

Addendum to the
Jesse M. Unruh Building Renovation Project Environmental Impact Report

Capitol Fountain Restoration Project



SCH#2019039120

Prepared for:



California Department of General Services
707 3rd Street, MS-509
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October 28, 2021

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ACRONYMS AND ABBREVIATIONS

AB	Assembly Bill
CHBC	California Historical Building Code
DGS	California Department of General Services
EIR	environmental impact report
MND	mitigated negative declaration
PRC	Public Resources Code
project	Jesse M. Unruh Building Renovation Project
SOIS	Secretary of the Interior's Standards
UAIC	United Auburn Indian Community of the Auburn Rancheria

1 INTRODUCTION

1.1 PURPOSE OF THIS ADDENDUM

The California Department of General Services (DGS) certified an environmental impact report (EIR) (State Clearinghouse No. 2019039120) and approved the Jesse M. Unruh Building Renovation Project (project) on December 2, 2019. The project proposal, as evaluated in the certified EIR, included a comprehensive renovation of the Jesse M. Unruh Building as well as the decommissioning and removal of the Capitol fountain. DGS approved renovation of the Unruh Building; however, based on public comments, ongoing planning efforts, and other considerations, DGS did not take action on the Capitol fountain. DGS reserved the right to consider the Capitol fountain project element in the future.

The State identified funding in the 2021-2022 budget to restore Capitol fountain in accordance with the Secretary of the Interior's standards for the treatment of historic properties. In addition, the Budget Act prohibited DGS from demolishing the State Capitol fountain.

This addendum describes the proposed Capitol fountain restoration, which is a change from the proposed Jesse M. Unruh Building Renovation Project evaluated in the 2019 Final EIR. This addendum evaluates restoration of the Capitol fountain, documenting that it would not result in any new or substantially more severe environmental impacts compared to those evaluated in the 2019 EIR. No subsequent CEQA document is necessary for this project.

1.2 CEQA GUIDELINES REGARDING AN ADDENDUM

If, after certification of an EIR, minor technical changes or additions are necessary or none of the conditions described in CEQA Guidelines Section 15162 calling for the preparation of a subsequent EIR have occurred, an addendum to the EIR may be prepared.

Public Resources Code (PRC) Section 21166 and Sections 15162 through 15163 of the State CEQA Guidelines describe the conditions under which subsequent document would be prepared. In summary, when an EIR has been certified or a mitigated negative declaration (MND) adopted for a project, no subsequent document shall be prepared for that project unless the lead agency determines, on the basis of substantial evidence in light of the whole record, one or more of the following:

- ▶ substantial changes are proposed in the project that will require major revisions of the previous EIR or MND due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;
- ▶ substantial changes occur with respect to the circumstances under which the project is undertaken that will require major revisions of the previous EIR or MND due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or
- ▶ new information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR or MND was certified as complete was adopted, shows any of the following:
 - the project will have one or more significant effects not discussed in the previous EIR or MND;
 - significant effects previously examined will be substantially more severe than shown in the previous EIR or MND;
 - mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or

- mitigation measures or alternatives that are considerably different from those analyzed in the previous EIR or MND would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.

Section 15164 of the CEQA Guidelines provides that a lead agency may prepare an addendum to a previously adopted EIR if some changes or additions are necessary, but none of the conditions described above for Section 15162 calling for preparation of a subsequent document have occurred.

Restoration of the Capitol fountain would:

- ▶ not result in any new significant environmental effects, and
- ▶ not substantially increase the severity of previously identified significant effects.

In addition, no new information of substantial importance has arisen that shows that:

- ▶ the project would have new significant effects,
- ▶ the project would have substantially more severe effects,
- ▶ mitigation measures or alternatives previously found to be infeasible would in fact be feasible, or
- ▶ mitigation measures or alternatives that are considerably different from those analyzed in the EIR would substantially reduce one or more significant effects on the environment.

As described in Chapter 2, "Project Description," and Chapter 3, "Environmental Checklist for Supplemental Environmental Review," of this document, none of the conditions described above from Section 15162 calling for preparation of a subsequent document have occurred. Therefore, the differences between the previously proposed decommissioning and removal of Capitol fountain and the restoration now being considered constitute changes, consistent with CEQA Guidelines Section 15164, that may be addressed in an addendum to the EIR.

