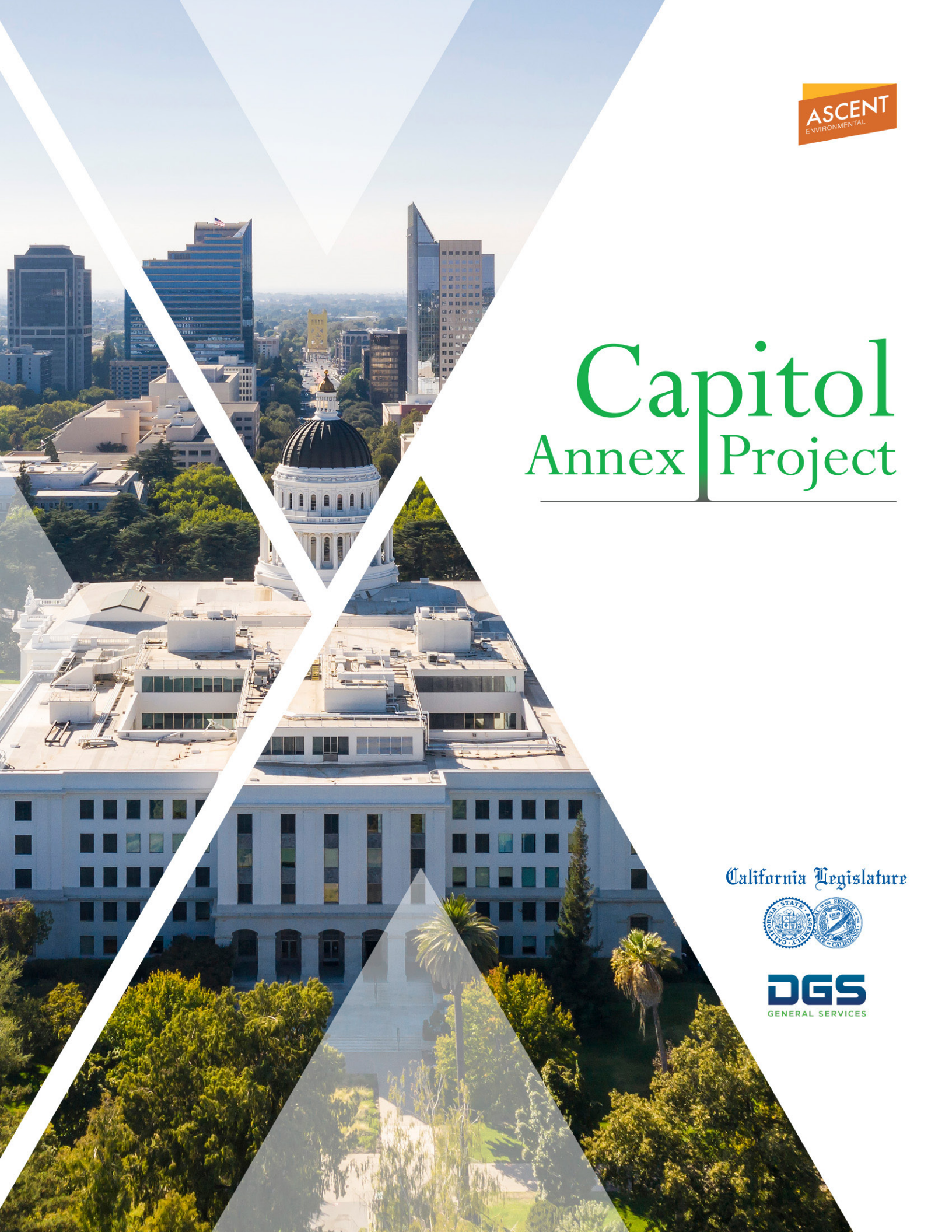

ASCENT ENVIRONMENTAL

Capitol Annex Project

California Legislature

DGS GENERAL SERVICES

Draft Revised Environmental Impact Report for the Capitol Annex Project

State Clearinghouse No. 2019049066

Prepared for

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LIST OF ABBREVIATIONS

AB	Assembly Bill
ADA	Americans with Disabilities Act
CAP	1997 Capitol Area Plan
CBC	California Building Code
CCR	California Code of Regulations
CEQA	California Environmental Quality Act
CFR	Code of Federal Regulations
CHBC	California Historical Building Code
CRHR	California Register of Historical Resources
CSGBD	California State Government Building District
DGS	California Department of General Services
Draft EIR	Draft Environmental Impact Report
EIR	environmental impact report
JRC	Joint Committee on Rules
LOB	Legislative Office Building
MOU	memorandum of understanding
NHPA	National Historic Preservation Act
NRHP	National Register of Historic Places
Plaintiffs	Save our Capitol! and Save the Capitol, Save the Trees
PRC	Public Resources Code
Ruling	Court of Appeal's ruling
SB	Senate Bill
sf	square feet
UBC	Uniform Building Code

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1 INTRODUCTION

1.1 BACKGROUND AND PURPOSE OF THIS DRAFT REIR

In September 2019, the California Department of General Services (DGS) published the Capitol Annex Project Draft Environmental Impact Report (Draft EIR), which assesses the potential environmental impacts of implementing the proposed Capitol Annex Project. The project would involve three primary components: (1) construction of a new Annex, (2) construction of a new underground parking garage serving the new Annex, and (3) construction of a new underground visitor/welcome center. DGS prepared the EIR in collaboration with the Joint Committee on Rules (JRC) of the California State Senate and Assembly, which is the entity that would implement the project.

The Draft EIR was circulated for public review and comment for a period of 45 days that began on September 9, 2019 and ended on October 24, 2019. Additionally, an informational workshop was held on September 17, 2019, and a public hearing was held on October 15, 2019. During the review period, written and oral comments were received on the Draft EIR. DGS reviewed those comments to identify specific environmental concerns and began preparation of responses to those comments. However, after the end of the Draft EIR public review period, the design of the new visitor/welcome center was further developed to include an approach to the entry to the visitor/welcome center that was different from what was analyzed in the Draft EIR. The refined visitor/welcome center design proposed using ramps rather than stairs and elevators to enter the facility.

DGS considered the refinement to the visitor/welcome center design a sufficient modification of the project to warrant preparation of a Recirculated Draft EIR. The Recirculated Draft EIR re-evaluated environmental effects for issue areas potentially affected by modification of the visitor/welcome center design; Utilities and Service Systems; Archaeological, Historical, and Tribal Cultural Resources; and Aesthetics, Light, and Glare. A Recirculated Draft EIR was distributed for public review and comment for a period of 45 days that began on January 17, 2020 and ended on March 2, 2020. An informational workshop was held on January 22, 2020, and a public hearing was held on February 26, 2020. During the review period, written and oral comments were received on the Recirculated Draft EIR.

DGS reviewed the combined comments on the Draft EIR and Recirculated Draft EIR to identify specific environmental concerns and determine whether any additional environmental analysis would be required to respond to issues raised in the comments. Responses to all comments received on the Draft EIR and Recirculated Draft EIR were prepared and included in the Final EIR. The Final EIR was certified, and the project was approved by the DGS on July 20, 2021. The Draft EIR, Recirculated Draft EIR, Final EIR, and supporting documentation are collectively referred to as the 2021 EIR in this document.

Between distribution of the Recirculated Draft EIR and completion of the Final EIR, modifications to the design of the Annex and parking structure were made and more detailed designs were developed for these facilities. These modifications were evaluated in the Final EIR. The primary new information related to the Annex was selection of a "Double-T" building configuration and exterior surfacing of mostly glass (see Chapter 3 of this document, "Project Description," for more information). The underground parking garage location was changed from the south side of the new Annex and Historic Capitol to an area immediately east of the new Annex underneath the 12th Street walkway alignment and its maximum capacity was reduced to 150 vehicles. Entry and exit ramps were proposed on both L Street and N Street. The project's boundaries along the sides of those streets was expanded to accommodate the ramps. In addition, project impacts to trees and landscaping were further clarified. The Final EIR identified that an estimated 56 trees would be removed and replaced and 77 would be transplanted. It was also identified that as the visitor/welcome center design further progresses, some of the 56 trees identified for removal may be transplanted instead.

In the final EIR, DGS determined these project modifications would not result in any new significant impacts or substantially more severe significant impacts than those addressed in the draft EIR and the recirculated draft EIR, and they would not require any new or different mitigation measures. DGS also concluded that none of the modifications

constituted "significant new information" requiring recirculation of the EIR; thereby allowing a decision to be made on EIR certification and project approval.

After the project was approved in July 2021, the groups Save our Capitol! and Save the Capitol, Save the Trees (Plaintiffs) challenged DGS's approvals, filing petitions for writ of mandate contending the EIR analysis did not comply with the California Environmental Quality Act (CEQA) for numerous reasons. The Sacramento County Superior Court rejected all of Plaintiffs' arguments and upheld the adequacy of the EIR. Plaintiffs appealed the decision. On January 18, 2023 the Third District Court of Appeal partially reversed the trial court's decision. The ruling directed the trial court to enter a new judgement issuing a preemptory writ of mandate directing DGS to vacate partially its certification of the EIR and to revise and recirculate the deficient portions of the EIR consistent with the Court of Appeal's ruling (Ruling). (See *Save Our Capitol! v. Department of General Services* (2023) 87 Cal.App.5th 655.) The Ruling, which is included as Appendix A of this document, identified deficiencies with regard to the EIR's project description, its analysis of the project's impacts on historical resources and aesthetics, and its analysis of alternatives. In all other respects, the Ruling affirmed the Superior Court's judgement.

DGS has prepared this Draft Revised EIR (REIR) to address the CEQA adequacy issues in accordance with the direction provided by the Ruling. This Draft REIR specifically addresses the impacts and issues identified in the Ruling and provides supplemental information and new analysis as needed to comply with CEQA. Contents of the 2021 EIR that the Court found to be adequately addressed, and/or that were not subject to the lawsuits, are not included. For example, this Draft REIR does not include information or analysis related to Biological Resources because the Court did not overturn any aspect of the 2021 EIR's Biological Resources analysis. Also see the discussions of Public Resources Code (PRC) Sections 21168.9(b) and 21167.2 and *res judicata* below regarding the appropriate content for this REIR and the legal adequacy of past CEQA review. The content of this Draft REIR provides sufficient detail and clarity such that the public and decision makers can make an informed decision regarding the adequacy of the issues discussed in this Draft REIR.

As discussed below, DGS will consider comments received on the contents of this Draft REIR within the public comment period and prepare written responses as required by CEQA. Under CEQA and other legal doctrines, including *res judicata*, DGS need not address comments on issues that were covered in the 2021 Final EIR and that were not overturned by the Ruling.

1.2 CONTENT AND SUMMARY OF THIS DRAFT REIR

CEQA consists of a legislatively created statute, embodied in PRC Sections 21000-21189, and guidelines, which are created by the California Natural Resources Agency as a means to interpret and provide guidance on implementation of the PRC. The State CEQA Guidelines are included in the California Code of Regulations (CCR), Title 14, Division 6, Chapter 3, Sections 15000-15387. While the CCR addresses the vast majority of circumstances outlined in the PRC, some procedures are not specified. This is the case in which a lead agency is required to address a court ruling, and in this instance a degree of interpretation is required.

Consistent with the requirements of PRC Section 21168.9(b), which address court rulings, revised EIRs need only address those issues specified in the Ruling. Where a court finds that CEQA violations have occurred, judicial remedies must be fashioned so as to include only the mandates needed to comply with CEQA. (PRC Section 21168.9[b]; see also *Save Our Capitol! v. Department of General Services* (2023) 87 Cal.App.5th 655) This focus is consistent with the principle that CEQA's litigation provisions should be interpreted in light of legislative policies favoring the prompt resolution of CEQA litigation. (*Board of Supervisors v. Superior Court* (1994) 23 Cal.App.4th 830, 836.) Where a project requiring an EIR is approved and no CEQA litigation is filed, the law gives rise to a presumption that the EIR is legally adequate. As the California Supreme Court has explained, PRC section 21167.2 (from CEQA) "mandates that the EIR be conclusively presumed valid unless a lawsuit has been timely brought to contest the validity of the EIR. This presumption acts to preclude reopening of the CEQA process even if the initial EIR is discovered to have been fundamentally inaccurate and misleading in the description of a significant effect or the severity of its consequences. After certification, the interests of finality are favored over the policy of encouraging public comment." (*Laurel Heights Improvement Assn. v. Regents of University of California* (1993) 6 Cal.4th 1112, 1130.)

Another relevant and related legal concept is *res judicata*, which "prevents relitigation of the same cause of action in a second suit between the same parties or parties in privity with them" (California Supreme Court in *Mycogen v. Monsanto Company* (2002) 28 Cal.4th 888, 896; see also *Ione Valley Land, Air, & Water Defense Alliance, LLC v. County of Amador* (2019) 33 Cal.App.5th 165, 170-173). As the Court of Appeal explained in *Sierra Club v. County of Fresno* (2020) 57 Cal.App.5th 979 (*Friant Ranch II*), "[b]ased on the principle set forth in *Ione Valley*, new challenges to the parts of the EIR that have been upheld are not allowed in proceedings on remand." (57 Cal.App.5th at p. 990.)

Further, consistent with the requirements of PRC (Section 21166) and CCR Section 15162, a lead agency shall not address any other issues (outside those specified in the Ruling) considered in a certified EIR unless substantial evidence demonstrates that (1) substantial changes would occur to the proposed project leading to new or substantially more severe significant effects; (2) substantial changes with respect to the circumstances under which a project is undertaken would result in new or substantially more severe significant effects; or (3) new information which was not or could not have been known with the exercise of reasonable diligence at the time the EIR was certified shows that new or substantially more severe significant impacts would occur.

Guidelines Section 15162(a)(3) defines new information as the following:

(3) 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 was certified as complete or the negative declaration was adopted, shows any of the following:

> (A) The project will have one or more significant effects not discussed in the previous EIR or negative declaration;
>
> (B) Significant effects previously examined will be substantially more severe than shown in the previous EIR;
>
> (C) 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
>
> (D) Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.

There have been no changes to the project since certification of the Final EIR in 2021 other than a minor alteration to the configuration of the glass panels planned for the exterior surface of the new Annex and a reduction in size and removal of some elements for the visitor/welcome center. These changes are discussed further in Chapter 3, "Project Description." Information is also provided in Chapter 3 supporting the conclusion that these changes do not trigger the criteria provided in PRC 21166 and CCR 15162. The reduced size of the visitor/welcome center would reduce potential environmental effects compared to those identified in the 2021 EIR. Further, there are no known substantial changes with regard to the circumstances under which the project would be undertaken that would lead to new or substantially more severe environmental impacts. The land uses at and around the project site have not changed in a manner that would alter the project's environmental effects. There have also been no applicable regulatory changes that would alter any conclusions regarding environmental effects. There is also no known new information that would result in new or substantially more severe environmental impacts since certification of the EIR 2 years ago. Finally, no new mitigation measures have been identified that would substantially reduce one or more significant effects. Per the direction in the Ruling, this Draft REIR contains an analysis of new alternatives regarding the location of visitor/welcome center (See Chapter 7, "Alternatives") and assesses whether these alternatives would, in fact, reduce one or more significant environmental effects. Therefore, this REIR addresses only those issues raised in the Ruling. No other chapters or portions of the 2021 EIR are addressed in this REIR as no new information or new circumstances exist that would warrant revision of these other chapters or portions.

This document consists of the following chapters and sections. All chapter and section numbering is consistent with the chapter and section numbering outline in the Draft EIR (released September 2019) and Recirculated Draft EIR (released January 2020). The chapters and sections included in this Draft REIR are those needed to address deficiencies identified in the Ruling (regarding the EIR's project description, its analysis of the project's impacts on

historical resources and aesthetics, and its analysis of alternatives) and to provide sufficient additional information so that the reader can understand and assess the Draft REIR's contents.

Chapter 1, "Introduction." This chapter describes the purpose and organization of this Draft REIR.

Chapter 2, "Executive Summary." This chapter introduces the project and lists significant environmental impacts and mitigation measures—addressed in this REIR—to reduce significant impacts to a less-than-significant level. Finally, areas of controversy as well as issues to be resolved are described.

Chapter 3, "Project Description." This chapter describes the location, background, and goals and objectives for the Capitol Annex Project, and describes project elements relevant to the REIR analysis. This section does not repeat all project description elements from past CEQA documents as not all project description information is relevant to understanding the contents of this REIR. For example, planned methods for providing heating and cooling and telecommunications have no relevance to the topics addressed in this REIR and information on provision of these utility services, which was provided in the Draft EIR and Recirculated Draft EIR, is not repeated here. Project description information from the Final EIR is used as this is the most up to date information available. As stated above, there have been two changes to the project description since publication of the Final EIR, 1) a minor alteration to the configuration of the glass panels planned for the exterior surface of the new Annex, and 2) a reduction in size and removal of some elements at the visitor/welcome center. Whereas the Final EIR showed that the new Annex would have a "pleated glass" design with what is now called "short pleats," the current design has what are called "full pleats" which give a more undulating appearance. Project renderings showing the "full pleat" design and comparison to the former "short pleat" design are provided in Chapter 3. For the visitor/welcome center, loop ramp walkways near 10th Street, adjacent to the main entry walkway, are no longer part of the project design. In addition, large planters with trees on the north and south sides of the upper plaza, identified in the 2020 Recirculated Draft EIR and 2021 Final EIR, have been removed and the interior facility space has been reduced by approximately 10,000 square feet.

Section 4.12, "Archaeological, Historical, and Tribal Cultural Resources." This section provides an analysis of the effects of the new Annex, and in particular, the surface design elements, on historic architectural resources. The information provided responds directly to guidance provided in the Ruling. This chapter is not a complete reprinting of the 2021 EIR materials with modifications, but instead provides sufficient information to address the issues identified in the Ruling and sufficient background information and context for the lay reader to understand the analysis. Therefore, information and analysis related to archaeological and Tribal Cultural Resources is not repeated in this section as the courts have found the existing information on these topics in compliance with CEQA.

