Housing and Community Development (HCD) regarding the obligation to construct a total of 1,100 residential units of which 267 are restricted as affordable rate units. Therefore, this alternative may prove not be feasible, because it would require that the covenant be rescinded. Nonetheless, the alternative is included in this analysis because it is the only alternate site within the RSP Area that is of sufficient size to accommodate the Stadium.

Relationship to Project Objectives

Alternative 8 would meet the project objectives related to building a multipurpose stadium and entertainment center that meets MLS industry standards, and that would serve as the long-term home to the Sacramento Republic FC. This alternative could also leverage the stadium to catalyze redevelopment of the RSP Area. Access to the stadium from multiple modes of transportation would also be achieved, although, as discussed above, transit and pedestrian access would not be as safe or efficient as the proposed MLS Stadium site. Because this site is encumbered by a covenant for affordable housing, the location of the MLS Stadium in this location may not achieve the RSPU objective of providing sufficient entitlements and regulatory provisions to support development of an MLS franchise.

Facts in Support of Finding of Infeasibility

While some environmental impacts of Alternative 8 would be less severe than under the proposed projects, other impacts such as noise, traffic and intersection levels of service, transportation network connectivity land use compatibility would be worse. The Alternative 8 location is much closer to the KP Medical Center project site than the proposed MLS Stadium site. Hospitals can be considered sensitive to noise levels. Under Alternative 8, buildings would be constructed immediately west of the stadium, so the hospital would be buffered from stadium noise. However, the upper floors of the hospital, which would contain patient rooms, could be more directly exposed to stadium noise, particularly before the buildings west of the stadium are constructed. The planned transportation network would be disrupted by eliminating the South Park Street connection between 5th Street and 7th Street, as well as the connection of 6th Street from Railyards Boulevard to North B Street. The elimination of these streets would also remove part of the RSP grid and reduce the 'walkability' of the area. Therefore, Alternative 8, Relocated Railyards Stadium, is rejected.

Alternative 9: Natomas MLS Stadium

Description

Alternative 9 assumes a 25,000-capacity stadium would be constructed at what is now the Sleep Train Arena complex located south of Del Paso Road, east of I-

5, west of Truxel Road and north of Arena Boulevard in North Natomas. The Natomas MLS Stadium would be located within approximately 200 acres of vacant land and existing paved parking lot. A partially constructed and now-abandoned baseball stadium is located in the northern portion of the site. Sleep Train Arena is located in the central portion of the site. The southern portion of the site is dominated by the Sleep Train Arena surface parking lot. The Natomas MLS Stadium site is shown in Figure 6-3 in the SEIR.

Perimeter access road surrounds the Natomas MLS Stadium Site on the south, west and eastern boundaries. Surrounding land uses include two-story office buildings and parking lots to the north, vacant land to the east, multifamily residential development to the southeast, vacant land and multifamily residential development to the west.

For purposes of this alternative, it is assumed that the existing Sleep Train Arena would be demolished, and replaced by the MLS Stadium with dimensions and design similar to the stadium proposed for the RSP Area. Approximately 14 acres would be used for the stadium, which would include the same amenities as the proposed MLS Stadium. Parking would be provided on site, in the existing parking lot, which has more than 12,000 spaces. The stadium would displace only a small number of these spaces, because it would be located on the same site that the Sleep Train Arena currently occupies.

No new circulation or utilities would be required for the Natomas stadium, because it is already configured to accommodate the basketball arena. Construction activities would be similar to building a stadium in the RSP Area, except that groundwater is less prevalent at the Natomas site, so there would be less dewatering.

Under this alternative it is assumed that the proposed MLS Stadium site within the RSP Area would be developed under either the adopted 2007 RSP (if the 2016 RSPU is not adopted) or the Land Use Variant (if the RSPU is developed), as described in Alternative 6. The impacts of developing residential and commercial uses on the proposed MLS Stadium site are described in Chapter 4 under the Land Use Variant and in Alternative 6, above. Therefore, this analysis focuses on the differences between building a stadium on the proposed site in the RSP Area or at Natomas. A brief discussion is provided at the end of impacts on the RSP Area site.