2 PROJECT DESCRIPTION

2.1 PROJECT LOCATION AND SETTING

The Capitol fountain is located in downtown Sacramento, immediately west of the California State Capitol, south of the Jesse M. Unruh Building and north of Stanley Mosk Library and Courts Building at 10th Street and Capitol Mall. The Capitol fountain was constructed in the 1920s. The Capitol fountain, Unruh Building, and Library and Courts Building make up the Capitol Extension Group, a registered historic district emblematic of the early twentieth century effort to expand the State Capitol westward to create a Capitol Mall. The centerpiece of the landscaping plan for the buildings was the circular fountain, which is low-profile in its physical construction and depends on the action of the water for its artistic effect. The basin of the fountain is lined with light blue ceramic tiles and bordered by a low cast stone wall with rounded edges. At its center, a non-historic circular concrete element has replaced the original fountainhead, which was reminiscent of the capital of a Classical column. Smaller metal water spouts line the interior walls of the fountain. The perimeter of the fountain is landscaped with a border of rose bushes, followed by a low, non-historic concrete curb, circular sidewalk, and lawn. A historic rounded concrete curb separates the fountain plaza from the traffic circle. The fountain has not been operational since 2010 because of issues with electrical shortages in the fountain lighting, failure of mechanical equipment, leaks in the fountain bowl and associated valves, and a possible drain line collapse.

2.2 PROPOSED PROJECT

The State identified funding in the 2021-2022 budget to restore Capitol fountain in accordance with the Secretary of the Interior's Standards (SOIS) for the treatment of historic properties. In addition, the budget act prohibited DGS from demolishing the State Capitol fountain. Therefore, instead of the decommissioning and removal of the fountain, which was proposed and evaluated in the 2019 Jesse M. Unruh Building Renovation Project EIR, DGS is proposing to restore the Capitol fountain. In addition to the SOIS for the treatment of historic properties, DGS will adhere to the Jesse M. Unruh Building Historic Structure Report and relevant National Park Service Preservation Briefs. Restoration activities would retain the fountain in its current location and design, while making it fully operable, similar to past conditions. Disturbance to the fountain and surrounding hardscape and landscaping would be necessary to fix the electrical and mechanical equipment, repair the water and drain lines, and repair the leaks. Excavation associated with electrical and water line repairs would occur where existing infrastructure is currently in place. In addition, DGS would seek to improve energy efficiency and water efficiency in the operable fountain. The fountain would continue to use water served by the City of Sacramento, but water usage would be minimized by recirculating the water in the fountain. Once construction activities are complete, the hardscape and landscaping between the fountain and the traffic circle would be restored, also in compliance with the SOIS for historic properties.

The Capitol fountain would be restored concurrently with the renovation of the Jesse M. Unruh Building. The project site access, construction staging, and construction equipment would be consistent with what was described in the 2019 EIR. The timing of overall project construction has been delayed by approximately a year. Project construction is now projected to begin in summer 2022 and would take approximately 3 years with completion in 2025. The Unruh Building Renovation Project construction would include the following efforts; the construction contractor would determine the most efficient sequencing of work:

- ▶ Relocation of current tenants, June 2022
- ▶ Hazardous materials abatement, July 2022- January 2025
- ▶ Utility upgrades, July 2022- January 2025
- ▶ Interior and exterior renovations, July 2022- January 2025
- ▶ New tenant occupancy, January - March 2025

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3 ENVIRONMENTAL EFFECTS

The analysis of environmental effects provided below addresses the same impacts addressed in the 2019 Jesse M. Unruh Building Renovation Project EIR. The environmental analysis evaluates whether, for each environmental resource topic (e.g., transportation, air quality, etc.), there are any changes in the project or the circumstances under which it would be undertaken that would result in new or substantially more severe environmental impacts than considered in the 2019 EIR.