Section 4.15, "Aesthetics, Light, and Glare." This section provides supplemental information and analysis of the effects of the project views of the Historic Capitol from the west and nighttime light generation from the new Annex. The information provided responds directly to guidance provided in the Ruling. This chapter is not a complete reprinting of the 2021 EIR materials with modifications, but instead provides sufficient information to address the issues identified in the Ruling and sufficient background information and context for the lay reader to understand the analysis. Therefore, information and analysis related to scenic resources topics other than those identified above is not repeated in this section as the courts have found the existing information on these topics in compliance with CEQA.

Chapter 7, "Alternatives." This chapter provides supplemental information and analysis of project alternatives responsive to the Ruling. Additional information is provided on placing the visitor/welcome center in different locations on the project site. This chapter is not a complete reprinting of the entire 2021 EIR alternatives analysis, but instead provides sufficient information to address the issues identified in the Ruling and sufficient background information and context for the lay reader to understand the analysis.

Chapter 8, "References." This chapter identifies documents referenced in this REIR as well as the organizations and persons consulted during preparation of this REIR.

Chapter 9, "Report Preparers." This chapter identifies the Draft REIR authors and consultants that contributed to preparation of the document.

Appendices. Appendices contain additional materials used during preparation of this Draft REIR or that support the analysis provided in this EIR or that are required by law or regulation.

1.3 ENVIRONMENTAL REVIEW PROCESS FOR THE REIR

Consistent with the requirements of Sections 15087 and 15088.5(d) of the State CEQA Guidelines, this Draft REIR is being made available on April 7, 2023, for public review for a period of 45 days. The public review period will end on May 22, 2023. During this period, the general public, agencies, and organizations may submit written comments on the content of the Draft REIR to DGS. Pursuant to procedures set forth in Section 15088.5(f)(2) of the State CEQA Guidelines, reviewers are directed to limit their comments to the information contained in the Draft REIR that was revised and recirculated. Specifically, comments should be limited to the revised project description (Chapter 3) and the revised discussion of the project's potential impacts related to historic architectural resources (Section 4.12). views of the Historic Capitol from the west and nighttime lighting of the new Annex (Section 4.15), and updates to the analysis of project alternatives (Chapter 7).

Copies of the Draft REIR are available for review at the Department of General Services, Environmental Services Section between 8:00 a.m. and 4:30 p.m. (at the address below); the Sacramento Central Library, at 828 I Street, during library hours; and online at http://bit.ly/DGSCEQA.

All written comments on this Draft REIR should be addressed to:

> Stephanie Coleman, Senior Environmental Planner
> Department of General Services, Environmental Services Section
> Mailing Address: P.O. Box 989052, West Sacramento, CA 95798
> Street Address: 707 3rd Street, MS-509, West Sacramento, CA 95605
> Email: environmental@dgs.ca.gov

Public notice of availability of the Draft REIR has been published in the *Sacramento Bee*.

An informational workshop will be held on the Draft REIR on April 16, 2023, between 4:30 p.m. and 6:30 p.m. at the Tsakopoulos Library Galleria, located at 828 I Street Sacramento, CA 95814 in the East Room. A public hearing will be held on the Draft REIR on May 16, 2023, between 4:30 p.m. and 6:30 p.m. at the Tsakopoulos Library Galleria, located at 828 I Street Sacramento, CA 95814 in the East Room.

The following text is provided as required by Section 21189.54 of the Public Resources Code:

> THIS EIR IS SUBJECT TO CHAPTER 6.7 (COMMENCING WITH SECTION 21189.50) OF DIVISION 13 OF THE PUBLIC RESOURCES CODE, WHICH PROVIDES, AMONG OTHER THINGS, THAT THE LEAD AGENCY NEED NOT CONSIDER CERTAIN COMMENTS FILED AFTER THE CLOSE OF THE PUBLIC COMMENT PERIOD FOR THE DRAFT EIR. ANY JUDICIAL ACTION CHALLENGING THE CERTIFICATION OF THE EIR OR THE APPROVAL OF THE PROJECT DESCRIBED IN THE EIR IS SUBJECT TO THE PROCEDURES SET FORTH IN SECTIONS 21189.51 TO 21189.53, INCLUSIVE, OF THE PUBLIC RESOURCES CODE. A COPY OF CHAPTER 6.7 (COMMENCING WITH SECTION 21189.50) OF DIVISION 13 OF THE PUBLIC RESOURCES CODE IS INCLUDED IN APPENDIX B TO THIS DRAFT REIR.

Upon completion of the public review and comment period for the Draft REIR, a Final Revised Environmental Impact Report (Final REIR) will be prepared that will include both written and oral comments on the Draft REIR received during the public review period, responses to those comments, and any revisions to the Draft REIR made in response to public comments. The Draft REIR and Final REIR, as well as the portions of the 2021 EIR determined by the Courts to be in compliance with CEQA, will comprise the EIR for the project. The EIR will be considered anew by DGS for certification. Certification entails determination by DGS, as lead agency, that the EIR has been completed in compliance with CEQA, that the decision-making body reviewed and considered the information in the EIR, and that the EIR reflects its independent judgment. If the EIR is certified, DGS will then consider the proposed project for approval.

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2 EXECUTIVE SUMMARY

This summary is provided in accordance with the California Environmental Quality Act (CEQA) Guidelines Section 15123. As stated in the State CEQA Guidelines Section 15123(a), "[a]n environmental impact report (EIR) shall contain a brief summary of the proposed actions and its consequences. The language of the summary should be as clear and simple as reasonably practical." State CEQA Guidelines Section 15123(b) states, "[t]he summary shall identify: (1) each significant effect with proposed mitigation measures and alternatives that would reduce or avoid that effect; (2) areas of controversy known to the Lead Agency, including issues raised by agencies and the public; and (3) issues to be resolved including the choice among alternatives and whether or how to mitigate the significant effects." Accordingly, this chapter includes a brief synopsis of the proposed project and lists the significant environmental impacts and mitigation measures—addressed in this Draft Revised EIR (REIR)—to reduce significant impacts to a less-than-significant level. Finally, areas of controversy as well as issues to be resolved are described.

2.1 BACKGROUND AND PURPOSE OF THE PARTIALLY REVISED DRAFT ENVIRONMENTAL IMPACT REPORT

In September 2019, the California Department of General Services (DGS) published the Capitol Annex Project Draft Environmental Impact Report (Draft EIR), which assesses the potential environmental impacts of implementing the proposed Capitol Annex Project. The project would involve three primary components: (1) construction of a new Annex, (2) construction of a new underground parking garage serving the new Annex, and (3) construction of a new underground visitor/welcome center. DGS prepared the EIR in collaboration with the Joint Committee on Rules (JRC) of the California State Senate and Assembly, which is the entity that would implement the project.

The Draft EIR was circulated for public review and comment for a period of 45 days that began on September 9, 2019 and ended on October 24, 2019. Additionally, an informational workshop was held on September 17, 2019, and a public hearing was held on October 15, 2019. During the review period, written and oral comments were received on the Draft EIR. DGS reviewed those comments to identify specific environmental concerns and began preparation of responses to those comments. However, after the end of the Draft EIR public review period, the design of the new visitor/welcome center was further developed to include an approach to the entry to the visitor/welcome center that was different from what was analyzed in the Draft EIR. The refined visitor/welcome center design proposed using ramps rather than stairs and elevators to enter the facility.

DGS considered the refinement to the visitor/welcome center design a sufficient modification of the project to warrant preparation of a Recirculated Draft EIR. The Recirculated Draft EIR re-evaluated environmental effects for issue areas potentially affected by modification of the visitor/welcome center design; Utilities and Service Systems; Archaeological, Historical, and Tribal Cultural Resources; and Aesthetics, Light, and Glare. A Recirculated Draft EIR was distributed for public review and comment for a period of 45 days that began on January 17, 2020 and ended on March 2, 2020. An informational workshop was held on January 22, 2020, and a public hearing was held on February 26, 2020. During the review period, written and oral comments were received on the Recirculated Draft EIR.

DGS reviewed the combined comments on the Draft EIR and Recirculated Draft EIR to identify specific environmental concerns and determine whether any additional environmental analysis would be required to respond to issues raised in the comments. Responses to all comments received on the Draft EIR and Recirculated Draft EIR were prepared and included in the Final EIR. The Final EIR was certified, and the project was approved by the DGS on July 20, 2021. The Draft EIR, Recirculated Draft EIR, Final EIR, and supporting documentation are collectively referred to as the 2021 EIR in this document.

Between distribution of the Recirculated Draft EIR and completion of the Final EIR, modifications to the design of the Annex and parking structure were made and more detailed designs were developed for these facilities. These modifications were evaluated in the Final EIR. The primary new information related to the Annex was selection of a "Double-T" building configuration and exterior surfacing of mostly glass (see Chapter 3 of this document, "Project

Description," for more information). The underground parking garage location was changed from the south side of the new Annex and Historic Capitol to an area immediately east of the new Annex underneath the 12th Street walkway alignment and its maximum capacity was reduced to 150 vehicles. Entry and exit ramps were proposed on both L Street and N Street. The project's boundaries along the sides of those streets was expanded to accommodate the ramps. In addition, project impacts to trees and landscaping were further clarified. The Final EIR identified that an estimated 56 trees would be removed and replaced and 77 would be transplanted. It was also identified that as the visitor/welcome center design further progresses, some of the 56 trees identified for removal may be transplanted instead.

In the final EIR, DGS determined these project modifications would not result in any new significant impacts or substantially more severe significant impacts than those addressed in the draft EIR and the recirculated draft EIR, and they would not require any new or different mitigation measures. DGS also concluded that none of the modifications constituted "significant new information" requiring recirculation of the EIR; thereby allowing a decision to be made on EIR certification and project approval.

After the project was approved in July 2021, the groups Save Our Capitol! and Save the Capitol, Save the Trees (Plaintiffs) challenged DGS's approvals, filing petitions for writ of mandate contending the EIR analysis did not comply with CEQA for numerous reasons. The Sacramento County Superior Court rejected all of Plaintiffs' arguments and upheld the adequacy of the EIR. Plaintiffs appealed the decision. On January 18, 2023 the Third District Court of Appeal partially reversed the trial court's decision. The ruling directed the trial court to enter a new judgement issuing a preemptory writ of mandate directing DGS to vacate partially its certification of the EIR and to revise and recirculate the deficient portions of the EIR consistent with the Court of Appeal's ruling (Ruling). (See *Save Our Capitol! v. Department of General Services* (2023) 87 Cal.App.5th 655.) The Ruling identified deficiencies with regard to the EIR's project description, its analysis of the project's impacts on historical resources and aesthetics, and its analysis of alternatives. In all other respects, the Ruling affirmed the Superior Court's judgement.

DGS has prepared this Draft Revised EIR (REIR) to address the CEQA adequacy issues in accordance with the direction provided by the Ruling. This Draft REIR specifically addresses the impacts and issues identified in the Ruling and provides supplemental information and new analysis as needed to comply with CEQA. Contents of the 2021 EIR that the Court found to be adequately addressed, and/or that were not subject to the lawsuits, are not included. For example, this Draft REIR, does not include information or analysis related to Biological Resources because the Court did not overturn any aspect of the 2021 EIR's Biological Resources analysis. Also see the discussions of Public Resources Code (PRC) Sections 21168.9(b) and 21167.2 and *res judicata* below regarding the appropriate content for this REIR and the legal adequacy of past CEQA review. The content of this Draft REIR provides sufficient detail and clarity such that the public and decision makers can make an informed decision regarding the adequacy of the issues discussed in this Draft REIR.

2.2 SUMMARY DESCRIPTION OF THE PROPOSED PROJECT

2.2.1 Background

The historical portion of the Capitol Building, referred to as the "Capitol" or "Historic Capitol" began construction in 1860 and was completed in 1874, originally housing all branches of government: executive (Governor and other elected State officers), legislative (Senate and Assembly), and judicial (California Supreme Court), as well as the state library and archives. After many decades of alterations and departments expanding and moving to other buildings, the Capitol Annex Building (Annex) was constructed between 1949 and 1951. The six-story and roughly 325,000-square-foot Annex was connected to the west side of the Historic Capitol, resulting in the appearance of a single continuous building.

The Annex supported the Governor and executive staff, the Lieutenant Governor, and the Legislative Branch of Government, including offices for 115 of California's 120 State Lawmakers. The other five state lawmaker offices remain in the adjacent Historic Capitol. With its physical connection to the Historic Capitol, the Annex has been an important public asset; however, the building's deficiencies became impediments to both use by the public and the

efficient use of Government. These deficiencies include concerns regarding life safety/building code compliance, non-compliance with Americans with Disabilities Act (ADA) standards, non-compliance with energy efficiency standards, overcrowding, aging and failing infrastructure, and insufficient public and working space. Responding to the need to replace or renovate the Annex, the Legislature passed SB 836 in 2016. SB 836 provides funding for a project to address deficiencies in the existing State Capitol Building Annex.

The project consists of three primary components; the Annex replacement on the east side of the Historic Capitol; new underground parking along the 12th Street walkway alignment, east of the new Annex; and an underground visitor/welcome center on the west side of the Historic Capitol between the Capitol Building and 10th Street.

2.2.2 Project Location

The proposed project site is located in downtown Sacramento on the Capitol grounds, bounded by 10th Street on the west, N Street on the south, L Street on the north, and 12th Street on the east (roughly following the alignment of the eastern edge of 12th Street across Capitol Park), with extensions along N Street and L Street to accommodate entry/exit ramps for the underground parking and extension east of the Annex entry to accommodate minor landscaping modification. The site encompasses portions of the western half of Capitol Park, but most of the park is located east of the project site between 12th Street and 15th Street. The local Native American Tribes call the area encompassing the project site Vesnak.

2.2.3 New Annex

The new Annex would serve the same purpose as the existing Annex, providing office space, hearing rooms, conference rooms, and supporting facilities for the Legislature and executive branch. Approximately 1,700 personnel (i.e., combined elected officials, their staff, and other employees in the Capitol) work in the Annex. The number of employees would not change as a result of development of the new Annex, although some employees currently located in the Legislative Office Building may move to the Annex, and vice versa. Like the existing Annex, the new Annex would be physically connected to the Historic Capitol. The new Annex would provide approximately 525,000 gross square feet of space, compared to the 325,000 square feet in the existing Annex. The new Annex would support more and larger hearing rooms and conference rooms, more consistently sized office spaces, and more efficiently designed facilities.

The footprint of the new Annex building is proposed as a Double-T configuration and would extend east to the 12th Street walkway in Capitol Park. The building would be formed with two north-south oriented rectangles; the shorter rectangle closer to and shorter than the length of the north/south extent of the Historic Capitol, and the footprint of the second longer rectangle extending north/south beyond the first rectangle. The Double-T building height would be no taller than the parapet of the historic capitol and/or the base of the existing Capitol dome. The Double-T height would be no more than 125 feet, which is lower than the current colonnade level and well below the base of the dome. This height limitation, along with the overall massing of the new Annex is intended to reinforce its subservience to the Historic Capitol building. The floors within the Annex would be designed to align with the floors in the Historic Capitol, with new Annex floors connecting to the corresponding floor in the Historic Capitol (e.g., the 2nd floor of the Annex connects to the 2nd floor of the Historic Capitol, the 3rd Floor of the Annex connects to the 3rd Floor of the Historic Capitol, etc.). This is not the current condition, where, for example, the current 3rd floor of the Annex connects to the 2nd floor of the Historic Capitol.

The exterior of the Double-T Annex would be a glass "pleated wall" design. The selection of a glass exterior serves multiple purposes; for example, the glass exterior maximizes the availability of natural light, improving work conditions for building occupants and minimizing the need for artificial light. Reflecting regulatory standards for constructing new buildings adjacent to historic buildings, the New Annex would be compatible with, but not identical to the Historic West Wing. The New Annex will be compatible with the Historic West Wing through inclusion of materials with corresponding heights, widths, form (e.g., columns), and colors to the Historic West Wing. A portion of the glass would be coated with a white frit pattern (ceramic coating on the glass) which would serve to control heat

gain and glare, limit reflectivity of the glass, and give the facade a white color, to more closely integrate the New Annex with the Historic West Wing.

2.2.4 Parking Garage

Demolition of the existing Annex would include removal of the existing underground parking. Replacement parking, rather than in the Annex basement, is proposed under the 12th Street walkway to reduce impacts to trees and landscaping in Capitol Park. The construction disturbance area and footprint of the garage has been designed to avoid several important trees in Capitol Park. The new underground parking would accommodate approximately 150 vehicles and would include electric vehicle charging stations in numbers that meet or exceed minimum building code standards. As with the current Annex basement parking, the 12th Street alignment for the underground parking would have entries/exits with security checkpoints on both L Street and N Street. The State is actively coordinating with the City of Sacramento transportation planning staff on the entries/exits on L and N Streets.

2.2.5 Visitor/Welcome Center

The new visitor/welcome center would be approximately 30,000 square feet of interior space and would be located between 10th Street and the west steps of the Capitol. The new visitor/welcome center would be substantially below grade (i.e., mostly below exiting ground level) in order to minimize visual impact, particularly from the Capitol Mall corridor view facing east. The entrance to the visitor welcome center would face 10th Street and would consist of a gently sloped and universally accessible (ADA compliant) walkway/ramp leading down to entrance doorways below ground level. The lower plaza would have stairs, as well as stepped seating areas incorporated into the landscape. At the east end of the central walkway/ramp would be doors leading to the below grade enclosed portion of the visitor/welcome center. At this location visitors would move through a security checkpoint before moving further into the visitor/welcome center. The east end of the visitor/welcome center would connect to the basement of the Historic Capitol allowing visitors to move directly from the visitor/welcome center into the Historic Capitol building.

Although trees within the visitor/welcome center footprint would need to be removed during construction, the mature Deodar Cedars in the area would be protected and retained.