Relationship to Project Objectives

Alternative 9 could achieve the objective of developing a state-of-the-art multipurpose stadium and entertainment facility that meets MLS industry standards, and it could be that the stadium could promote family and civic events compatible with the surrounding area, but would be unable to support and catalyze redevelopment of the RSP Area if it is located in Natomas. However, Alternative 9 would not meet any of the other basic objectives of the MLS

Stadium project. The Natomas site would need to be acquired in order to construct a stadium there. Even assuming that the site could be acquired, the process could substantially affect the cost and timing of the project to accommodate MLS expansion efforts. In addition, as discussed above, the Natomas site is not as conducive to travel by bike, foot and/or transit, so it would not promote access by multiple modes of transportation.

Alternative 9 would not support a number of the RSPU project objectives, such as providing a range of complementary uses that includes entertainment, promoting downtown development that is a regional draw for the City, or promoting alternative modes of transportation.

Facts in Support of Finding of Infeasibility

Development of an MLS Stadium at the Sleep Train Arena site in North Natomas would preclude other types of development that could occur at that site, although no other redevelopment plans are proposed for the site at this time. The Sleep Train Arena site would not promote multi-modal transportation to the same degree as the proposed MLS Stadium location due to its distance from major transit corridors and lack of immediately surrounding development. Due to the likelihood for automobile travel to be higher to the Sleep Train Arena site as compared to the proposed RSP Area site, air emissions would be expected to increase considerably. Additionally, due to the Sleep Train Arena's location in a A99 flood zone, mitigation may be required to ensure that flood protection at the Natomas site is adequate. Therefore, Alternative 9, Natomas MLS Stadium, is rejected.

Stormwater Outfall Alternatives

Alternative 10: No Project/Stormwater Outfall

Description

As discussed previously, an EIR must evaluate a "No Project" alternative. In the case of the Stormwater Outfall, under the No Project alternative, the outfall would not be built, and either the RSPU would use a different facility to manage stormwater, such as the cistern that was proposed in the 2007 RSP, or the RSP Area would not develop. Moving the stormwater outfall to a different location along the river would not avoid or lessen any significant impacts.

Relationship to Project Objectives

The proposed RSPU could not move forward if no outfall were constructed, so none of the project objectives would be achieved. Any storm drainage system for the RSPU would require a connection to the Sacramento River allowing for discharge of stormwater.

Facts in Support of Finding of Infeasibility

If a combination of outfall and cistern or similar infrastructure were constructed, some stormwater would need to be discharged to the City's combined sewer system (CSS). The City's CSS has limited capacity. In the short-term, projects within the RSP Area could rely on the basins to manage stormwater. However, at buildout, stormwater must be discharged either to the Sacramento River or the CSS. Without the proposed Stormwater Outfall, a portion of the stormwater would need to be discharged to the CSS, which does not now and is not planned to have capacity to accommodate increases in both wastewater and stormwater. Therefore, Alternative 10, No Project/Stormwater Outfall, is rejected.

F. Statement of Overriding Considerations:

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

The City of Sacramento has considered the information contained in and related to the Final SEIR (the Draft SEIR, Comments and Responses to those documents, text changes and other revisions to the SEIR, and all other public comments, responses to comments, accompanying technical memoranda and staff reports, and findings included in the public record for the projects). Pursuant to CEQA Guidelines Section 15092, the City Council finds that in approving the Sacramento Railyards Specific Plan Update, KP Medical Center, MLS Stadium, & Stormwater Outfall projects, it has eliminated or substantially lessened all significant and potentially significant effects of the projects on the environment where feasible as shown in the findings. The City Council further finds that it has balanced the economic, social, technological and other benefits of the projects against the remaining unavoidable environmental risks in determining whether to approve the projects and has determined that those benefits outweigh the unavoidable risks and that those risks are acceptable. The City Council makes this statement of overriding considerations in accordance with CEQA Guidelines Section 15093 in support of approval of the projects. Specifically, in the City Council's judgment, the each of the benefits of the projects as proposed separately and independently outweigh all of the unmitigated adverse impacts and the proposed projects should be approved.

The overall goals of the proposed projects are to update the plan for development within the RSP Area, and construct and operate the KP Medical

Center, MLS Stadium, and Stormwater Outfall. Based on the objectives identified in the Final SEIR and administrative record, and through extensive public participation, the City Council has determined that the proposed projects should be approved, and any remaining significant environmental impacts attributable to the proposed projects are outweighed by the following specific environmental economic, fiscal, social, housing and other overriding considerations. Each benefit set forth below is supported by substantial evidence in the record and constitutes an overriding consideration warranting approval of the proposed projects, independent of the other benefits, despite each and every unavoidable impact.

The considerations that have been taken into account by the City Council in making this decision are identified below.