3.1 AESTHETICS

The 2019 EIR concluded that no impacts related to aesthetics and visual resources would occur. Similar to the proposed Unruh Project that considered removal of the fountain, restoration of the Capitol fountain would involve temporary construction and site disturbance activities associated with fountain and utility line repairs. Restoration of the Capitol fountain would maintain the aesthetics of the fountain and the surrounding hardscaping and landscaping. As described above, the basin of the fountain would continue to be lined with light blue ceramic tiles and bordered by a low cast stone wall with rounded edges. The perimeter of the fountain would continue to be landscaped with a border of rose bushes, followed by a low concrete curb, circular sidewalk, and lawn. The low-profile of the fountain's physical construction depends on the action of the water for its artistic effect. When in operation, the fountain would reflect its historical aesthetic, with a primary column of water launching up from the fountain and a circular set of water fountains at the base, which would be lit at night. The fountain has not been operable since 2010. Its restoration and resultant scenic value underlies the intent of restoring the fountain to the SOIS for historic properties. As with the overall Jesse M. Unruh Building Renovation Project, restoration of the fountain would not affect scenic vistas, damage scenic resources, or degrade the existing visual character. Rather, the preservation and restoration of the operable fountain may be considered an improvement to the visual character of the project site. Therefore, no new or substantially more severe aesthetics impacts would occur as a result of the restoration and no mitigation is required.

3.2 AGRICULTURE AND FOREST RESOURCES

The 2019 EIR concluded that no impacts related to agriculture and forest resources would occur. The fountain restoration is within an urban, developed area downtown Sacramento. The project would not include conversion of Prime Farmland, Unique Farmland, or Farmland of Statewide Importance, would not conflict with an existing zoning or Williamson Act contracts, would not result in the loss or conversion of forest land, and would not result in conversion of lands to non-agricultural or non-forest uses. Therefore, no new or substantially more severe agricultural or forest resource impacts would occur as a result of the restoration and no mitigation is required.

3.3 AIR QUALITY

The 2019 EIR concluded that impacts related to air quality would be less than significant. The 2019 EIR evaluated demolition and removal of Capitol fountain. The modification in project activity to restore the Capitol fountain would continue to require site disturbance to repairs the structure, utility lines, and surrounding hardscape and landscaping. Therefore, the construction disturbance would be similar to what was evaluated in the 2019 EIR. Operation of the fountain, which was not considered in operation of the renovated Unruh building, would contribute to energy usage and associated emissions. However, the energy demand for the overall building renovation project was conservative, accounting for a 10 percent increase in employees although there is not an intended increase in employees in the Unruh Building. Therefore, the energy consumption evaluated for the overall project more than accounts for the minor amount of energy demand to operate the fountain, and the project-related emissions would therefore appropriately account for fountain operation. Consistent with the overall Jesse M. Unruh Building Renovation Project, restoration of the fountain would not conflict with an applicable air quality plan, increase criteria pollutants, expose sensitive receptor to pollutant concentrations, or result in any other emissions. Impacts related to air quality would

remain less than significant. Therefore, no new or substantially more severe air quality impacts would occur as a result of the restoration and no mitigation is required.

3.4 BIOLOGICAL RESOURCES

The 2019 EIR concluded that no impacts related to special-status plant species, riparian habitat or other sensitive natural communities, wetlands, fisheries habitat, wildlife corridors, nursery sites, or conflicts with an adopted habitat conservation plan would occur. The 2019 EIR concluded that impacts related to special-status species and conflicts with local policies protecting biological resources would be reduced to less-than-significant levels through implementation of Mitigation Measures 4.11-1, 4.11-2, and 4.11-3. These mitigation measures would reduce potentially significant impacts through avoidance of raptor nests, identification and exclusion of bats roosts and colonies, and providing replacement trees in the event that trees are to be removed.

Restoration of Capitol fountain would affect the fountain, hardscape, rose bushes, and lawn landscaping located within the traffic circle. No habitat would be adversely affected, and no trees would be removed. Therefore, the fountain restoration would not modify or adversely affect any existing habitats, natural communities, or wetlands. Mitigation Measures 4.11-1 through 4.11-3 would not be necessary for the fountain restoration element of the Unruh project because this portion of the site has no trees nor habitat for bats. Further, like the overall Unruh Building renovation project, the fountain restoration activities would not interfere with the movement of wildlife species, corridors, or nursery sites, nor would the project conflict with local policies protecting biological resources or habitat conservation plans. Impacts related to biological resources would remain less than significant. Therefore, no new or substantially more severe biological resource impacts would occur as a result of the restoration and no mitigation is required.