The interior of the visitor/welcome center would include educational resources supporting civic engagement and improved understanding of California and its government. Conference rooms, classroom teaching spaces, restrooms, storage space, and space for security personnel would also be included in the visitor/welcome center.

The ground above the visitor/welcome center would be landscaped as an upper plaza, with the surface elevation even with the bottom of the first set of remaining original (i.e., west portico) steps to the Historic Capitol west entrance. The upper plaza would include a large glass skylight providing light to the underground portion of the visitor/welcome center and allowing individuals in the visitor/welcome center to have a view of the Historic Capitol dome as they move through the center. The skylight glass on the upper plaza would extend above ground level, as well as a wall suitable for use as seating that may surround the skylight. A safety railing would be located on the west edge of the upper plaza.

The lower plaza and associated landscape modifications, the below grade visitor/welcome center, and the upper plaza and associated landscape modifications, would be designed to not visually detract from the Historic Capitol, and would maintain the west façade of the Historic Capitol as a focal point of Capitol Mall. The top of the visitor center roof (ground-level) would be even with, or just below, the base of the west portico steps to allow visibility of the Historic Capitol. The only visitor/welcome center elements that would extend above the base of the west portico steps would be the safety railing along the west edge of the upper plaza, elements of the skylight that extend above the ground surface, and fencing around emergency exits. Only the safety railing and parts of the skylight above ground level would obstruct views of the portico, and only the steps and small portion of the portico just above the base of the steps would be affected.

As part of the modified visitor/welcome center design, the sidewalk on 10th Street in front of the Historic Capitol would be extended into the existing parking lane on 10th Street (also known as a bulb-out). The intent of the bulb-out is to provide greater separation between pedestrians congregating near the visitor/welcome center and vehicles on 10th Street and to maintain unobstructed views of the Historic Capitol, which are often blocked, albeit temporarily, by buses and vehicles parking directly in front of the Capitol on 10th Street. The sidewalk bulb-out would result in the loss of approximately five to seven existing parking spaces but would not affect the dedicated bicycle lane or vehicle travel lanes on 10th Street.

2.2.6 Landscaping, Lighting, and Memorials

The existing landscaping and lighting in the vicinity of the visitor/welcome center, Annex, and underground parking would be maintained and protected as much as possible during construction. As many existing trees as possible would be retained during project construction (including the mature deodar cedars in the vicinity of the visitor/welcome center mentioned above in the description of that project element). American National Standards Institute A300 standards for protection of trees would be implemented to protect trees that are retained within the construction activity area.

However, some existing trees within the project's construction footprint will be affected by project implementation. In total, the project is estimated to affect 127 trees. The term "affect" in this instance refers to both transplanting trees to new locations and removing trees. Project landscape planning identifies 10 trees to be transplanted near their current locations, 18 trees transplanted outside the construction area but within Capitol Park, up to 56 trees could be removed and replaced with new trees in Capitol Park (with some portion of these 56 trees anticipated to be identified for transplanting once visitor/welcome center design advances), and 43 City perimeter palm trees to be transplanted along the perimeter of Capitol Park. The new plantings and transplanted trees would be monitored for five years to ensure survivorship. If a new tree or relocated tree dies, it would be replaced in-kind.

Landscaping surrounding the new Annex and underground parking garage would generally be consistent with the existing character of the nearby landscaping. However, the visitor/welcome center would include recontouring of the existing slopes to accommodate the walkway/ramp and development of the lower and upper plazas, which deviates from the existing three level plaza with two sets of stairs between sidewalk level and the west portico steps. In any locations where landscaping may deviate from existing conditions, vegetation would favor drought tolerant and California native plants.

Any statues, memorials, plaques, and similar items that must be temporarily or permanently moved as a result of the project would be catalogued and stored in a secure location during construction. For trees, statues, or other features that have been dedicated to, recognize, or honor a particular individual or group, the State would send a letter to that person, or representative of that person or group, notifying them that the statue, plaque, or memorial would be temporarily removed during project construction, then returned to Capitol Park when construction is complete. All statues would be returned to Capitol Park in a setting similar to their original location. All plaques and memorials would be replaced and attributed to the same type of feature to which it was originally attributed. For example, a plaque attributed to a redwood tree would then be returned to a redwood tree included in the post construction landscaping plan. The existing bronze "Great Seal of California," "California Indian Seal," and "Spanish-Mexican Seal" currently located just west of the west portico steps would be re-set into the upper plaza of the visitor/welcome center near their current location.

New landscaping and lighting installed in the construction disturbance area after building construction is complete would be consistent in character with what is currently present at the Historic Capitol Building and the surrounding Capitol Park. Exterior lighting would be the minimum necessary for security and safety of people and property so as to reduce light pollution. No new lighting would interfere with the current lighting of the Historic Capitol that focuses light on that building and reinforces the prominence of the structure in the park.

2.2.7 Project Phasing

Implementation of the Capitol Annex project would be completed in a sequence of steps identified below.

1. Before Annex demolition and construction could begin, the Annex building must be vacated and its occupants and functions moved to a different location. During project construction, the Legislature and executive branch offices and related facilities would be temporarily located in the new 10th and O Street Office Building at 1021 O Street. This temporary relocation has been completed.
2. After the Annex was vacated, hazardous materials abatement began. Materials such as asbestos pipe insulation are being removed following applicable health and safety protocols. Some work outside the footprint of the existing annex (e.g., in utility alignments) began before hazardous materials abatement was initiated and could continue throughout the Annex demolition and construction process.
3. To replace the building access formerly provided by the Annex, visitor access would be provided at the pedestrian entry on the north side of the Historic Capitol (from L Street). The pedestrian pathway from the south side of the Historic Capitol (from N Street) would be maintained for members of the Legislature, executive branch, and their staff to move between the Historic Capitol and the 10th and O Street Office Building.
4. After hazardous materials abatement is complete, demolition of the existing Annex may begin. Demolition of the existing Annex would include excavating and removing the existing underground parking below the current Annex building.
5. The Ruling permits the demolition activities identified above to continue while environmental review under this REIR is occurring. In compliance with the Ruling, construction of the new Annex would not begin until after completion of the REIR environmental process, and after demolition is complete.
6. Concurrently with the Annex construction process described above, the underground parking garage under the 12th Street walkway alignment would be excavated and constructed.
7. Lastly, construction of the new underground visitor/welcome center on the west side of the Historic Capitol would be initiated.

2.3 ENVIRONMENTAL IMPACTS AND PROPOSED AND RECOMMENDED MITIGATION

Table 2-1 in Chapter 2, "Executive Summary," of the 2019 Draft EIR, provides a full listing of the environmental impacts of the proposed project, the level of significance of the impact before mitigation, recommended mitigation measures, and the level of significance of the impact after the implementation of the mitigation measures. This table is available online at http://bit.ly/DGSCEQA. The only significance conclusion that changed between the 2019 Draft EIR and the 2012 Final EIR was that Impact 4.15-1, "Adverse Effect on a Scenic Vista" was changed from "potentially significant" to "less than significant" due to the changes in visitor/welcome center design evaluated in the 2020 Recirculated Draft EIR.

As described above in Section 2.1, "Background and Purpose of the Partially Revised Draft Environmental Impact Report," DGS has prepared this Draft REIR to address the CEQA adequacy issues provided in the Ruling, which include the project's potential impacts on historic resources and aesthetics. Therefore, a full impact summary table is not provided in this REIR. Table 2-1, at the end of this chapter, identifies only those new or modified environmental impacts and mitigation measures included in this Draft REIR.

Consistent with the Ruling, this REIR addresses the following environmental impacts:

Archaeological, Historical, and Tribal Cultural Resources

- Impact 4.12-4: Potential for Impacts on Historic Architectural Resources

Aesthetics, Light, and Glare

- Impact 4.15-1: Adverse Effects on a Scenic Vista
- Impact 4.15-3: Introduction of New Sources of Light and Glare that Adversely Affect Day or Nighttime Views

2.4 AREAS OF CONTROVERSY AND ISSUES TO BE RESOLVED

Chapter 2, "Executive Summary," of the Draft EIR, describes the areas of controversy and issues to be resolved associated with the project at the time the Draft EIR was released in May 2019. See Section 2.5, "Areas of Controversy and Issues to be Resolved," in the Draft EIR, which is available online at http://bit.ly/DGSCEQA. Based on public comments received on the Draft EIR and the 2020 Recirculated Draft EIR additional areas of controversy include effects on trees in Capitol Park, effects on Tribal Cultural Resources, and preservation/demolition of the existing Capitol Annex.

As described above and in Section 2.1, "Background and Purpose of the Partially Revised Draft Environmental Impact Report," DGS has prepared this REIR to address the CEQA adequacy issues provided in the Ruling, which include the project's potential impacts on the following resources and CEQA issue areas:

- refinement of the project description over time,
- impacts on historical resources,
- impacts on scenic vistas,
- impacts of project lighting on the Historic Capitol, and
- alternative locations for the visitor/welcome center.

These could be considered the major areas of controversy associated with the project since certification of the EIR in 2021. DGS will continue to respond to these issues, including most recently in this Draft REIR.

Table 2-1 Summary of Impacts and Mitigation Measures Addressed in the Draft REIR

Impact			
Impact 4.12-4: Potential for Impacts on Historic Architectural Resources. The Capitol Annex Project would cause physical changes within two historic districts and introduce changes to the setting of those districts, a third NRHP-eligible historic district, and four individually NRHP-eligible historic buildings. These changes would result in a substantial adverse change to the characteristics that qualify the State Capitol Complex for listing in the NRHP. This impact would be significant. The physical changes within the California State Government Building District would adversely affect one part of one contributor to the district, but overall, the project would not impair the district's ability to convey its historical significance. The impact to this district would be less than significant. The changes to the Capitol Extension Group present a change in setting, but because these changes would not substantially reduce the Group's ability to convey its relationship to the Capitol, the impact on the district would be less than significant. The four individually eligible buildings would not experience any alteration of their physical elements, and the proposed project would not impair the ability of those resources to convey their historical significance. There would be no impact relative to these resources.	S	Mitigation Measure 4.12-4a: Update Existing Historic Structure Report, for the Historic Capitol and Annex and follow the Secretary of the Interior's Standards for the Treatment of Historic Properties, the California Historical Building Code and Relevant National Park Service Preservations Briefs The JRC will have historic preservation planners under contract including at least one of each of the following specialists: historical architect, materials conservation specialist, and architectural historian. The role of the historic preservation planners is to prepare an updated historic structure report (HSR) for the Historic Capitol and Annex to provide baseline information for protection measures outlined in Mitigation Measure 4.12-4e and to inform development of compatible new design for the Annex. The HSR shall be updated in accordance with NPS Preservation Brief 43 (The Preparation and Use of Historic Structure Reports) and include treatment measures that follow the Secretary of the Interior's Standards (SOIS) for the Treatment of Historic Properties and the California Historical Building Code (CHBC) as applicable. The HSR shall provide documentary and graphic information about the history and existing conditions of the Historic Capitol and Annex and identify historic preservation treatment objectives and requirements for the use of the buildings. The HSR shall record the buildings prior to initiation of any demolition, repairs, modifications, and/or renovations to ensure that the historical significance and condition of the buildings are considered in the development of the proposed project. The HSR shall include an updated conditions assessment of the buildings to document current conditions of the character-defining features. The HSR shall also outline maintenance guidelines for the building DGS and the JRC will ensure that preservation treatment objectives for the buildings seek to meet all SOIS for character-defining features designated in the HSR. In instances when DGS and the JRC must address human safety issues not compatible with the SOIS, DGS and the JRC will utilize the CHBC to the extent feasible. The CHBC is defined in Sections 18950–18961 of Division 13, Part 2.7 of Health and Safety Code. The CHBC is a mechanism that provides alternative building regulations for permitting repairs, alterations and additions to historic buildings and structures. These standards and	SU

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		regulations are intended to facilitate the rehabilitation and preservation of historic buildings. The CHBC proposes reasonable alternatives so that a property's fire protection, means of egress, accessibility, structural requirements, and methods of construction would not need to be modernized in a manner that compromises historic integrity. The CHBC is intended to allow continued, safe occupancy while protecting the historic fabric and character-defining features that give a property historic significance, thus promoting adherence to the SOIS. The CHBC recognizes that efforts to preserve the historic materials, features, and overall character of a historic property at times may be in conflict with the requirements of regular buildings codes. The Office of the State Fire Marshall has ultimate authority over building health and safety measures and may require use of the standard building code, rather than allowances provided by the CHBC, in some instances. DGS and the JRC shall review and approve the HSR prior to the completion of schematic design and will use the HSR to guide the design of the Annex and ensure that the HSR's historic preservation objectives and treatment requirements for the Historic Capitol are incorporated into the design. DGS and the JRC may consult with staff preservation architects within the Architectural Review and Environmental Compliance Unit of the State Office of Historic Preservation for additional guidance as needed. Mitigation Measure 4.12-4b: Conduct Architectural and Landscape Salvage Because a major component of the Capitol Annex Project is the demolition of a portion of the State Capitol Complex, the Annex, DGS and the JRC will seek feasible means for salvaging and reusing character-defining features that will be removed as part of the project. Additionally, because the construction of the visitor/welcome center would demolish a portion of the West Lawn, which contributes to the Capitol Complex, DGS and JRC will seek feasible means for salvaging and reusing character-defining landscape features, including but not limited to the granite pillars, memorials, and the Great Seal of the State of California. The architectural and landscape salvage shall be informed by the updated HSR completed under Mitigation Measure 4.12-4a and Landscape Treatment Report completed under Mitigation Measure 4.12-4d and incorporated into either the design of the new project proposed at the site or the interpretive program that would be developed under Mitigation Measure 4.12-4c. DGS and the JRC, along with the team of specialists including a	

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		historical architect, materials conservation specialist, and landscape architect will prepare a detailed salvage plan to outline the feasibility and condition of salvaged materials and identify potential for reuse as part of the project, or incorporation into an interpretive program. If reuse of salvaged elements in either the design of the new building or in an interpretive program proves infeasible or otherwise undesirable, as determined by DGS and the JRC, DGS and the JRC will work with California State Parks and/or California State Archives to develop a long-term storage plan for the salvaged materials in accordance with requirements for state-owned property. DGS and the JRC shall review and approve the salvage plan and long-term storage plan (if required) prior to completion of design development. Mitigation Measure 4.12-4c: Develop and Implement an Interpretive Program As part of the project, DGS, the JRC, and the Capitol Museum and/or SOIS-qualified consultants shall facilitate the development of an interpretive program to commemorate the continuous development of the State Capitol Complex, including programming focused on the history of the Capitol Annex and Capitol Park. The interpretive program should result, at minimum, in the installation of a permanent publicly accessible exhibit in the Annex, Historic Capitol, or the new visitor/welcome center. The content of the interpretive program shall highlight the continued evolution of the State Capitol building and Capitol Park, as well as provide an inclusive history of the surrounding area, particularly the viewshed to and from the Capitol Mall as it relates to urban renewal and underserved communities that were displaced to create the current mall and in consultation with consulting Tribes. Although the interpretive program may be located in the Historic Capitol, its development and completion will be tied to either the Annex or visitor/welcome center components of the project. DGS and the JRC shall review and approve the content of the interpretive program prior to completion of design development for the project component the interpretive program is tied to. The interpretive program will be fully installed within six months of issuance of the occupancy permit for the selected project component. Mitigation Measure 4.12-4d: Develop and Implement a Landscape Treatment Report for Capitol Park included Protection, Restoration, or Replacement of Commemorative Trees, Plantings, or Other Memorials As part of the project, DGS and the JRC shall facilitate the development of a landscape treatment report that: (a) identifies which of the contributing	

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		landscape features located in Capitol Park require removal or that are located within the zone of potential damage from construction activities, (b) establishes specifications for protecting, restoring, replacing and/or relocating contributing landscape features within Capitol Park, consistent with the salvage plan identified in Mitigation Measure 4.12-4b, as close to their original location as feasible or to a compatible location within the park, (c) establishes guidelines for the protection of contributing landscape features, including detailed guidance for the treatment of contributing memorials and trees to ensure that construction, grading, and vibration does not cause damage to features within the zone of potential damage from construction activities, and (d) identifies the distance threshold at which construction activities have the potential to damage contributing landscape features, noting that this threshold may differ by feature type (i.e. trees vs. memorials). The JRC shall bring at least one of each of the following specialists under contract as part of the Architect's team: landscape historian, arborist, and landscape architect with experience in cultural landscape treatment. The role of the landscape historian, arborist and landscape architect are to prepare a landscape treatment report for Capitol Park in accordance with Preservation Brief 36 (Protecting Cultural Landscapes: Planning, Treatment and Management of Historic Landscapes) and The Secretary of the Interior's Standards for the Treatment of Historic Properties with Guidelines for the Treatment of Cultural Landscapes. The landscape treatment report shall provide an existing conditions analysis of Capitol Park to establish baseline conditions of trees, plantings, memorials, and contributing landscape features prior to the commencement of any demolition or construction of the proposed project. The report shall also outline preservation objectives and treatment guidelines for the protection, rehabilitation, restoration, relocation and/or replacement of contributing features of Capitol Park. The landscape treatment report is not equivalent to a master plan and will not specify future design. In developing the report, DGS and the JRC will prioritize protection in place over removal of contributing landscape features. Where protection, preservation, or in-kind replacement of contributing landscape features is not feasible, guidelines for compatible design options that comply with the Secretary of the Interior's Standards for Rehabilitation will be included. For each memorial (including commemorative trees, plantings, statues, or other	