Land Use. The projects will develop the RSP Area in a way that updates the 2007 Railyards Specific Plan to better meet City's existing goals for the Central City's infill development. Redevelopment of the RSP Area will incorporate many of the best principles of smart growth and quality urban design and will advance the City's land use goals and policies. Key land use-related benefits include the following:

- Integration of the RSP Area into the fabric of the existing Central City, consistent with 2035 General Plan goal LU 1.1; policies LU 1.1.4 and LU 1.1.12; goal LU 2.5; policies LU 2.5.1 and LU 2.5.2; goal LU 5.1; policy LU 5.1.1; goal LU 5.6; policies LU 5.6.1 and LU 5.6.6. The Railyards have historically been isolated from the City. The proposed projects would integrate the area from all points into a seamless patch of the City fabric.
- Creation of mixed-use, pedestrian-friendly, transit-oriented urban infill development, including residential, hospital, recreation, retail, restaurant, hotel, office, open space, and other related uses in close proximity to a wide array of modes of transportation consistent with 2035 General Plan goal LU 2.1; policies LU 2.1.3 and LU 2.1.6; goal LU 2.5; policy LU 2.5.1; goal LU 2.6; policies LU 2.6.1 and LU 2.6.2; goal LU 4.1, policies LU 4.1.1, LU 4.1.2, LU 4.1.3, LU 4.1.4, LU 4.1.6, LU 4.4.6; goal LU 5.1; policies LU 5.1.2, and 5.1.3; goal LU 5.5; policy LU 5.5.1; goal LU 5.6; policies LU 5.6.2 and LU 5.6.3; goal LU 8.1; policy LU 8.1.1, LU 8.1.2, and LU 8.1.13; goal LU 8.2; policies LU 8.2.1 and 8.2.5; goal LU 9.1; policies LU 9.1.1, LU 9.1.2, and LU 9.1.3.

Housing. The projects will add between 6,000 and 10,000 housing units to the City's housing stock. Key housing-related benefits include the following:

- Addition of market-rate, high-rise and mid-rise housing in the heart of the Central City, where little market rate housing currently exists, consistent with 2035 General Plan goal LU 2.4 and policy LU 2.4.5.

- Construction of housing as part of mixed-use development projects, consistent with 2035 General Plan goal LU 2.1; policy LU 2.1.6; goal LU 2.6; policy LU 2.6.2; goal LU 4.1; policy LU 4.1.1; goal LU 4.4; goal LU 5.1; policies LU 5.1.1, LU 5.1.2, LU 5.1.4, and LU 5.1.5; policy LU 5.6.3; policy M 1.3.1; and Central City Community Plan policies CC.H 1.1 and CC.SPD 1.1.
- Addition of between 6,000 and 10,000 units to the housing inventory, advancing the City's ability to achieve its Regional Housing Needs Allocation established by SACOG and reflected in the 2013-2021 Housing Element, which requires 24,101 new units, including 3,200 above moderate income, multi-family units (see 2013-2021 Housing Element, Table H9-1). The proposed units would represent between 25% and 42% of the RHNA-required housing units; and
- Addition of up between 6,000 and 10,000 units in an area of the City unconstrained by flood risk, advancing the City's achievement of 2013-2021 Housing Element Policy H 2.3.4 and Implementation Program 29.

Sustainable Development. The projects would implement a comprehensive sustainability strategy, including LEED Silver certification or equivalent of the KP Medical Center and design for the MLS Stadium that achieves LEED-equivalent energy and environmental design to the extent feasible. For the KP Medical Center, Kaiser Permanente would implement many of its current green strategies, such as:

- Achievement of CALGreen Tier 1 water efficiency standards;
- Use of select materials, including PVC-free materials, low or VOC-free paints, CFC-free refrigerants, Formaldehyde-free casework, and use of recycled building materials;
- Installation of high-efficiency HVAC systems, thermal fluid heaters as a high-efficiency water heating source;
- Onsite energy cogeneration electrical production and heat recovery, including solar power/photovoltaics; and
- Water conservation measures and permeable paving to reduce stormwater runoff and evaporation, including green roofs, turf-free and indigenous native planting.
- The projects will comply with Title 24 (California Energy Efficiency Standards), and where feasible, will employ additional energy conservation measures. This would include implementing energy conservation measure in design and construction. Development of the RSP Area would provide an opportunity to use innovative energy systems

such as combined heating and power, which would provide significant energy savings. At this stage, it is unknown what exact energy conserving measures would be implemented. However, it is the goal for the proposed project to implement energy conserving measures wherever feasible. The Design Guidelines include sustainability requirements.