3.5 CULTURAL RESOURCES

The Jesse M. Unruh Building Renovation Project, as evaluated in the 2019 EIR, considered full removal of the Capitol fountain, which is eligible under NRHP Criterion A and CRHR Criterion 1 as a contributing element to the NRHP listed Capitol Extension Group. The 2019 EIR concluded that the construction and operation of the Jesse M. Unruh Building Renovation Project, including removal of Capitol fountain, would result in less-than-significant impacts with implementation of Mitigation Measures 4.3-1, 4.3-2, 4.3-3, 4.3-4a, 4.3-4.a, and 4.3-4b.

Potential impacts to archaeological resources, historical resources, and human remains due to construction activities to repair the fountain structure and utility lines would be reduced to less-than-significant levels by implementation of Mitigation Measures 4.3-1, 4.3-2, 4.3-3. Mitigation Measure 4.3-4 specifically mitigates for the impact on historical architectural resources of the Jesse M. Unruh Building. Mitigation Measure 3.4-4b specifically mitigates for the impact on historical architectural resources due to the decommissioning and removal of Capitol fountain. However, as stated in Section 1.1, "Purpose of this Addendum," above, DGS did not take action on the Capitol fountain in 2019 because of expressed public concern about removal of the fountain and impacts to the historic district, ongoing planning efforts, and other considerations. Therefore, Mitigation Measure 4.3-4b was not adopted in 2019 with the approval of the Jesse M. Unruh Building Renovation.

The Budget Act of 2021 prohibits DGS from demolishing the State Capitol fountain and requires restoration of Capitol fountain. The current proposal to restore the Capitol fountain to operable conditions in a manner consistent with SOIS for the treatment of historic properties, and in accordance with the Jesse M. Unruh Building Historic Structure Report and relevant National Park Service Preservation Briefs, would reduce the impacts of the project on historic properties to a less-than-significant level because it would restore and preserve this contributing feature to the historic district. As a result, Mitigation Measure 4.3-4b from the 2019 EIR is no longer necessary as it is now proposed by DGS as an element of the proposed project (see Section 2.2, above). The Capitol fountain restoration would maintain and improve the Beaux-Arts character of the Capitol Extension Group and the Capitol Extension Group would retain its historical significance. Therefore, no new or substantially more severe cultural resources impacts would occur as a result of the fountain restoration and no new mitigation is required.

3.6 ENERGY

The 2019 EIR concluded that Jesse M. Unruh Building Renovation Project would not result in a wasteful, inefficient, or unnecessary consumption of energy. Evaluation of construction impacts in the 2019 EIR included the full demolition and removal of the Capitol fountain. The modification in project activity to restore the Capitol fountain would continue to require site disturbance to repairs the structure, utility lines, and surrounding hardscape and landscaping. Therefore, the construction disturbance would be similar to what was evaluated in the 2019 EIR. Operation of the fountain, which was not considered in operation of the renovated Unruh building, would contribute to energy usage and associated emissions. However, the energy demand for the overall building renovation project was conservative, accounting for a 10 percent increase in employees although there is not an intended increase in employees in the Unruh Building. Therefore, the energy consumption evaluated for the overall project more than accounts for the minor amount of energy demand to operate the fountain. No new or substantially more severe energy resource impacts would occur as a result of the fountain restoration and no mitigation is required.

3.7 GEOLOGY AND SOILS

The 2019 EIR concluded that impacts related to geology and soils would be less than significant. Restoration of Capitol fountain does not alter the project site. Consistent with the 2019 EIR, the restoration activities would include ground disturbance associated with repairs to the fountain and utility lines. The ground disturbance would be limited and would not result in or exacerbate seismic-related risks such as lateral spreading, landslides, subsidence, liquefaction, or erosion. Best management practices would be implemented during ground disturbance to protect receiving water quality from erosion and siltation. Therefore, restoration of Capitol fountain would not exacerbate existing risks associated with geologic hazards or the potential for impacts related to earthquake fault rupture, ground shaking, ground failure, landslides, unstable soils, or expansive soils. Therefore, no new or substantially more severe geologic impacts would occur as a result of the fountain restoration and no mitigation is required.