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		types of memorials) where removal is necessary, DGS or the JRC will consult with individuals or groups who are affiliated with that memorial (such as the original sponsoring organization or the individual or group that is the subject of the memorial) to identify a mutually agreeable treatment for the memorial. Treatments may include relocation of the memorial to a new location as close as possible to the original location after project construction is complete, relocation of the original memorial to a new location within Capitol Park, complete removal of the original memorial and replacement "in-kind" with the same type/species or materials, or complete removal of the original memorial and replacement with a mutually acceptable new memorial. DGS and the JRC shall review the draft landscape treatment report prior to the completion of schematic design for the first project component to be implemented. DGS and the JRC shall review and approve the final landscape treatment report prior to the completion of the 50% design development phase. DGS, the JRC, and the design team will use the report to ensure that the landscape treatment report's historic preservation objectives and treatment recommendations are incorporated into the design for the Annex and Capitol Park. Mitigation Measure 4.12-4e: Develop and Implement a Plan for Protection, Monitoring, and Repairs for Inadvertent Damage to the Historic Capitol Building Prior to commencement of any ground disturbing activities, DGS and the JRC shall oversee a SOIS qualified specialist team in the preparation of a Plan for the Protection, Monitoring, and Repair of Inadvertent Damage to the Historic Capitol Building. The plan shall be prepared by an interdisciplinary team, including (but not limited to) as appropriate, an architectural historian, architect, photographer, structural engineer, and acoustical engineer with expertise in ground-borne vibration. Protection measures would be developed in consultation with the Historic State Capitol Commission. The plan shall record existing conditions in order to (1) establish a baseline against which to compare the building's post-project condition, (2) to identify structural deficiencies that make the building vulnerable to project construction related damage, such as vibration, and (3) to identify stabilization or other measures required to avoid or minimize inadvertent impacts. The plan shall describe the protocols for documenting inadvertent damage (should it occur), and shall direct that inadvertent damage to historic	

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		properties shall be repaired in accordance with the Secretary of the Interior's (SOI) Standards for the Treatment of Historic Properties (U.S. Department of the Interior, 1995). DGS and the JRC will review and approve the plan for protection, monitoring, and repairs for inadvertent damage prior to the completion of design development.	
Impact 4.15-1: Adverse Effects on a Scenic Vista. The Capitol Mall corridor is considered a scenic vista. Implementation of the Capitol Annex Project would require substantial construction activities, which would temporarily alter views of the primary façade of the Historic Capitol, located at the eastern end of Capitol Mall. The entry to the new visitor/welcome center would be constructed primarily below ground, with only minor features (proposed skylight, safety railings, upper plaza planters, and fencing around emergency exits) visible at the foreground potentially obstructing views of the Historic Capitol. As such, scenic views of the State Capitol's primary façade would be permanently, though not substantially, impaired. Because construction activities would be temporary, these activities would not result in a permanent adverse effect. Further, because the modified entry to the new visitor/welcome center would be belowground (with the exception of the proposed skylight, safety railings, and fencing around emergency exits), it would not adversely affect views of the Historic Capitol, an identified scenic vista. This impact would be less than significant.	LTS	No mitigation is required.	LTS
Impact 4.15-3: Introduction of New Sources of Light and Glare that Adversely Affect Day or Nighttime Views. The Capitol Annex Project would involve new lighting associated with construction and operation of the Annex, visitor/welcome center, and parking garage. Construction lighting would be temporary and would be utilized primarily as a security measure for the construction site. The proposed exterior finishes of the Annex, visitor/welcome center, and parking garage would not include materials that are highly reflective or that would produce substantial glare. Operational project-related light sources would be similar to the current lighting in downtown Sacramento in amount and intensity of light. More specifically, light emitted from the new Annex would be similar in amount and intensity to light generated by the existing Annex. In addition, lighting plans would be consistent with the U.S. Green Building Council's Leadership in Energy and	LTS	No mitigation is required.	LTS

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Environmental Design version 4 (LEED v4) Green Building Rating System, which would reduce both the generation of exterior light and the potential for light trespass to affect off-site areas. The project would also be required to meet CALGreen standards that limit light and glare generated by State-owned buildings. Finally, the existing bright exterior lighting currently focused on the Historic Capitol anchors the building's prominence in nighttime views. Lighting emitted from the interior of the new Annex would not be sufficient to detract from the prominent view of the Historic Capitol and Capitol dome. For these reasons, project implementation would not create a new source of substantial light that would adversely affect day or nighttime views in the area. This impact would be less than significant.			

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3 PROJECT DESCRIPTION

The most recent complete description of the Capitol Annex Project (i.e., all project components addressed together) was included in the Recirculated Draft EIR in January 2020. Between distribution of the Recirculated Draft EIR and completion of the Final EIR, modifications to the design of the Annex and parking structure were made, and more detailed designs were developed for these facilities. These modifications were described and evaluated in the Final EIR, which was certified in July 2021. However, the Final EIR did not repeat the project description from the Draft EIR, but focused instead on just the elements that had been modified since publication of the Recirculated Draft EIR. The primary new information related to the Annex design disclosed in the Final EIR was the selection of a "Double-T" configuration and exterior surfacing of mostly glass. In addition, the location of the underground parking garage was changed from the south side of the new Annex and Historic Capitol to an area immediately east of the new Annex beneath the 12th Street walkway alignment. Entry and exit ramps for the parking structure were identified on both L Street and N Street, rather than only on N Street per the earlier design. The project's boundaries along the sides of L Street and N Street were expanded to accommodate the ramps as well as directly east of the new Annex to accommodate minor landscaping modifications. The maximum garage capacity was reduced to 150 vehicles. In addition, project impacts to trees were further clarified and the phasing of project implementation was refined to allow construction of the new Annex and parking garage before the visitor/welcome center.

The project description below incorporates the modifications identified and analyzed in the Final EIR but does not repeat all project description elements from prior CEQA documents as not all project description information is relevant to understanding the contents of this Draft REIR. As stated in Chapter 1, "Introduction," DGS has prepared this Draft REIR to address the 3rd Appellate District Court's Ruling, which is limited to the EIR's project description, its analysis of the project's impacts on historical resources and aesthetics related to the use of a glass exterior, and its analysis of alternatives regarding locations for the visitor/welcome center. This Draft REIR specifically addresses the impacts and issues identified in the Ruling and provides supplemental information and new analysis as needed to comply with CEQA and address the Ruling. Contents of the 2021 EIR that were found by the Court to be adequately addressed, and/or that were not challenged in any superior court petition, are not included. Therefore, the project description provided below focuses on information that supports the analysis of issues identified in the Ruling and does not include information that is not relevant to this purpose. For example, planned methods for providing heating and cooling and telecommunications has no relevance to the topics addressed in this Draft REIR and information on provision of these utility services, which was provided in the Draft EIR and Recirculated Draft EIR, is not repeated here. Conversely, some project elements not referenced in the Ruling, such as the underground parking, are still described below to support a general understanding of the proposed project. The project descriptions included in the Draft EIR, Recirculated Draft EIR, and Final EIR, (as well as the entirety of these documents) can be accessed at https://www.dgs.ca.gov/RESD/Resources/Page-Content/Real-Estate-Services-Division-Resources-List-Folder/Information-and-Resources-for-CEQA.

Since publication of the Final EIR, a minor alteration has been proposed to the configuration of the glass panels planned for the exterior surface of the new Annex. Where the Final EIR showed what was called a "pleated glass" design with shorter pleats, the current design has longer, shallower "full pleats.". This modified design is more reminiscent of the curves and undulations of a curtain (as show in renderings provided later in this chapter). Both designs are considered "pleated glass" design, with the term "short pleats" being used to identify the design provided in the Final EIR and "full pleats" being used to identify the current design. In addition, the proposal for the visitor/welcome center has been refined. The loop ramps near 10th Street have been removed, the total size of interior facilities has been reduced by approximately 10,000 square feet (sf), and planters on the upper plaza that were identified in the Recirculated Draft EIR and Final EIR are no longer part of the project. Information is included in this chapter showing how these changes in exterior design of the new Annex and removal of some elements of the visitor/welcome center do not trigger the criteria provided in PRC 21166 and CCR 15162 related to subsequent or supplemental EIRs.

3.1 PROJECT BACKGROUND AND NEED

The historical portion of the Capitol Building, referred to as the "Capitol" or "Historic Capitol" began construction in 1860 and was completed in 1874, originally housing all branches of government: executive (Governor and other elected State officers), legislative (Senate and Assembly), and judicial (California Supreme Court), as well as the state library and archives. After many decades of alterations and departments expanding and moving to other buildings, the Capitol Annex Building (Annex) was constructed between 1949 and 1951. The six-story and roughly 325,000-sf Annex was connected to the west side of the Historic Capitol, resulting in the appearance of a single continuous building.

The Annex, prior to the moving of its occupants to 1021 O Street in 2022, supported the Governor and executive staff, the Lieutenant Governor, and the Legislative Branch of Government, including offices for 115 of California's 120 State Lawmakers. The other five state lawmaker offices remain in the adjacent Historic Capitol. With its physical connection to the Historic Capitol, the Annex has been an important public asset, as it provided a venue for California's public to participate in deliberative, democratic governmental processes with the Governor, State Lawmakers, and their policy and other staff. However, the building's deficiencies became impediments to both use by the public and the efficient use of Government.

The Annex was originally constructed in accordance with the 1949 Uniform Building Code (UBC). The code in effect when the 2021 EIR was prepared was the 2016 California Building Code (CBC). However, the CBC in effect as the Annex design has proceeded is the 2019 CBC. The new Annex will be constructed following the 2019 CBC. The 2019 CBC made minor changes to the 2016 CBC considered in the 2021 EIR. None of these changes affect the CEQA analysis presented herein.

While the core mission of the applicable building codes has largely remained the same over time, considerable changes have been made since the 1949 UBC edition and new regulations and standards related to building facilities and performance have been adopted. Identified deficiencies in the Annex relative to current building standards and building operations include:

- life safety/building code deficiencies (e.g., fire detection, alarm, and fire suppression systems);
- non-compliance with Americans with Disabilities Act (ADA) standards;
- non-compliance with energy efficiency standards;
- overcrowding;
- aging and failing infrastructure (e.g., plumbing, electrical, heating/cooling); and
- insufficient public and working space.

Responding to the need to replace or renovate the Annex, the Legislature passed Senate Bill (SB) 836 in 2016. SB 836 provides funding for a project to address deficiencies in the existing State Capitol Building Annex. Passage of SB 836 aligned with the need identified in the Governor's 2016 Five-Year Infrastructure Plan to modernize the Annex. In 2018, SB 840 and Assembly Bill (AB) 1826 were passed, providing further funding and authorizations for the Annex project. AB 2667 was also passed in 2018, requiring the Annex Project to reflect symbols found in the Historic Capitol representing California's heritage and to promote education and hospitality to visitors.

3.2 PROJECT OBJECTIVES

Consistent with, and in furtherance of SB 836, SB 840, AB 1826, and AB 2667, the objectives of the Capitol Annex Project are to:

- Provide an accessible, efficient, and safe environment for State employees, elected officials, and the public they serve.
- Integrate the new State development with the existing surroundings.

- Develop sustainable and energy-efficient facilities.
- Provide modern facilities that meet current construction standards and codes.
- Continue to provide secure parking for legislative and executive branch officials.
- Provide meeting space for legislative and executive functions of sufficient size to support efficient performance of State business and with modern communications technology.
- Continue to provide Annex facilities directly adjacent to the Historic Capitol.
- Promote education, hospitality, and a welcoming environment for the visiting public.

3.3 PROJECT LOCATION

The proposed project site is located in downtown Sacramento on the Capitol grounds, bounded by 10th Street on the west, N Street on the south, L Street on the north, and 12th Street on the east (roughly following the alignment of the eastern edge of 12th Street across Capitol Park), with extensions along N Street and L Street to accommodate entry/exit ramps for the underground parking and extension east of the Annex entry to accommodate minor landscaping modification (Figures 3-1 and 3-2). The site encompasses portions of the western half of Capitol Park, but most of the park is located east of the project site between 12th Street and 15th Street. The local Native American Tribes call the area encompassing the project site Vesnak.

As described further below, the project consists of three primary components: an underground visitor/welcome center on the west side of the Historic Capitol between the Capitol Building and 10th Street, the Annex replacement on the east side of the Historic Capitol, and new underground parking along the 12th Street walkway alignment, east of the new Annex (Figure 3-3 shows generalized facility envelopes).

3.4 CHARACTERISTICS

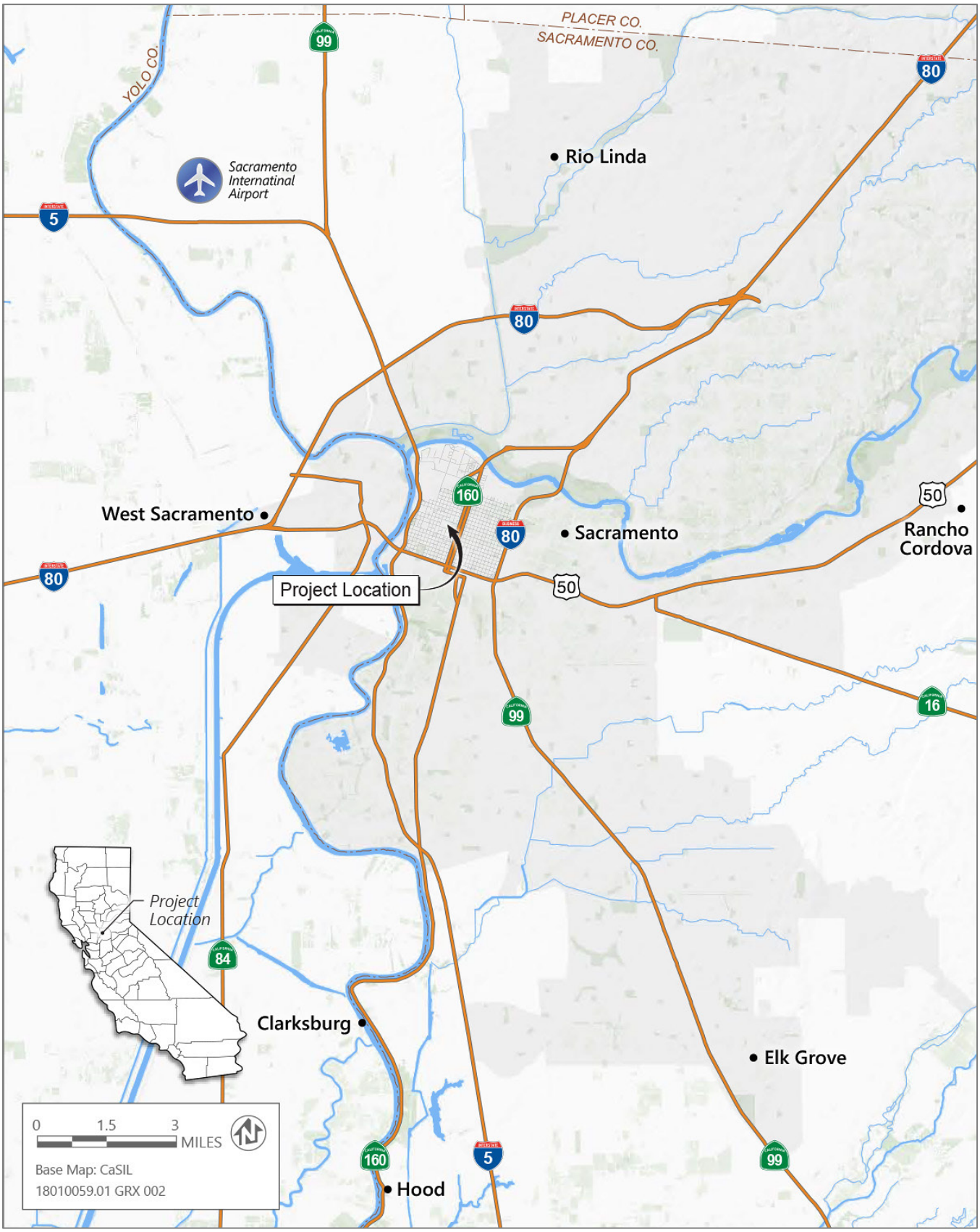
3.4.1 Existing Land Uses and Land Use Designation

The Capitol Building and Annex are surrounded by Capitol Park. The entire Capitol Park, including the Historic Capitol and Annex, is on land owned by the State. Monuments, memorials, other points of interest, landscaping, and ornamental trees are located throughout the park and on all sides of Capitol Building and Annex. Walkways within the park surround the Capitol and Annex building on all sides. The *Capitol Area Plan* (DGS 1997) designates landscaped portions of Capitol Park as "Parks and Open Space," but designates walkways, hardscape, and the Capitol Building and Annex as "Other Existing Use." Land uses surrounding the project site consist of the State-owned Jesse Unruh Office Building and the Library and Courts Building across 10th Street to the west; a City of Sacramento operated parking structure with ground floor retail and "The Senator" office building across L Street to the north; Capitol Park to the east; and the Legislative Office Building (LOB), the Lewis Apartments, and Caltrans Headquarters building across N Street to the south (Figure 3-2).