- The proposed project will reduce greenhouse gas emissions by creating an urban area that encourages the use of alternative modes of transportation. The project will create a walkable, bikeable transit-friendly community. This will reduce vehicle miles traveled, and in turn, will decrease consumption of natural resources, particularly fossil fuels.

The MLS Stadium would implement the following strategies with the goal of meeting LEED equivalency:

- To achieve 15% better than Title 24 energy reduction, the MLS Stadium would utilize systems to optimize energy performance, including energy metering, demand response, maximizing use of shade structures and wind resources on the site, use of LED and sensor lighting, and potential use of solar panels for on-site energy; and
- To achieve water reduction that is 25% better than the CALGreen Baseline, the MLS Stadium would employ water efficiency measures that reduce indoor and outdoor water use, including the use of low-flow fixtures and water metering.

Economic Development. The projects will provide opportunities to generate thousands of new annual construction jobs, encouraging participation by small and local business enterprises through a comprehensive employment and contracting policy. Key benefits of the project's economic development plan include the following:

- Buildout of the RSPU would be consistent with the smart growth principals identified in the Sacramento Area Council of Governments' (SACOG) Blueprint Preferred Scenario. The project promotes the City's goal to develop the downtown area, including the project area, as the urban core of the City. The SACOG Blueprint calls for capturing a greater amount of regional employment, retail, and housing within, or contiguous to the existing urban footprint, to reduce urban sprawl and protect open space and agricultural land within the greater Sacramento region. The projects meet this objective by providing compact development that maximizes existing land while encouraging mixed land uses in close proximity to the downtown urban center. The projects also support the development of a distinctive and attractive urban village that would create a regional draw.
- Buildout of the RSPU would be consistent with the Central City Community Plan urban development goal of revitalizing the Central City as

a viable living, working, shopping and cultural environment. The projects propose to develop higher density development in close proximity to the existing downtown Central Business District. This will capture a greater amount of regional employment, retail and housing within the existing urban footprint, thereby reducing urban sprawl while protecting open space and agricultural land within the greater Sacramento region. The projects add residential, office and retail uses within close proximity to the urban core of the City. This creates a logical extension of the City's downtown urban area while establishing a dynamic community, in which the uses strengthen each other and provide a full range of day and night activities.

- The RSPU, KP Medical Center and MLS Stadium will provide significant revenue to the City. The City will receive revenue from: the Property Tax in lieu of Vehicle License Fee, sales taxes generated by the commercial portions of the project, and utility taxes. The projects will also generate revenues for the City through payment of building fees and development impact fees, as well as transient occupancy taxes from hotel developments.
- The projects will provide significant employment for the City and the region. Full buildout of the project will be anticipated to yield between 18,985 and 22,903 employees. The projects are also expected to create a number of secondary jobs, as implementation of the projects would require construction jobs for the development of the buildings and associated site improvements. Such jobs will provide income and work experience for City residents and other workers and their families.
- Development of the projects would increase economic and employment activity in the Central Business District of Sacramento. The operation of the retail stores, offices, KP Medical Center, MLS Stadium, restaurants, public market and food and beverage service will generate revenue. The creation of temporary construction jobs and permanent office and retail jobs will also financially benefit the City, as it will increase sales tax revenue from the purchase of goods by project residents and employees.

- Development of the neighborhood retail portion of the RSPU is projected to contribute up to \$19.4 million in taxable sales to City revenue streams.¹
- Development of the approximately \$200,000,000 MLS Stadium will result in approximately 1,755 construction jobs, and approximately \$15.3 million in annual spending by event attendees. Total net new annual spending will be approximately \$30.5 million in the City of Sacramento.²

Social Considerations. The projects will promote a dynamic 24-hour mixed-use urban village that provides a range of complementary uses – including cultural, office, hospitality, healthcare, entertainment, retail, residential, educational and open space – and a mixture of housing types, including affordable housing.

- The proposed projects would provide a network of usable green spaces. This includes parks, open spaces, and public plazas designed to enhance the urban experience of the Central City, while providing opportunities for social interaction and civic activity. This will enhance and strengthen the civic and public realm. The projects will also activate public use of the riverfront and feature the region’s natural landmarks.

Transportation/Transit Considerations. The projects will connect the RSP Area with Sacramento’s downtown office, retail, and government center, as well as Old Sacramento, the River District, and the Alkali Flat neighborhood, using pedestrian and bicycle facilities, roadways, and public transportation.