3.8 GREENHOUSE GAS EMISSIONS

The 2019 EIR concluded that impacts related to greenhouse gas emissions would be less than significant. As described above in Section 3.6, "Energy," the 2019 EIR construction impacts included the full demolition and removal of the Capitol fountain. The modification in project activity to restore the Capitol fountain would continue to require site disturbance to repairs the structure, utility lines, and surrounding hardscape and landscaping. Therefore, the construction disturbance would be similar to what was evaluated in the 2019 EIR. Operation of the fountain, which was not considered in operation of the renovated Unruh building, would contribute to energy usage and associated emissions. However, the energy demand for the overall building renovation project was conservative, accounting for a 10 percent increase in employees although there is not an intended increase in employees in the Unruh Building. Therefore, the energy consumption evaluated for the overall project more than accounts for the minor amount of energy demand to operate the fountain. GHG efficiency measures identified in Section 4.7, "Greenhouse Gas Emissions and Climate Change," of 2019 EIR would be applicable to the fountain restoration. Further, the fountain restoration would not conflict with any applicable plan, policy or regulation of an agency adopted for the purpose of reducing the emissions of GHGs. Therefore, no new or substantially more severe GHG impacts would occur as a result of the fountain restoration and no mitigation is required.

3.9 HAZARDS AND HAZARDOUS MATERIALS

The 2019 EIR concluded that impacts related to hazards and hazardous materials would be less than significant. Any temporary storage, use, and transport of hazardous materials associated with restoration of Capitol fountain would comply with local, State, and federal regulations. Compliance with existing regulations would prevent the restoration from resulting in a significant risk to construction workers or the public from exposure to hazardous materials. As described in Section 4.10 of the 2019 EIR, "Hazards and Hazardous Materials," there are no schools within one-quarter

mile of the project site and the project is not included on a list of hazardous-materials sites. Further, the fountain restoration would not result in an aviation related safety or noise hazard for people residing or working in the project area, would not result in changes to existing plans, routes, and emergency response, and would not expose people or structures to significant risk due to wildland fires. Impacts related to hazards and hazardous materials would remain less than significant. Therefore, no new or substantially more severe hazards or hazardous materials impacts would occur as a result of the fountain restoration and no mitigation is required.

3.10 HYDROLOGY AND WATER QUALITY

The 2019 EIR concluded that no impacts related to flood hazards or project inundation would occur and impacts related to stormwater drainage and water quality would be less than significant. Consistent with the 2019 EIR evaluation of demolition of the fountain, restoration would involve limited ground-disturbance associated with repairs to the fountain and utility lines. As described in the 2019 EIR, best management practices would be implemented to protect receiving water quality from erosion and siltation. Further restoration of the Capitol fountain would not result in an increase of stormwater runoff and the quantity of stormwater infiltration to groundwater at the site is negligible because of the large amount of developed coverage and the high degree of compaction of uncovered areas. Impacts related to hydrology and water quality would remain less than significant. Therefore, no new or substantially more severe hydrology or water quality impacts would occur as a result of the fountain restoration and no mitigation is required.

3.11 LAND USE AND PLANNING

The 2019 EIR concluded that no impacts related to land use and planning would occur. Restoration of Capitol fountain, rather than its demolition and removal, would not alter the Jesse M. Unruh Building Renovation Project site nor the existing or planned land use of the site. The fountain restoration would not physically divide the downtown community and would not conflict with existing land uses. Therefore, no new or substantially more severe land use impacts would occur as a result of the fountain restoration and no mitigation is required.

3.12 MINERAL RESOURCES

The 2019 EIR concluded that no impacts related to mineral resources would occur. Restoration of Capitol fountain, rather than its demolition and removal, would not alter the Jesse M. Unruh Building Renovation Project site, which is not located in an area that contains significant mineral deposits. The fountain restoration would not result in the loss of any known mineral resources. Therefore, no new or substantially more severe mineral resource impacts would occur as a result of the fountain restoration and no mitigation is required.