3.4.2 Project Phasing

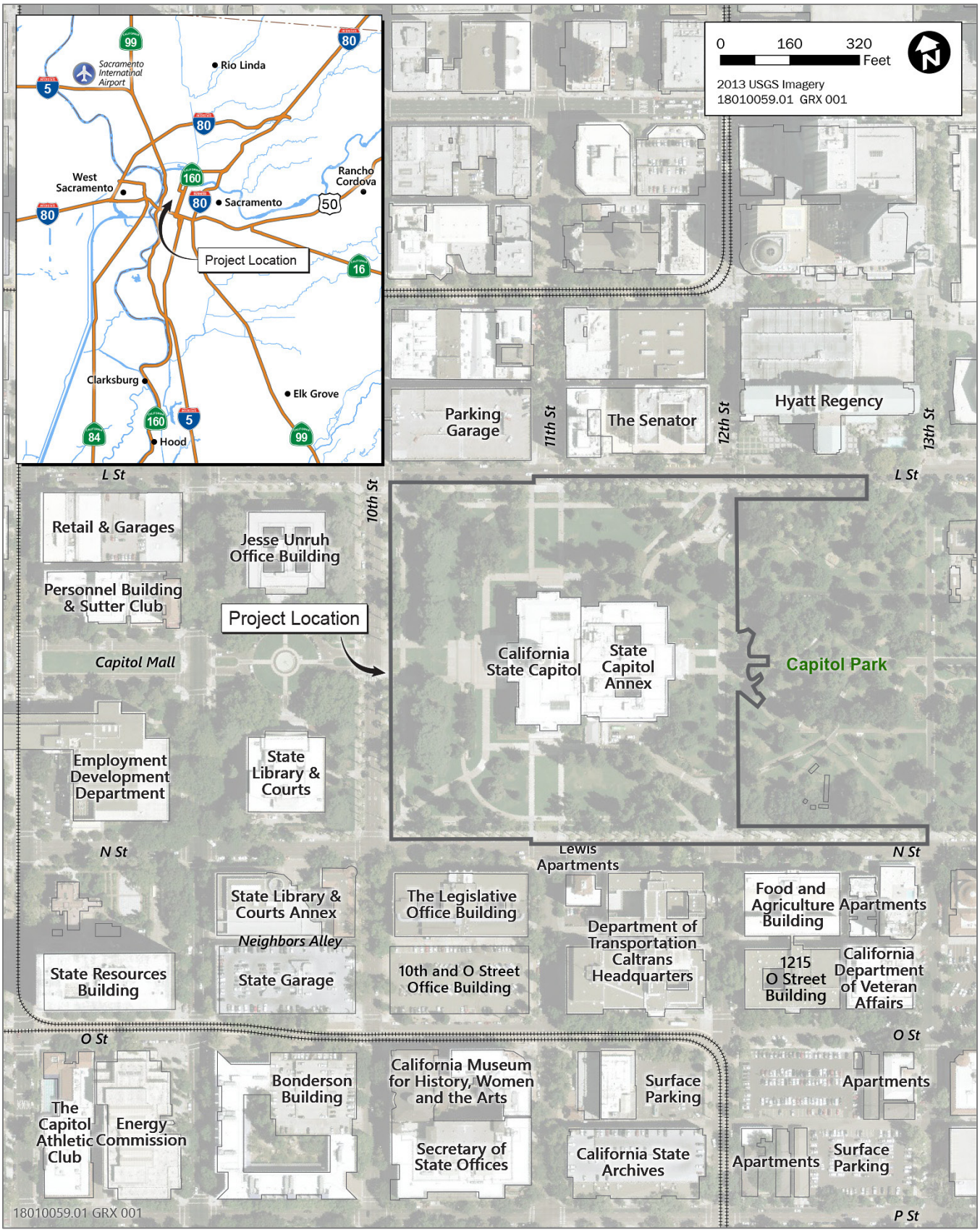
Implementation of the Capitol Annex project would be completed in a sequence of steps. These steps are identified here, with major project components described in more detail below.

1. Before Annex demolition and construction could begin, the Annex building must be vacated and its occupants and functions moved to a different location. During project construction, the Legislature and executive branch offices and related facilities would be temporarily located in the new 10th and O Street Office Building at 1021 O Street. This temporary relocation has been completed. Limited legislative functions, such as caucus offices, have been temporarily moved to existing rooms on the second floor of the Historic Capitol, and functions and staff currently in those rooms have been moved to the 10th and O Street Office Building.



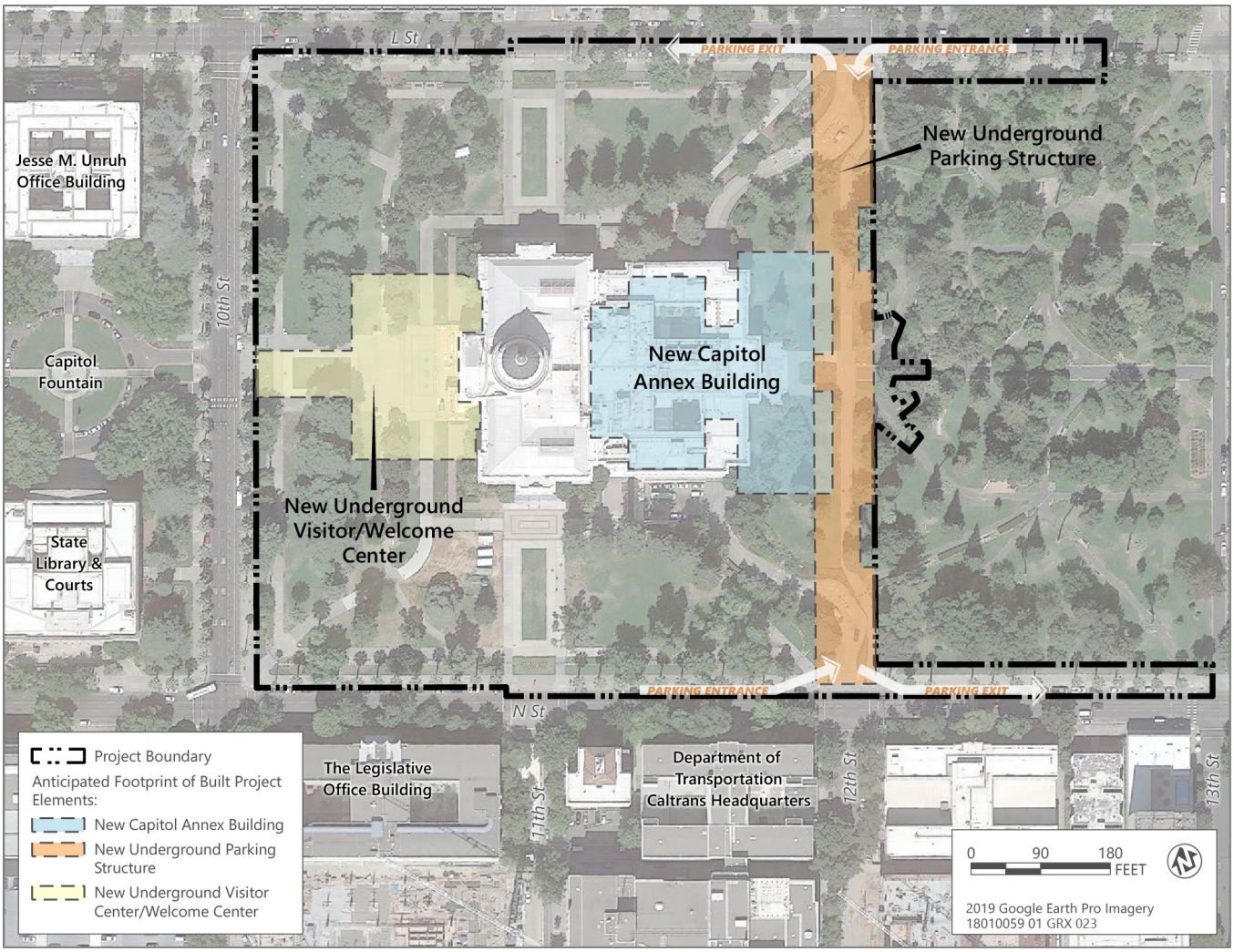
Source: Prepared by Ascent Environmental in 2019.

Figure 3-1 Regional Location



Source: Sacramento County 2015. Adapted by Ascent Environmental in 2023.

Figure 3-2 Site Location



Source: Adapted by Ascent Environmental 2023.

Figure 3-3 Project Components

2. After the Annex was vacated, hazardous materials abatement began. Materials such as asbestos pipe insulation are being removed following applicable health and safety protocols. Some work outside the footprint of the existing annex (e.g., in utility alignments) may have begun before hazardous materials abatement was initiated and could continue throughout the Annex demolition and construction process.
3. To replace the building access formerly provided by the Annex, visitor access would be provided at the pedestrian entry on the north side of the Historic Capitol (from L Street). The pedestrian pathway from the south side of the Historic Capitol (from N Street) would be maintained for members of the Legislature, executive branch, and their staff to move between the Historic Capitol and the 10th and O Street Office Building.
4. After hazardous materials abatement is complete, demolition of the existing Annex may begin. Demolition of the existing Annex would include excavating and removing the existing underground parking below the current Annex building.
5. The Ruling permits the demolition activities identified above to continue while environmental review under this REIR is occurring. In compliance with the Ruling, construction of the new Annex would not begin until after completion of the REIR environmental process, and after demolition is complete.
6. Concurrently with the Annex construction process described above, the underground parking garage under the 12th Street walkway alignment would be excavated and constructed.

7. Lastly, construction of the new underground visitor/welcome center on the west side of the Historic Capitol would be initiated.

3.4.3 Demolition of the Existing Annex

The existing Annex is a six story, approximately 325,000 square foot building, with vehicle parking in a basement level. The first step in demolition would be the intact removal of any historically significant items and other features incorporated into the physical structure of the building that the State wishes to save (e.g., the metallic relief panels on the east facade). The next step would be removal of hazardous materials from the existing building such as lead-based paint, asbestos pipe insulation, and similar materials frequently found in older buildings. After the hazardous materials abatement is complete, excavators and other heavy equipment would be used to dismantle the building. Material suitable for recycling would be separated and transported to a suitable recycling facility. Remaining material would be hauled off-site and disposed of in an approved landfill or other facility authorized to accept the material.

The State and the City of Sacramento have completed the process for the City to abandon a right-of-way it previously held through Capitol Park following the alignment of 12th Street. There may be abandoned and non-operating utility infrastructure within the right-of-way such as pipelines or electrical conduits. Because the right-of-way alignment falls within the project site (Figure 3-2), abandoned underground utilities in the 12th Street right-of-way through Capitol Park may be removed or capped as demolition of the existing Annex and construction of the new Annex and parking structure proceeds, or simply left in place if removal would result in substantial damage to trees, Tribal Cultural Resources, or Capitol Park facilities that would not otherwise be disturbed by project activities.

3.4.4 New Annex Program Elements

The new Annex would serve the same purpose as the existing Annex, providing office space, hearing rooms, conference rooms, and supporting facilities for the Legislature and executive branch. Approximately 1,700 personnel (i.e., combined elected officials, their staff, and other employees in the Capitol) work in the Annex. The number of employees would not change as a result of development of the new Annex, although some employees currently located in the LOB may move to the Annex, and vice versa. Like the existing Annex, the new Annex would be physically connected to the Historic Capitol.

The new Annex would provide approximately 525,000 gross square feet of space, compared to the 325,000 square feet in the existing Annex. The new Annex would support more and larger hearing rooms and conference rooms, more consistently sized office spaces, and more efficiently designed facilities. For example, the design and configuration of the new Annex would;

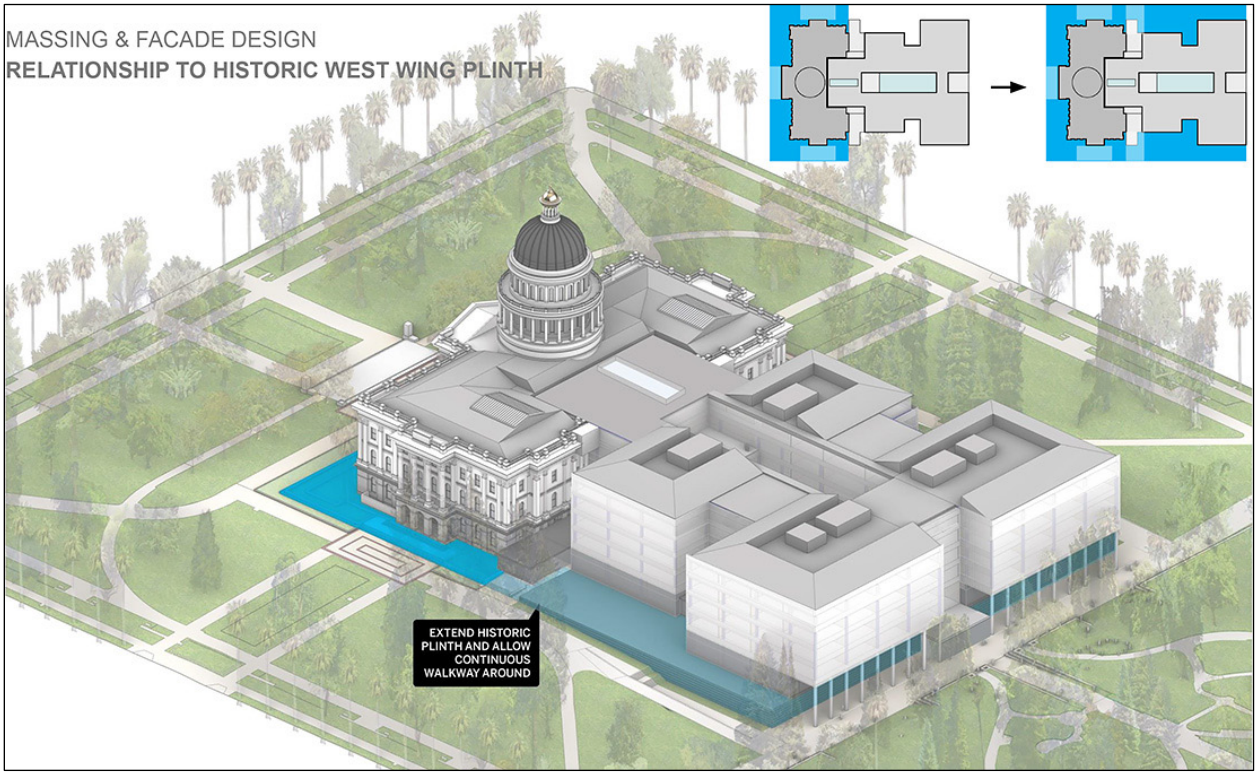
- provide more convenient public access to all committee rooms and legislator offices;
- align the floors of the Annex with the West Wing to improve wayfinding and circulation;
- allow Committee Chairs better proximity to their committee work areas;
- allow staff to be in closer proximity to the elected officials they serve;
- enlarge corridors to improve flow and access;
- allow equipment currently placed in hallways to be moved into dedicated offices;
- provide workspaces and facilities to better allow California Highway Patrol (CHP) and Sergeants at Arms staff to fulfill their security functions; and
- improve the flow of both employee and visitor traffic.

Although the new Annex would support more square footage than the existing building, the functions, activities, and personnel associated with the Annex would not change.

The new Annex would meet all current building codes, ADA standards, and energy efficiency standards. The building would meet or exceed Leadership in Energy and Environmental Design (LEED) v4 Silver certification.

3.4.5 Annex Configuration, Height, Massing, and Architectural Treatments

The footprint of the new Annex building is proposed as a Double-T configuration, as illustrated in Figure 3-4. The Annex would continue to be physically connected to the historic Capitol and would extend east to the 12th Street walkway. The building would be formed with two north-south oriented rectangles; the shorter rectangle closer to and shorter than the length of the north/south extent of the Historic Capitol, and the footprint of the second longer rectangle extending north/south beyond the first rectangle of the building. The north/south extent of the new building footprint is intended to allow connectivity across Capitol Park (east to west). The plinth around the Historic Capitol (the foundation or base) would be extended around the Annex to allow for a continuous walkway, as shown in Figure 3-4. The Double-T configuration is respectful of the Historic Capitol; it would enhance views to the Capitol dome and would reveal a portion of the Historic Capitol's heretofore concealed eastern façade, as illustrated in Figures 3-5 and 3-6. Figures 3-7 and 3-8 continues the provision of various site-views and renderings of the Double-T concept design from locations around the western end of Capitol Park.



Source: Image from MOCA Systems, Inc. March 22, 2021 presentation to the JRC.

Capitol Annex Double-T Configuration - Aerial Perspective, Massing, and Plinth

Figure 3-4 Capitol Annex Double-T Configuration

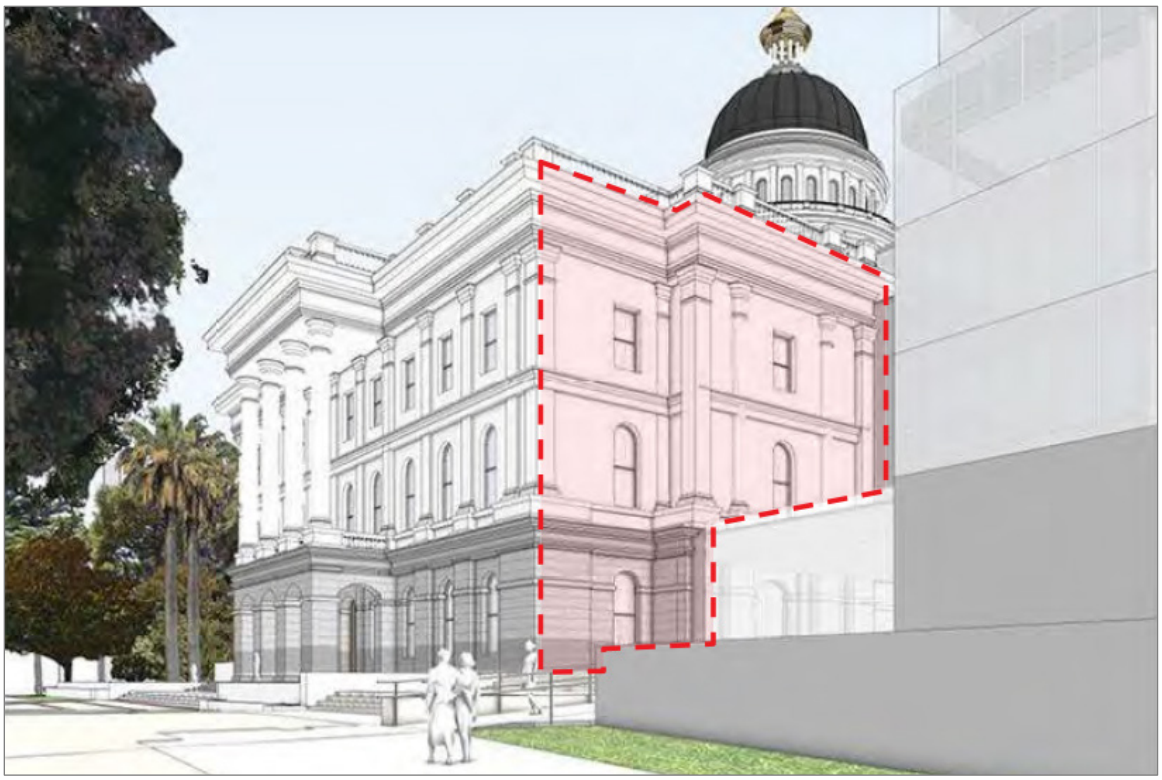
Source: Image from MOCA Systems, Inc. 2023

Capitol Annex Double-T Design – View of East Entrance – Viewer Facing West

Source: Image from MOCA Systems, Inc. 2023

Double-T Perspective View, Looking North

Figure 3-5 Capitol Annex Double-T Design – Pleated Wall Glass Exterior



Source: Image from MOCA Systems, Inc. 2023

Capitol Annex Double-T Design – Reveals Historic Capitol Eastern Façade.