- The projects will reduce vehicle trips and dependence on automobiles. The projects’ design is consistent with these smart growth principles. The high-density, mixed use development in an existing developed area will reduce vehicle miles traveled. Also, the projects will encourage and support transit use as well as pedestrian and bicycle transportation. The projects will shorten commute times and reduce traffic congestion. The projects’ inclusion of space to accommodate an intermodal transit facility and an extension of the existing light rail system will accommodate future

¹ Alfred Gobar Associates, 2013. Sacramento Railyards Feasibility Analysis; prepared for Downtown Railyards Venture. November, 2013.

² Capitol/PFG, *The Critical Mass Report*, October 5, 2015, pages 15-18.

growth by creating jobs and housing opportunities closer to transit. This will reduce vehicle trips that would otherwise use the mainline freeway system.

- The projects will develop 6,000 to 10,000 residential units within the core employment center for the region, thereby providing substantial opportunities for reduced vehicle miles traveled within the city's largest employment zone.
- The projects will provide neighborhood and community-serving retail near residential development. The projects will also develop an extensive system of bicycle and walking paths, resulting in better, more realistic alternative transportation options. The retail and restaurant uses will allow residents to avoid having to drive to access common neighborhood-serving retail uses.
- The proposed projects are designed to facilitate access to Sacramento Valley Station (SVS). The projects will encourage use of bus and rail transit alternatives by residents and employees, including light rail, walking, and biking to reach the SVS.
- The proposed projects would provide space for the construction of platforms that would serve future High Speed Rail trains and passengers. The projects will dedicate a right-of-way for the light rail line extension and 7th Street light rail station and help fund construction to the 7th Street light rail station. The projects will also fund improvement to bus and light rail services, provide off-street and on-street bike routes, and construct pedestrian trails and access tunnels throughout the RSP Area.
- The proposed projects would provide circulation links between the downtown area to the south and the River District to the north. Also, the circulation network would provide interconnectivity for automobiles, bicycles, and pedestrians. The key connections would include the extension of 5th Street to Richards Boulevard, improved connectivity to Jibboom Street and Bercut Drive, the extension of 10th Street to North B Street, and the connection of Railyards Boulevard to 12th Street.

Historic Preservation. The RSPU will utilize the historic Central Shops buildings as a community resource and heritage tourism draw, as well as inspiration for a mix of uses that will help create a culturally vibrant urban City core.

- The proposed projects would preserve and reuse onsite historic resources, including the Central Shops and historic rail Depot. The projects will develop the Central Shops District to showcase the historical character and importance of the Railyards. The RSPU will enhance public access to the preserved and restored historic Central Shops buildings, some of the oldest and most historic in Sacramento and the western US.

The historic Central Shops district will provide the public with a greater understanding of the City's history and role within the development of the West.

Medical Center. The KP Medical Center project will provide a number of benefits relating to health care facilities and services.

- The project will result in the proximate location of a state of the art medical center (including hospital, emergency department, and medical offices) in an area with demonstrated un-met needs with regard to medical services. In particular, the two closest zip codes to the project site feature median incomes that are substantially below the medians for Sacramento and Yolo counties, and the State of California as a whole. In general, economically disadvantaged communities have greater medical needs than non-disadvantaged areas. For instance, the referenced zip codes have emergency department visit and hospitalization rates for oral and dental diseases, asthma, and sexually transmitted diseases that are significantly higher than County and State averages. Furthermore, heart disease mortality is also high compared to mortality rates for the County and the State. The development of the proposed medical center will provide easy access to emergency services for these communities, as well as easy access to preventative medical care for Kaiser members, and should thereby improve the health of these communities.
- The project will replace the existing Sacramento Medical Center with a new medical center campus that will be modern and fully capable of accommodating new technology and state of the art medical care design, which is not currently possible at the existing medical center. This will result in an increase in the quality and efficiency of medical care delivery to patients.
- The project will create a new hospital that addresses concerns over the seismic safety of the existing hospital as well as risks due to the existing hospital's location within a floodplain, resulting in increased resiliency and effectiveness of the facility in case of natural disaster.
- The project will improve geographic access to primary care for over 92,000 members. Under the project, 15-minute access improves from 73% to 91% of Sacramento members.

Having considered the benefits outlined above, the City Council finds that each and every one of the benefits of approving the projects separately and independently outweigh and override the unavoidable adverse environmental effects associated with the projects, and therefore, the projects' unavoidable adverse environmental effects are acceptable.