3.13 NOISE

The 2019 EIR concluded that no impacts related to aircraft-related noise, stationary noise, and vibration would occur and impacts related to construction- and operational-generated noise would be less than significant. The modification in project activity to restore the Capitol fountain would continue to require site disturbance to repairs the structure, utility lines, and surrounding hardscape and landscaping. Therefore, the construction noise would be similar to what was evaluated in the 2019 EIR. Operation of the fountain would generate sounds of water in the vicinity of the fountain but these are generally pleasant and would not result in offsite noise. Consistent with the 2019 EIR, the fountain restoration would not result in any aircraft-related noise, stationary or mobile-source noise, or vibration. Impacts related to noise would remain less than significant. Therefore, no new or substantially more severe noise impacts would occur as a result of the fountain restoration and no mitigation is required.

3.14 POPULATION AND HOUSING

The 2019 EIR concluded that impacts related to population and housing would be less than significant. Restoration of Capitol fountain would not include construction of new housing, removal of housing, or affect population growth in the area. Restoration of the fountain instead of demolition would not alter the office building occupants or estimated construction workers for the project. Therefore, no new or substantially more severe population or housing impacts would occur as a result of the fountain restoration and no mitigation is required.

3.15 PUBLIC SERVICES

The 2019 EIR concluded that impacts related to public services would be less than significant. As stated above in Section 3.14, "Population and Housing," restoration of Capitol fountain would not introduce new housing or affect populations such that the provision of new or expansion of existing public services including fire protection, police protection, schools, parks, or other public facilities would be required. Public services impacts would remain less than significant. Therefore, no new or substantially more severe public services impacts would occur as a result of the fountain restoration and no mitigation is required.

3.16 RECREATION

The 2019 EIR concluded that impacts related to recreation would be less than significant. As stated above in Section 3.14, "Population and Housing," restoration of Capitol fountain would not introduce new users to the area; therefore, it would not result in increased use of recreational sites and/or resources. Further, the fountain restoration does not include, nor would it require, the construction of additional recreational facilities, resulting in an adverse effect on the environment. Impacts related to recreation would remain less than significant. Therefore, the project as now proposed would not result in any new or substantially more severe impacts than those identified in the adopted 2019 EIR. No mitigation would be required. Therefore, no new or substantially more severe recreation impacts would occur as a result of the fountain restoration and no mitigation is required.

3.17 TRANSPORTATION

The 2019 EIR concluded that impacts related to transportation and circulation would be less than significant. The 2019 EIR construction impacts included the full demolition and removal of the Capitol fountain. The modification in project activity to restore the Capitol fountain would continue to require site disturbance to repairs the structure, utility lines, and surrounding hardscape and landscaping. Therefore, the construction disturbance and related vehicle trips would be similar to what was evaluated in the 2019 EIR. Operation of the fountain would not generate any vehicle trips and the restoration would alter the traffic circle nor alter any additional transportation facilities. The restoration would not result in increased transportation system hazards nor would it conflict with any applicable plan, policy or ordinance relating to circulation. Emergency access would be maintained during restoration activities as well as after the fountain restoration is complete. Impacts related to transportation and circulation would remain less than significant. Therefore, no new or substantially more severe transportation impacts would occur as a result of the fountain restoration and no mitigation is required.

3.18 TRIBAL CULTURAL RESOURCES

Assembly Bill (AB) 52 (Chapter 532, Statutes of 2014) established a formal consultation process for California Native American tribes as part of CEQA and equates significant impacts on tribal cultural resources with significant environmental impacts (Public Resources Code Section 21084.2). AB 52 consultation requirements went into effect on July 1, 2015 for all projects that had not already published a Notice of Intent to Adopt a Negative Declaration or Mitigated Negative Declaration, or published a Notice of Preparation of an Environmental Impact Report before that date (Section 11 [c]). Specifically, AB 52 requires that "before the release of a negative declaration, mitigated negative

declaration, or environmental impact report for a project, the lead agency shall begin consultation” (21808.3.1 [a]), and that “the lead agency may certify an environmental impact report or adopt a mitigated negative declaration for a project with a significant impact on an identified tribal cultural resource only if” consultation is formally concluded (21082.3[d]).