Source: Image from MOCA Systems, Inc. 2023

Capitol Annex Double-T Design – View from the Southwest

Figure 3-6 Capitol Annex Double-T Design – Relationship to Historic Capitol

Source: Image from MOCA Systems, Inc. 2023

Capitol Annex Double-T Perspective View, Looking East Along North Side of Historic Capitol

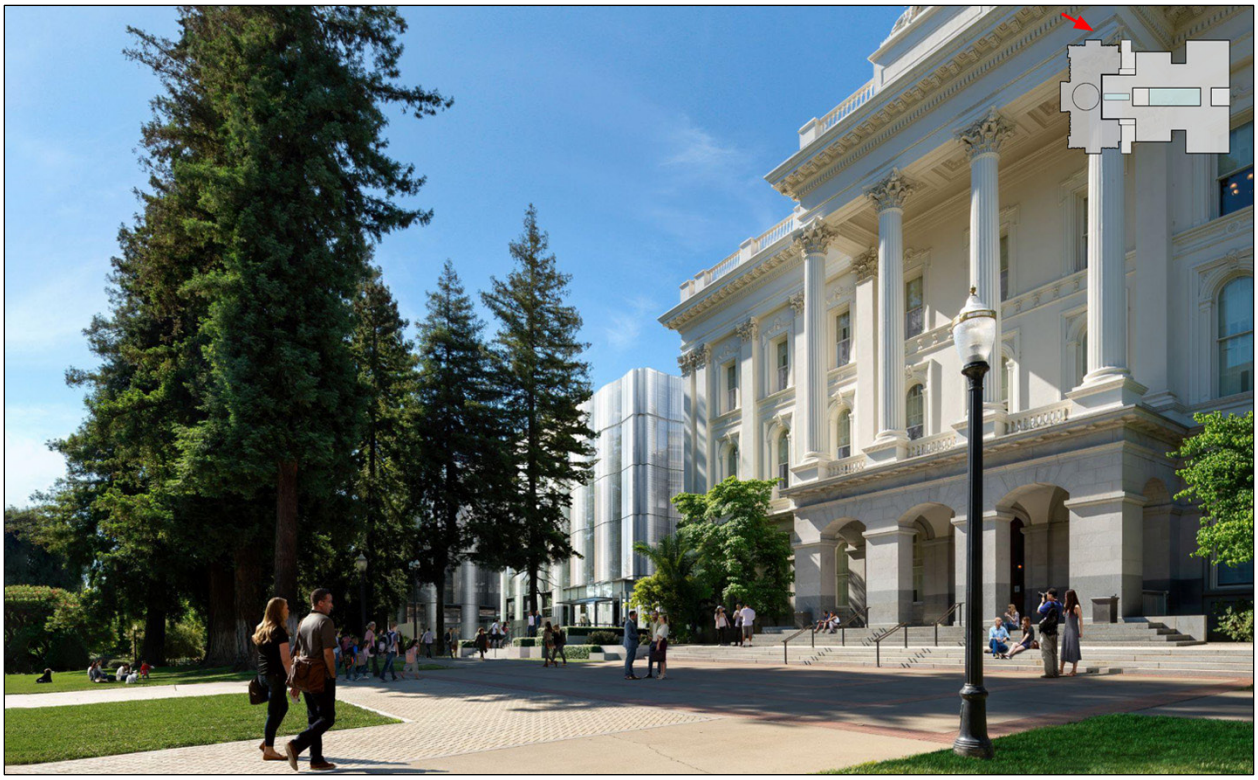
Source: Image from MOCA Systems, Inc. 2023

Capitol Annex Double-T Design – View from the Southeast

Figure 3-7 Capitol Annex Double-T Design – Site Views

Source: Image from MOCA Systems, Inc. 2023

Double-T Perspective View, Looking North along the 12th Street Corridor



Source: Image from MOCA Systems, Inc. 2023

Double-T Perspective View, Looking Southeast

Figure 3-8 Capitol Annex Double-T Design – Site Views

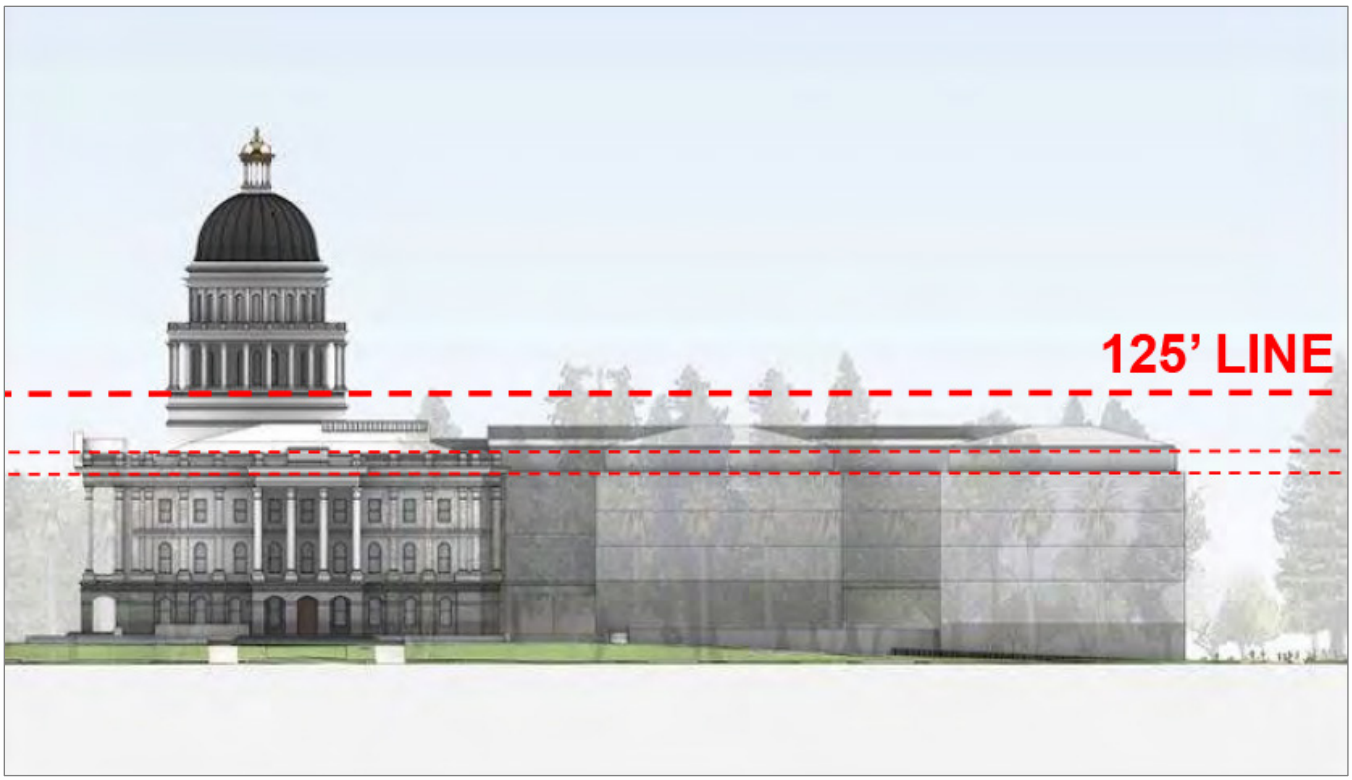
The Double-T building height would be no taller than the parapet of the historic capitol and/or the base of the existing Capitol dome. The Double-T height would be no more than 125 feet, which is lower than the current colonnade level and well below the base of the dome (Figure 3-9). This height limitation, along with the overall massing of the new Annex is intended to reinforce its subservience to the Historic Capitol building. There would be a below grade level for public meeting spaces. The public would enter from the east side at a plaza level. The floors within the Annex would be designed to align with the floors in the Historic Capitol as illustrated in Figure 3-9, with an additional level between the second and third floors. Although this additional level (the unlabeled level between floors 2 and 3 in Figure 3-9) would not connect to the Historic Capitol, all other new Annex floors would connect to the corresponding floor in the Historic Capitol (e.g., the 2nd floor of the Annex connects to the 2nd floor of the Historic Capitol, the 3rd Floor of the Annex connects to the 3rd Floor of the Historic Capitol, etc.). This is not the current condition, where, for example, the current 3rd floor of the Annex connects to the 2nd floor of the Historic Capitol.

The interior materials of the new Annex would be consistent with those of the Historic Capitol (e.g., compatible color, finish, massing, form) while not copying or imitating the historic details. The Double-T design and glass exterior is intended to maximize natural light within the building and to provide windows for views to the outside throughout the Annex.

The Double-T design would provide approximately 525,000 gross square feet of space, supporting more and larger hearing rooms and conference rooms, more consistently sized office spaces, and more efficiently designed facilities. The Double-T design would not alter the purpose of the building, which remains the same as the existing Annex, providing office space, hearing rooms, conference rooms, and supporting facilities for the Legislature and Executive branch. The Annex would continue to serve approximately 1,700 employees and the number of visitors would not change. It is acknowledged that when the new Annex first opens there may be increased interest in the new building and a corresponding temporary increase in visitors. However, after this period of initial increased interest, the project does not provide facilities or features sufficiently different from the existing Historic Capitol and Annex that increased visitorship to the Capitol Complex would result. The Double-T design would meet all current building codes, Americans with Disabilities Act standards, and energy efficiency standards, including meeting or exceeding LEED v4 Silver certification. The Double-T Annex is being designed, and would be implemented, in coordination with California Highway Patrol (CHP) and Capitol security staff to meet all security requirements. In addition, the landscaping surrounding the new Annex would generally be consistent with existing character.

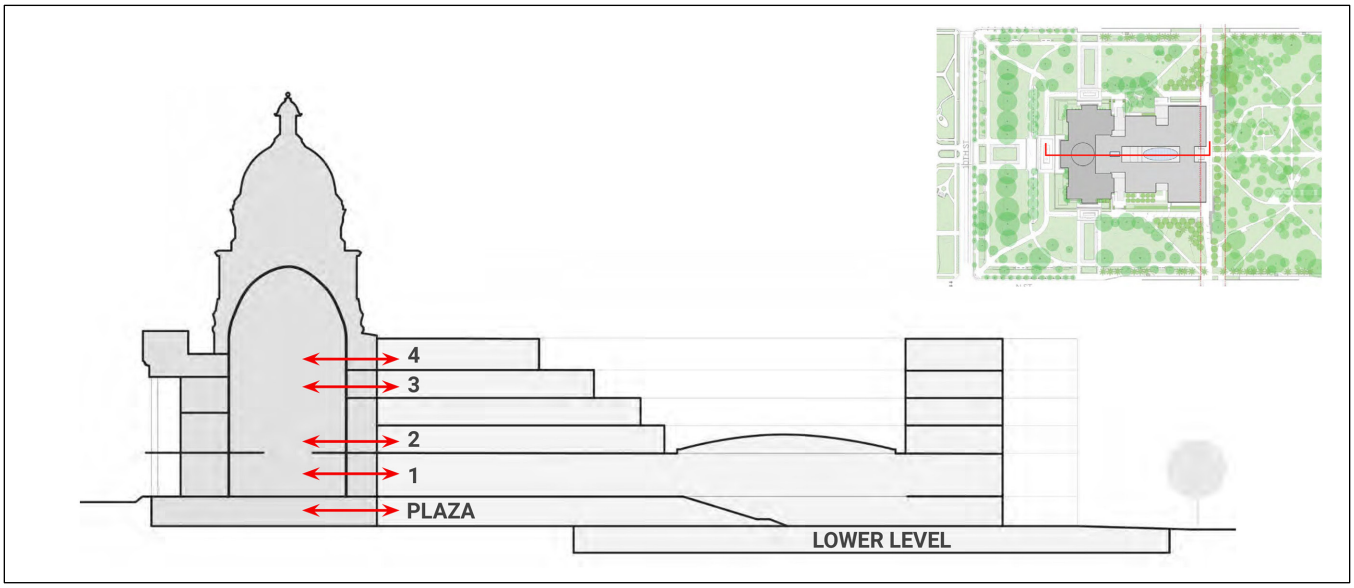
As shown in Figure 3-5 through 3-8, the exterior of the Double-T Annex would be a glass "pleated wall" design. The selection of a glass exterior serves multiple purposes. The glass exterior maximizes the availability of natural light, improving work conditions for building occupants and minimizing the need for artificial light. The Annex design as shown provides access to daylight to the offices in the building. Reflecting the Secretary of Interior Standards (SOIS), the New Annex would be compatible with, but not identical to the Historic West Wing, to "protect the integrity of the property and its environment." As explained in more detail below, the New Annex will be compatible with the Historic West Wing through inclusion of materials with corresponding heights, widths, form (e.g., columns), and colors to the Historic West Wing. Consistency with the SOIS is evaluated in more detail in Section 4.12, "Archaeological, Historical, and Tribal Cultural Resources. The desire to maximize the availability of natural light in the building interior acknowledges the present-day science regarding importance of natural light to the health and well-being of building occupants.

The features of the glass exterior design of the new building are intended to remain consistent with the Historic Capitol. From ground to roof, the Historic Capitol is broken into three architectural components, a base, a middle, and the top or "balustrade". As shown in Figures 3-5 and 3-8, the inclusion of materials other than glass around the base of the new Annex is intended to be compatible with the darker color and exposed stone of the base of the Historic Capitol. Also, the proposed height of the base component of the new Annex would match the height of the base of the Historic Capitol.



Source: Image from MOCA Systems, Inc. 2023

Capitol Annex Double-T Design – Building Height



Source: Image from MOCA Systems, Inc. 2023

Capitol Annex Double-T Design – Floor Alignment to Historic West Wing

Figure 3-9 Capitol Annex Double-T Design – Building Height and Floor Alignment

The glass pleated wall along the new Annex surface is intended to give the appearance of a vertical rhythm of columns, with the glass pleats reflecting the columns prominent in the middle section of the Historic Capitol. The width and spacing of the glass pleats would be similar to those of the Historic Capitol columns.

A portion of the glass would be coated with a white frit pattern (ceramic coating on the glass) which would serve to control heat gain and glare, and give the facade a white color, to more closely integrate the New Annex with the Historic West Wing. Although the fritting would be permanently bonded to the glass, it can be thought of like parallel lines of white tape affixed to the interior surface of one of the sheets of double-paned glass. Depending on the thickness and opacity of each piece of "tape" and how close together each piece is, different effects can be achieved. Although fritting may be used throughout the glass surfacing of the new Annex, as described below, more prominent fritting may be used on the outward projecting glass pleats to make the projections appear more "solid" and pillar like than the remaining glass. Finally, the location of some outward projecting pleats will correspond to the location of structural columns supporting the building. Where these structural columns are present behind the glass, the pleat will have more of an appearance of a solid column.

Just as the base level of the new Annex would match the height of the base of the Historic Capitol, the height of the middle section of the new Annex would match the middle section of the Historic Capitol as shown in Figure 3-5.

Also shown in Figure 3-5, the top level of the Annex, demarcated by a small ledge surrounding the building, would align with the top level, or entablature, of the Historic Capitol. On the Historic Capitol there is latticework along much of the balustrade creating a lighter appearance. The sky can also be seen behind the balustrade through spaces in the latticework. Corrugated metal panels behind the glass at the upper levels of the new Annex, in addition to the use of glass at the top of the parapet, would be used to make this top most area appear lighter and correspond to the characteristics in the Historic Capitol balustrade.

As stated above, the glass used for the surface of new Annex would be double pane. Reflecting that the new Annex would be a "building of its time" the glass system would combine the qualities of the glass, films placed on the glass, and fritting to create a material that is energy efficient and provides insulating qualities while maximizing interior natural light. The glass is not "mirror glass." Where a typical mirror reflects close to 100 percent of visible light that hits it, the Annex surface would reflect approximately 25 to 35 percent of visible light. Although films and fritting would be placed on the glass, it would not appear dark, or as "black glass." The glass would appear light-colored, to relate to the white color of the Historic Capitol. The appearance of the glass would change over the course of the day and season based on various conditions such as position of the sun, brightness of the sun, cloud cover, and whether the interior occupant has the shades drawn or the lights on. Depending on the conditions, glass on some parts of the building could appear transparent while glass on other parts of the building may show a muted reflection of the surroundings. Given these characteristics of the glass, as well as the change in surface angles provided by column like projections, there would be no concentrations of reflected light that would change air temperatures for pedestrians or nearby vegetation or be damaging to nearby vegetation.

3.4.6 Adjustment to Pleated Glass Design

When the Final EIR was certified in 2021, the exterior surface of the proposed Annex was described as a "pleated glass" design. As shown in Figure 3-10, in some locations individual glass panels are joined at angles that form what are currently being called "short pleats". The creation of "pleats" provides the appearance of columns. Since certification of the Final EIR, the exterior design has been modified with the glass panels connected in a way that is more reminiscent of the undulations of a curtain creating longer, shallower "full pleats." Both designs are considered "pleated glass" designs, with the term "short pleats" being used to identify the design provided in the Final EIR and "full pleats" being used to identify the current design. As shown in the comparison images in Figure 3-10, the shift from the "short pleat" design to the "full pleat" design results in a minor cosmetic change to the exterior appearance of the new Annex. The same fritted glass and other materials identified in the Final EIR for the new Annex would continue to be used. The only change would be the angles at which glass panels would be joined at some locations. All other aspects of the new Annex building are the same as described in the Final EIR.

Source: Image from MOCA Systems, Inc. March 22, 2021 presentation to the JRC

Double-T 2021 Final EIR Design - Perspective View, Looking North

Source: Image from MOCA Systems, Inc. 2023

Double-T Current Design - Perspective View, Looking North

Figure 3-10 Capitol Annex Comparison of Final EIR and Revised EIR Building Surfaces

As this change in the Annex is an issue of surface appearance only, there is no change in environmental effects from what was analyzed and disclosed in the Final EIR for most environmental issue areas, as identified below:

Land Use and Planning – The change from the short pleat design to the full pleat surface configuration would have no effect on the project's consistency with land use plans, policies, or related issues. This project change does not alter past analyses related to land use and planning.

Transportation and Circulation - A change from a short pleat design to a full pleat surface configuration would have no effect on project vehicle trip generation, project effects on transportation infrastructure, use of transit and other modes of transportation, or the effects of project construction on transportation systems. This project change does not alter past analyses related to transportation and circulation.

Utilities and Service Systems - A change from a short pleat surface configuration to a full pleat surface configuration would have no effect on the demand for utilities generated by the project, or the provision of utilities to the project. This project change does not alter past analyses related to utilities and service systems.

Air Quality - A change from a short pleat surface configuration to a full pleat surface configuration would have no effect on the emissions of criteria pollutants during project construction or operation. This project change does not alter past analyses related to utilities and service systems.

Greenhouse Gas Emissions and Climate Change - The change from a short pleat surface configuration to a full pleat surface configuration, which would use the same materials for the Annex's exterior surface under both scenarios, would have no effect on the energy usage, construction effort, or other elements of the project that could generate greenhouse gas emissions. This project change does not alter past analyses related to greenhouse gas emissions and climate change.

Energy – The change from a short pleat surface configuration to a full pleat surface configuration, that uses the same materials for the Annex's exterior surface under both scenarios, would not alter the overall energy consumption of the new Annex. The same energy efficiency provided by the planned double-paned fritted glass would be achieved with both surface configurations. This project change does not alter past analyses related to energy usage.

Noise and Vibration - The change from a short pleat surface configuration to a full pleat surface configuration, that uses the same materials for the Annex's exterior surface under both scenarios, would have no effect on the construction or operational noise generated by the Project, or the noise conditions inside Project facilities. This project change does not alter past analyses related to noise.

Geology and Soils - The change from a short pleat glass surface configuration to a full pleat surface configuration would not alter geology or soil conditions on the project site, the project's sensitivity to geology and soil conditions, or the project's effects on geology and soil conditions. This project change does not alter past analyses related to geology and soils.

Hydrology and Water Quality - The change from a short pleat surface configuration to a full pleat surface configuration would not alter the project's interactions with groundwater, surface water, drainage, flood risk, or other hydrology and water quality parameters. This project change does not alter past analyses related to hydrology and water quality.

Hazardous Materials and Public Health - The change from a short pleat surface configuration to a full pleat surface configuration would not alter the use, transport, storage, or generation of hazardous materials; or the potential to encounter existing hazardous materials; as part of project construction or operations. This project change does not alter past analyses related to hazardous materials and public health.

Archaeological, Historical, and Tribal Cultural Resources - The change from a short pleat surface configuration to a full pleat surface configuration would not alter the project's potential to affect sub-surface archaeological or Tribal Cultural Resources. This change also would not alter effects on surface Tribal Cultural Resources. Therefore, this project change does not affect past analyses related to these resources. However, a change in the surface appearance of the new Annex does have the potential to result in differing effects on historic architectural resources adjacent to the new Annex (e.g., the Historic Capitol). However, this issue is fully addressed in this Draft REIR in Section 4.12, "Archaeological, Historical, and Tribal Cultural Resources."

Biological Resources - The change from a short pleat surface configuration to a full pleat surface configuration would not alter the project's potential to affect biological resources. As disclosed in Section 2.3.11, "Biological Resources," of the Final EIR, by using glass with inherent properties that reduce the risk of bird strikes, primarily a low reflectivity and incorporation of fritting, substantial avian mortality is not expected to occur. Because the same type of glass, with these same properties would be used for the curtain wall design, this conclusion regarding bird strike potential does not change.

Public Services and Recreation - A change from a short pleat surface configuration to a full pleat surface configuration would have no effect on the demand for public services and recreation generated by the project, or the provision of public services and recreation at the project site or the surrounding area. This project change does not alter past analyses related to public services and recreation.

Aesthetics, Light, and Glare - The change from a short pleat glass surface configuration to a full pleat surface configuration, as shown in Figure 3-11, is not a substantial enough change in appearance to alter the project's potential effects on scenic vistas, scenic resources, visual character or quality, generation of light and glare, and shadow. The same building would be constructed with the same materials, with only the configuration of the exterior glass panels altered slightly. This project change does not alter past analyses related to aesthetics, light, and glare. However, the Ruling does call for additional information regarding the effects of the visitor/welcome center on views of the Historic Capitol from the west, and the light generation from the new Annex relative to the light generated by the existing structure. Therefore, Section 4.14, "Aesthetics, Light, and Glare" is provided in this Draft REIR to provide the additional information identified in the ruling.

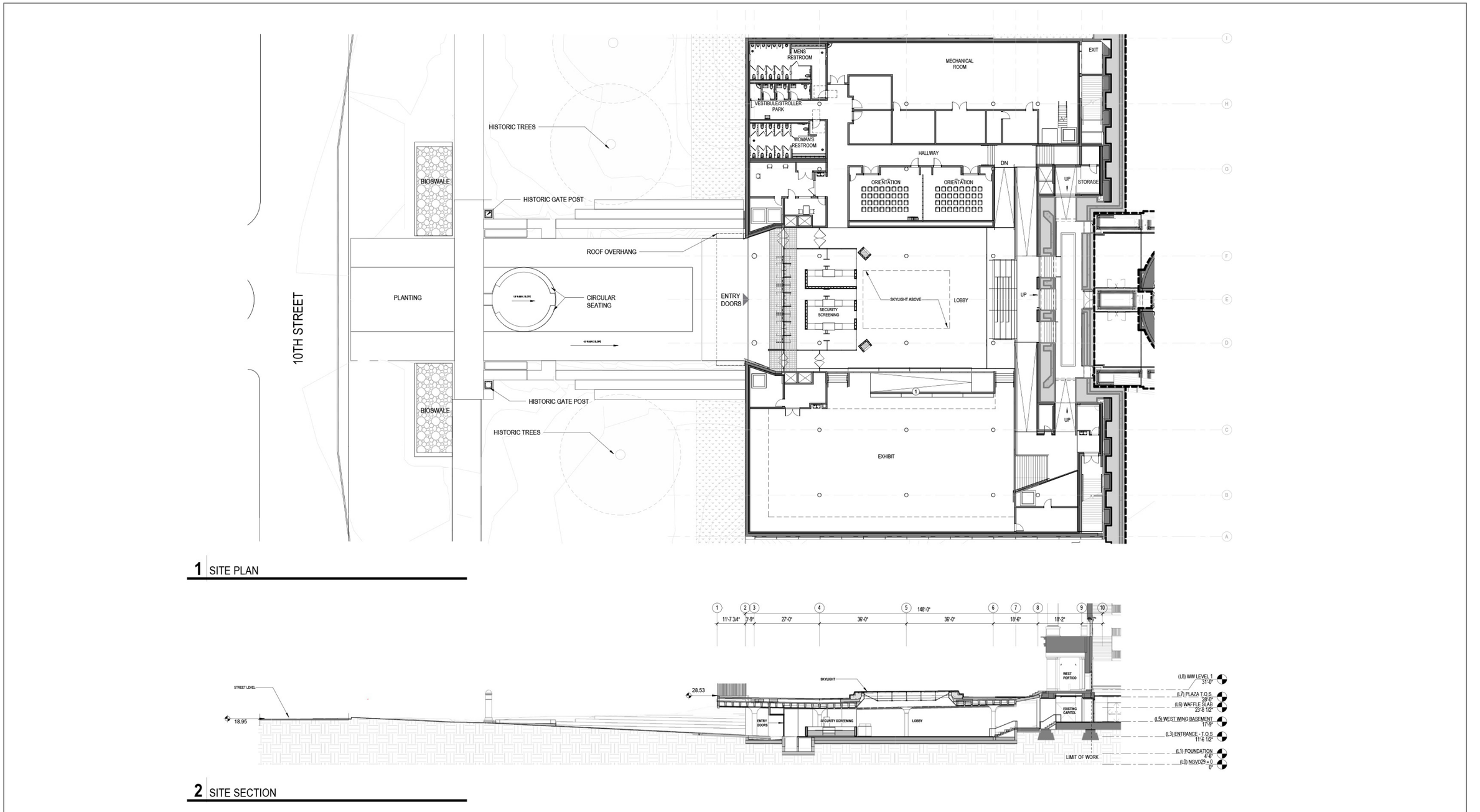
3.4.7 Parking Garage

Demolition of the existing Annex would include removal of the existing underground parking. Replacement parking, rather than in the Annex basement, is proposed under the 12th Street walkway (Figure 3-3) to reduce impacts to trees and landscaping in Capitol Park. As illustrated in Figure 3-3, the construction disturbance area and footprint of the garage has been designed to avoid several important trees in Capitol Park. Shoring would be used for trench excavation, which allows for a hard edge of construction disturbance at the edge of excavation. The underground parking would be on one level, with construction excavations up to approximately 25 feet deep. After the underground parking is complete, the temporarily disturbed portions of Capitol Park, including the 12th Street walkway and paths to the east entrance into the Annex would be replaced similar to existing conditions; however, paths would be adjusted to properly connect with the new Annex building.

The new underground parking would accommodate approximately 150 vehicles and would include electric vehicle charging stations in numbers that meet or exceed minimum building code standards. As with the current Annex basement parking, as illustrated in Figure 3-3, the 12th Street alignment for the underground parking would have entries/exits with security checkpoints on both L Street and N Street. The State is actively coordinating with the City of Sacramento transportation planning staff on the entries/exits on L and N Streets. As with the Annex, the underground parking is being designed, and would be implemented, in coordination with CHP and Capitol security staff to meet all security requirements. The new Annex parking would be designed for maximum flexibility and convertibility to meeting space versus parking if needed in the future. For example, the floor to ceiling height would be such that the space can meet building codes for a use other than parking.

3.4.8 Visitor/Welcome Center

The new visitor/welcome center would be approximately 30,000 square feet of interior space and would be located between 10th Street and the west steps of the Capitol (Figure 3-11). The new visitor/welcome center would be substantially below grade (i.e., mostly below exiting ground level) in order to minimize visual impact, particularly from the Capitol Mall corridor view facing east. Excavations would reach a depth of approximately 20 feet. The entrance to the visitor welcome center would face 10th Street and



Source: Mark Cavagnero Associates Architects 2019

Figure 3-11 Visitor/Welcome Center Conceptual Sketches

would consist of a gently sloped and universally accessible (ADA compliant) walkway/ramp leading down to entrance doorways below ground level. The lower plaza would have stairs, as well as stepped seating areas incorporated into the landscape. At the east end of the central walkway/ramp would be doors leading to the below grade enclosed portion of the visitor/welcome center. At this location visitors would move through a security checkpoint before moving further into the visitor/welcome center. The east end of the visitor/welcome center would connect to the basement of the Historic Capitol allowing visitors to move directly from the visitor/welcome center into the Historic Capitol building.

The interior of the visitor/welcome center would include educational resources supporting civic engagement and improved understanding of California and its government. The visitor/welcome center would integrate with education and hospitality elements already located in the basement of the Historic Capitol such as the bookstore and restaurant. Conference rooms, classroom teaching spaces, restrooms, storage space, and space for security personnel would also be included in the visitor/welcome center. There would also be stairwells leading from the east end of the visitor/welcome center to the upper plaza immediately north and south of the portico and abutting the Historic Capitol. These stairwells would act as emergency exits from the below ground visitor/welcome center and may also contain ventilation flues. Metal fencing would be installed around the emergency exits in front of the Historic Capitol to prevent unauthorized access to the emergency exits from the ground surface. The design, materials, and color for the fencing would be consistent with the current setting and historic nature of Capitol.

The visitor/welcome center could also act as an after-hours event space when the Historic Capitol is closed to the public and the visitor/welcome center is not needed as a public entrance to the Capitol. Currently, various locations in the Capitol, such as the Eureka Room, are used to host events such as dinners and social gatherings. The visitor/welcome center could provide another option for these types of uses.

The ground above the visitor/welcome center would be landscaped as an upper plaza, with the surface elevation even with the bottom of the first set of remaining original (i.e., west portico) steps to the Historic Capitol west entrance (Figure 3-11). The existing bronze "Great Seal of California," "California Indian Seal," and "Spanish-Mexican Seal" currently located just west of the west portico steps would be removed and preserved during construction of the visitor/welcome center. These bronze seals would be re-set into the upper plaza near their current location. The upper plaza would also include a large glass skylight providing light to the underground portion of the visitor/welcome center and allowing individuals in the visitor/welcome center to have a view of the Historic Capitol dome as they move through the center. The skylight glass on the upper plaza would extend above ground level, as well as a wall suitable for use as seating that may surround the skylight. A safety railing would be located on the west edge of the upper plaza. Although trees within the visitor/welcome center footprint would need to be removed during construction, the mature Deodar Cedars in the area would be protected and retained.

The lower plaza and associated landscape modifications, the below grade visitor/welcome center, and the upper plaza and associated landscape modifications, would be designed to not visually detract from the Historic Capitol, and would maintain the west façade of the Historic Capitol as a focal point of Capitol Mall. The top of the visitor center roof (ground-level) would be even with, or just below, the base of the west portico steps to allow visibility of the Historic Capitol. The only visitor/welcome center elements that would extend above the base of the west portico steps would be the safety railing along the west edge of the upper plaza, elements of the skylight that extend above the ground surface, and the fencing around the emergency exits. Depending on the viewer's location, these project elements could obscure views of the Historic Capitol when viewed from the west at street level (see Figure 3-12 [The simulated view with the new visitor/welcome center provided in the bottom image in Figure 3-12 satisfies the portion of the Ruling calling for such a simulation.]). Only the safety railing and parts of the skylight above ground level would obstruct views of the portico, and only the steps and small portion of the portico just above the base of the steps would be affected.

Source: Image from MOCA Systems, Inc. 2023

Existing Condition View Without New Visitor/Welcome Center

Source: Image from MOCA Systems, Inc. 2023

Simulation of View of Historic Capitol with New Visitor/Welcome Center

Figure 3-12 View of Historic Capitol from the West with Visitor/Welcome Center

As part of the modified visitor/welcome center design, the sidewalk on 10th Street in front of the Historic Capitol would be extended into the existing parking lane on 10th Street (also known as a bulb-out). The intent of the bulb-out is to provide greater separation between pedestrians congregating near the visitor/welcome center and vehicles on 10th Street and to maintain unobstructed views of the Historic Capitol, which are often blocked, albeit temporarily, by buses and vehicles parking directly in front of the Capitol on 10th Street. The sidewalk bulb-out would result in the loss of approximately five to seven existing parking spaces but would not affect the dedicated bicycle lane or vehicle travel lanes on 10th Street.

Ground disturbance for construction of the visitor/welcome center would be primarily in the area between 10th Street and the west steps of the Capitol. Excavation would reach a depth of approximately 20 feet.

Upon completion of the visitor/welcome center, any temporarily disturbed portions of Capitol Park not part of the new lower plaza and upper plaza and associated landscaping would be restored to existing or similar conditions.

3.4.9 Landscaping, Lighting, and Memorials

The existing landscaping and lighting in the vicinity of the visitor/welcome center, Annex, and underground parking would be maintained and protected as much as possible during construction. As many existing trees as possible would be retained during project construction (including the mature deodar cedars in the vicinity of the visitor/welcome center mentioned above in the description of that project element). American National Standards Institute (ANSI) A300 standards for protection of trees would be implemented to protect trees that are retained within the construction activity area.

Construction of the Capitol Annex Project, with the Double-T Annex configuration, the new underground parking garage aligned under the 12th Street walkway, and the underground visitor/welcome center, is projected to affect trees in the project site as follows (The following discussion replicates the discussion of trees found in the 2021 Final EIR with the exception that the relocation of six perimeter palm trees along 10th Street associated with the visitor/welcome center is no longer needed. These six palm trees would now be retained in their current location.):

- Trees Protected In Place. There are 15 large dedicated and historic trees that are within the construction areas that are specifically identified to be preserved in place:
  - the grove of six (6) dedicated redwoods, including the moon tree, on the north side of the Annex
  - one (1) dedicated "largest specimen" tulip tree near the 12th Street walkway slightly north of the Annex
  - one (1) dedicated "largest specimen" Montezuma Cypress near the 12th Street walkway near the center of the park
  - one (1) 30-inch coast redwood near the 12th Street walkway slightly south of the Annex
  - one (1) 48-inch giant sequoia, dedicated by the citizens of Los Angeles, near the 12th Street walkway slightly south of the Annex
  - one (1) 48-inch cockspur coral, "largest specimen," near N Street and the proposed entrance to the parking garage
  - four (4) deodar cedars in the western end of Capitol Park between 10th Street and the Historic Capitol

  It should be noted that there are additional trees within the overall project boundary in the west end of Capitol Park that are not within or directly adjacent to the construction boundaries. These trees would also be protected in place.
- Trees Anticipated to be Transplanted On Site. There are ten (10) historic or dedicated trees that are suitable for, and planned for, transplanting due to their size and health that occur within the New Annex and underground parking garage construction boundary and would be transplanted to a new location within the construction area as part of the project landscaping.