The United Auburn Indian Community of the Auburn Rancheria (UAIC) requested AB 52 consultation. DGS consulted with UAIC and closed-out consultation on October 15, 2019, before certification of the EIR. In addition, DGS consulted with the Shingle Springs Band of Miwok (meeting on August 28, 2019), although not under AB 52, and agreed to mitigation and tribal monitoring of ground disturbing activities. DGS, the lead agency, has prepared this addendum to the previously certified 2019 EIR in accordance with Section 15164 of the CEQA Guidelines. An addendum was determined to be the most appropriate document because none of the conditions described in Section 15162, calling for preparation of a subsequent EIR, have occurred. This addendum addresses minor technical changes or additions and confirms that the project is consistent with what was previously analyzed under the 2019 EIR. As such, this addendum does not result in an additional certification; therefore, the AB 52 procedures specified in PRC Sections 21080.3. 1(d) and 21080.3.2 do not apply and no additional tribal consultation under AB 52 is required.

3.19 UTILITIES AND SERVICE SYSTEMS

The 2019 EIR concluded that impacts related utilities and service systems would be less than significant. Restoration of Capitol fountain would involve fixing the electrical and mechanical equipment, repairing the water and drain lines, and repairing the leaks. Excavation associated with electrical and water line repairs would occur where existing infrastructure is currently in place and construction disturbance would be similar to what was evaluated for full demolition of the fountain. DGS would seek to improve energy efficiency and water efficiency in the operable fountain. The fountain would continue to use water served by the City of Sacramento, but water usage would be minimized by recirculating the water in the fountain. Similar to energy demand, the water demand for the overall building renovation project was conservative, accounting for a 10 percent increase in employees although there is not an intended increase in employees in the Unruh Building. Therefore, the water demand for the overall project accounts for the minor amount of water necessary to operate the fountain. Restoration of the fountain would not require new or expanded utility infrastructure, increased water demand, or increased generation of wastewater and solid waste. Further, restoration activities would comply with existing regulations related to solid waste disposal. Impacts related to utilities and service systems would remain less than significant. Therefore, no new or substantially more severe utility impacts would occur as a result of the fountain restoration and no mitigation is required.

3.20 WILDFIRE

The 2019 EIR concluded that impacts related wildfire would be less than significant. The Jesse M. Unruh Building Renovation Project site, including the Capitol fountain, as well as surrounding land uses are not designated as a high fire hazard severity zone and are not located within a state responsibility area. The fountain restoration would not modify an adopted emergency plan, nor would it physically interfere with an adopted emergency plan. Therefore, no new or substantially more severe wildfire impacts would occur as a result of the fountain restoration and no mitigation is required.

4 CONCLUSION

As described in Chapter 2 of this document, "Project Description," and Chapter 3, "Environmental Effects," none of the conditions described in CEQA Guidelines Section 15162 calling for preparation of a subsequent document have occurred. As documented throughout the environmental effects discussion, the modification to the Jesse M. Unruh Building Renovation Project to restore Capitol fountain rather than remove the fountain would:

- ▶ not result in any new significant environmental effects, and
- ▶ not substantially increase the severity of previously identified significant effects.

In addition, no new information of substantial importance has arisen that shows that:

- ▶ the project would have new significant effects,
- ▶ the project would have substantially more severe effects,
- ▶ mitigation measures or alternatives previously found to be infeasible would in fact be feasible, or
- ▶ mitigation measures or alternatives that are considerably different from those analyzed in the EIR would substantially reduce one or more significant effects on the environment.

Therefore, the differences between the removal of Capitol fountain, as described in the certified 2019 EIR, and the restoration of Capitol fountain now being considered constitute changes consistent with CEQA Guidelines Section 15164. Through this addendum, DGS has determined that no subsequent EIR or negative declaration is required for the restoration of Capitol fountain and DGS may take action on this element of the Jesse M. Unruh Building Renovation Project.

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