- Two (2) historic trees
- Eight (8) dedicated trees

- Additional Trees to be Considered for Transplanting within Capitol Park. In addition to the ten (10) historic or dedicated trees that are anticipated to be transplanted on the project site, there are an additional eighteen (18) trees that are considered potentially suitable for transplanting due to their size and health and could be placed in Capitol Park outside the project footprint.
- Trees to be Removed and Replaced within Capitol Park. There are a total of 56 trees located within the project site that are anticipated to be directly affected by construction activities and require removal of the tree. These trees would not be relocated due to their health/condition; rather, these trees would be replaced in-kind by new trees within Capitol Park.
  - Twenty-four (24) affected trees within the new Annex and underground parking construction boundaries.
  - Thirty-two (32) affected trees within the visitor/welcome center footprint.

    *Note that because a detailed landscape plan has not yet been prepared for the visitor/welcome center portion of the project site, this evaluation conservatively assumes removal and replacement of all trees affected by construction of this project element. However, some of these trees are likely to be suitable for transplanting and would be identified for transplanting as landscape design for the visitor/welcome center advances.
- City of Sacramento Street Trees. The State is coordinating with the City of Sacramento on City trees, consistent with the City's tree ordinance. Project construction would affect a total of 43 City of Sacramento street trees consisting entirely of palm trees that provide a perimeter around Capitol Park. The perimeter palms are located on property controlled by the City and not State property. It is anticipated that these 43 palm trees would be transplanted, either to the inside of the new sidewalk to move them out of the way of the new parking ramps, or to be placed in some existing open areas (i.e., gaps in the line of perimeter palms) around Capitol Park. There are 43 transplant sites identified for the project, primarily re-establishing the boundary palm trees along L Street and N Street after construction of the underground parking garage.

Forty-three (43) City of Sacramento palm trees at the boundary of Capitol Park along L Street and N Street affected by construction of the ramps for the underground parking. Therefore, in total, the project would affect an estimated 127 trees; 10 trees to be transplanted on site, 18 trees potentially transplanted outside the construction area but within Capitol Park, 56 trees to be removed and replaced with new trees in Capitol Park (with some portion of these 56 trees anticipated to be identified for transplanting once visitor/welcome center design advances), and 43 City perimeter palm trees to be transplanted along the perimeter of Capitol Park. The new plantings and transplanted trees would be monitored for five years to ensure survivorship. If a new tree or relocated tree dies, it would be replaced in-kind.

Landscaping surrounding the new Annex and underground parking garage would generally be consistent with the existing character of the nearby landscaping. However, the visitor/welcome center would include recontouring of the existing slopes to accommodate the walkway/ramp and development of the lower and upper plazas, which deviates from the existing three level plaza with two sets of stairs between sidewalk level and the west portico steps. In any locations where landscaping may deviate from existing conditions, vegetation would favor drought tolerant and California native plants.

Any statues, memorials, plaques, and similar items that must be temporarily or permanently moved as a result of the project would be catalogued and stored in a secure location during construction. For trees, statues, or other features that have been dedicated to, recognize, or honor a particular individual or group, the State would send a letter to that person, or representative of that person or group, notifying them that the statue, plaque, or memorial would be temporarily removed during project construction, then returned to Capitol Park when construction is complete. All statues would be returned to Capitol Park in a setting similar to their original location. All plaques and memorials would be replaced and attributed to the same type of feature to which it was originally attributed. For example, a plaque attributed to a redwood tree would then be returned to a redwood tree included in the post construction landscaping plan. As stated above in the description of the visitor/welcome center, the existing bronze "Great Seal of

California," "California Indian Seal," and "Spanish-Mexican Seal" currently located just west of the west portico steps are planned to be re-set into the upper plaza of the visitor/welcome center near their current location.

New landscaping and lighting installed in the construction disturbance area after building construction is complete would be consistent in character with what is currently present at the Historic Capitol Building and the surrounding Capitol Park. Exterior lighting would be the minimum necessary for security and safety of people and property so as to reduce light pollution. No new lighting would interfere with the current lighting of the Historic Capitol that focuses light on that building and reinforces the prominence of the structure in the park.

3.4.10 Modifications at the Historic Capitol

Implementation of Capitol Annex Project would require minor modifications to the Historic Capitol (beyond any modifications to connect the new Annex to the Historic Capitol). For example, the foundation would be penetrated to allow the visitor/welcome center to connect to the Historic Capitol basement. There is currently a basement connection between the existing Annex and the Historic Capitol and a similar basement connection would be provided for the new Annex. Some existing facilities in the basement, such as the gift shop and interpretive features, would be moved or enhanced to better integrate with the visitor/welcome center displays and educational functions. As excavations and construction in and around the Historic Capitol foundation are undertaken, the opportunity to implement seismic retrofits or other actions to reinforce the Historic Capitol foundation may be completed. Other activities at the Historic Capitol could include minor repairs, cleaning, and adjustments to mechanical functions such as heating/cooling/ventilation systems and elevators.

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4.12 ARCHAEOLOGICAL, HISTORICAL, AND TRIBAL CULTURAL RESOURCES

Section 4.12 of the 2021 EIR (i.e., 2019 Draft EIR, 2020 Recirculated Draft, and where relevant, additional material in the 2021 Final EIR) described existing conditions related to archaeological, historical, and Tribal cultural resources; summarized applicable regulations; and evaluated potential impacts to these resources that could result from implementation of the Capitol Annex Project (project). The 2021 EIR addressed potential impacts related to significant historic archaeological resources, significant prehistoric archaeological resources and Tribal cultural resources, the potential discovery of human remains, and historic architectural resources.

This section of the REIR provides the additional, revised analysis of historic architectural resources for the project as required by the Court of Appeal's Ruling in *Save Our Capitol! v. Department of General Services* (2023) 87 Cal. App.5th 655 (Ruling). See Chapter 1, "Introduction," in this REIR for further information on the Ruling and its relationship to this REIR. See Appendix A for the complete text of the ruling.

The Ruling identifies one item related to the analysis of impacts on archaeological, historical, and Tribal cultural resources (i.e., Section 4.12 of the 2021 EIR) as requiring discussion and analysis; that is the effect of the new Annex, with the identified glass exterior, on the Capitol Complex (i.e., the combined Historic Capitol, Capitol Park, Annex, and Insectary). The Ruling also addresses effects on the historic West Lawn from construction of the visitor/welcome center, but this issue arises in the context of the analysis of project alternatives and not the impact analysis provided in Section 4.12. The issue of the West Lawn and project alternatives is addressed in Chapter 7, "Alternatives" of this REIR.

As identified in the Ruling, plaintiffs faulted the 2021 EIR for introducing the glass surface of the new Annex for the first time in the Final EIR, asserting that this was a significant enough change in the project to warrant preparation of a second Recirculated Draft EIR and an additional opportunity for public comment. The court agreed. The Ruling concluded that that the EIR's project description satisfied the demands of CEQA except with regard to its description of the exterior design of the new Annex: by introducing the proposed glass exterior in the Final EIR rather than the Draft EIR, the public was denied an opportunity to meaningfully analyze the impact of the new Annex on the Historic Capitol as a historic resource. Other issue areas for which the plaintiffs allege recirculation is required were found in the Ruling to be adequate. The shortcoming identified in the Ruling is remedied by the preparation and distribution of this Draft REIR, the opportunity for interested parties to review the analysis of impact areas implicated by the glass exterior and provide comments on this Draft REIR, and DGS' responses to comments in the Final REIR.

Methods for the public to comment on the contents of this Draft REIR are identified in Chapter 1, "Introduction." Information clearly describing the proposed new Annex, including the glass exterior surface, is provide in Chapter 3, "Project Description." The analysis of effects of the new Annex exterior design and appearance on the Historic Capitol is provided below. Specifically, the discussion of Impact 4.12-4, "Potential for Impacts on Historic Architectural Resources" from the 2020 Recirculated Draft EIR is updated to incorporate information from the Final EIR, address the minor change to the exterior surface design of the new Annex since the 2021 EIR was certified (see Chapter 3, "Project Description," for more details on this change), and to provide additional information directly responsive to the Ruling.

This REIR section retains the same section numbering (i.e., Section 4.12), title, and general organization as the 2021 EIR to simplify comparisons across the two documents if desired. However, this chapter only addresses the issues necessary to address the inadequacies identified in the Ruling. Therefore, Section 4.12.1, "Regulatory Setting," in this REIR only provides information relevant to the discussion of Impact 4.12-4, "Potential for Impacts on Historic Architectural Resources." Where the 2021 EIR included regulatory setting information related to archaeological resources and the potential to encounter human remains; that information is not repeated here because it is not relevant to addressing the content of the Ruling. Similarly, Section 4.12.2, "Environmental Setting," in this REIR only provides information relevant to the discussion of Impact 4.12-4. Section 4.12.3, "Impacts and Mitigation Measures," only includes a discussion of Impact 4.12-4, "Potential for Impacts on Historic Architectural Resources," as this is the only impact analysis issue in this Section found by the Court to be inadequate. The original versions of Section 4.12 from the 2019 Draft EIR and 2020 Recirculated Draft EIR, as well as the 2021 Final EIR, are available at:

https://www.dgs.ca.gov/RESD/Resources/Page-Content/Real-Estate-Services-Division-Resources-List-Folder/Information-and-Resources-for-CEQA.

One exception to this approach is the inclusion of information on historic landscapes. The Ruling provides guidance on the evaluation of alternative locations for the visitor/welcome center, in part, to determine whether adverse effects on the historic landscape of Capitol Park can be avoided or minimized. This portion of the Ruling is addressed in Chapter 7, "Alternatives." However, because the issue of historic landscapes is a component of the updated alternatives analysis, information on historic landscapes from the 2021 EIR is retained here to assist the reader in evaluating the information in Chapter 7.

In addition to adding information to this chapter in response to the Ruling, this chapter also incorporates text that was revised between the Recirculated Draft EIR and the Final EIR. As identified in Chapter 6 of the Final EIR, titled "Revisions to the DEIR and RDEIR" of the 2021 Final EIR, some text edits were made to the Recirculated Draft EIR in response to public comments, and other text edits were made to amplify, clarify or make minor modifications or corrections to information in the Recirculated Draft EIR. These edits, or errata, are documented in Chapter 6 of the Final EIR. Revisions to Section 4.12 of the 2020 Recirculated Draft EIR are identified in the 2021 Final EIR Section 6.2.2, "Revisions to Chapter 4, Section 4.12, 'Archaeological, Historical, and Tribal Cultural Resources (Revised)' of the Recirculated Draft EIR." Those revisions are reflected here. For example, the term "California State Historical Building Code" was used in the Recirculated Draft EIR and in Chapter 6 of the Final EIR it was identified that the proper term is "California Historical Building Code." Therefore, the term "California Historical Building Code" is used in this Draft REIR.

4.12.1 Regulatory Setting

As stated above, this section only provides regulatory setting information relevant to the discussion of Impact 4.12-4, "Potential for Impacts on Historic Architectural Resources," as this is the only element of this Section addressed in the Ruling. The full regulatory setting information supporting the analysis of archaeological, historical, and Tribal cultural resources from the 2019 Draft EIR and 2020 Recirculated Draft EIR is available at: https://www.dgs.ca.gov/RESD/Resources/Page-Content/Real-Estate-Services-Division-Resources-List-Folder/Information-and-Resources-for-CEQA. Also, new or additional information that assists in addressing the Ruling may also be included.

FEDERAL

Section 106 of the National Historic Preservation Act – Cultural and Historic Landscapes

Federal protection of resources is legislated by (a) the National Historic Preservation Act (NHPA) of 1966 as amended by 16 U.S. Code 470, (b) the Archaeological Resource Protection Act of 1979, and (c) the Advisory Council on Historic Preservation. These laws and organizations maintain processes for determining the effects on historical properties eligible for listing in the National Register of Historic Places (NRHP).

Section 106 of the NHPA and accompanying regulations (36 Code of Federal Regulations [CFR] Part 800) constitute the main federal regulatory framework guiding cultural resources investigations and require consideration of effects on properties that are listed in, or may be eligible for listing in, the NRHP. The NRHP is the nation's master inventory of known historic properties. It is administered by the National Park Service and includes listings of buildings, structures, sites, objects, and districts that possess historic, architectural, engineering, archaeological, and cultural importance that is considered significant at the national, State, or local level.

The formal criteria (36 CFR 60.4) for determining NRHP eligibility are as follows:

1. The property is at least 50 years old (however, properties under 50 years of age that are of exceptional importance or are contributors to a district can also be included in the NRHP).
2. It retains integrity of location, design, setting, materials, workmanship, feeling, and association.
3. It possesses at least one of the following characteristics:

a. It is associated with events that have made a significant contribution to the broad patterns of history (events).

b. It is associated with the lives of persons significant in the past (persons).

c. It possesses distinctive characteristics of a type, period, or method of construction, or represents the work of a master, or possesses high artistic values, or represents a significant, distinguishable entity whose components may lack individual distinction (architecture).

d. It has yielded, or may be likely to yield, information important to prehistory or history (information potential).

Listing in or eligibility for listing in the NRHP does not entail specific protection or assistance for a property, but it does guarantee recognition in planning for federal or federally assisted projects, eligibility for federal tax benefits, and qualification for federal historic preservation assistance. Additionally, project effects on properties listed in or eligible for listing in the NRHP must be evaluated under CEQA.

Cultural and Historic Landscapes

Under the NRHP, historic properties may be defined as sites, buildings, structures (such as bridges or dams), objects, or districts, including cultural or historic landscapes. A cultural landscape differs from a historic building or district in that it is understood through the spatial organization of the property, which is created by the landscape's cultural and natural features. Some features may create viewsheds or barriers (such as a fence), and others create spaces or "rooms" (such as an arrangement of buildings and structures around a lawn area). Some features, such as grading and topography, underscore the landscape's development in relationship to the natural setting. To be listed in the NRHP, a cultural landscape must meet one of the four evaluation criteria and must retain its integrity.

Historic landscapes include residential gardens and community parks, scenic highways, rural communities, institutional grounds, cemeteries, battlefields, and zoological gardens. They are composed of a number of character-defining features that, individually or collectively, contribute to the landscape's physical appearance as it has evolved over time. In addition to vegetation and topography, cultural landscapes may include water features, such as ponds, streams, and fountains; circulation features, such as roads, paths, steps, and walls; buildings; and furnishings, including fences, benches, lights, and sculptural objects.

A cultural landscape is defined as "a geographic area, including both cultural and natural resources and the wildlife or domestic animals therein, associated with a historic event, activity, or person or exhibiting other cultural or aesthetic values." There are four general types of cultural landscapes, not mutually exclusive: historic sites, historic designed landscapes, historic vernacular landscapes, and ethnographic landscapes:

- A historic site is a landscape significant for its association with a historic event, activity, or person. Examples include battlefields and presidential residence properties.
- A historic designed landscape is a landscape that was consciously designed or laid out by a landscape architect, master gardener, architect, or horticulturist according to design principles or by an amateur gardener working in a recognized style or tradition. The landscape may be associated with a significant person(s), trend, or event in landscape architecture or may illustrate an important development in the theory and practice of landscape architecture. Aesthetic values play a significant role in designed landscapes. Examples include parks, campuses, and estates.
- A historic vernacular landscape is a landscape that evolved through use by the people whose activities or occupancy shaped that landscape. Through social or cultural attitudes of an individual, family, or a community, the landscape reflects the physical, biological, and cultural character of those everyday lives. Function plays a significant role in vernacular landscapes. They can be a single property, such as a farm or a collection of properties, such as a district of historic farms along a river valley. Examples include rural villages, industrial complexes, and agricultural landscapes; Sacramento's Raised Streets and Hollow Sidewalks District is a good local example of a historic vernacular landscape.
- An ethnographic landscape is a landscape containing a variety of natural and cultural resources that associated people define as heritage resources. Examples are contemporary settlements, religious sacred sites, and massive

geological structures. Small plant communities, animals, subsistence, and ceremonial grounds are often components.

STATE

California Environmental Quality Act

CEQA requires public agencies to consider the effects of their actions on "historical resources," "unique archaeological resources," and "tribal cultural resources." Due to the focused nature of the analysis provided in this REIR section, only information related to historic resources is provided below. Pursuant to PRC Section 21084.1, a "project that may cause a substantial adverse change in the significance of an historical resource is a project that may have a significant effect on the environment."

Historical Resources

"Historical resource" is a term with a defined statutory meaning (PRC Section 21084.1; determining significant impacts on historical and archaeological resources is described in the State CEQA Guidelines, Sections 15064.5[a] and [b]). Under State CEQA Guidelines Section 15064.5(a), the following resources are considered historical:

1) A resource listed in, or determined to be eligible by the State Historical Resources Commission for listing in, the California Register of Historical Resources (CRHR) (PRC Section 5024.1) will be presumed to be historically significant.

2) A resource included in a local register of historical resources, as defined in Section 5020.1(k) of the PRC or identified as significant in a historical resource survey meeting the requirements of Section 5024.1(g) of the PRC, will be presumed to be historically or culturally significant. Public agencies must treat any such resource as significant unless the preponderance of evidence demonstrates that it is not historically or culturally significant.

3) Any object, building, structure, site, area, place, record, or manuscript that a lead agency determines to be historically significant or significant in the architectural, engineering, scientific, economic, agricultural, educational, social, political, military, or cultural annals of California may be considered to be a historical resource, provided the lead agency's determination is supported by substantial evidence in light of the whole record. Generally, a resource will be considered by the lead agency to be historically significant if the resource meets the following criteria for listing in the CRHR (PRC Section 5024.1):

    a) is associated with events that have made a significant contribution to the broad patterns of California's history and cultural heritage;

    b) is associated with the lives of persons important in our past;

    c) embodies the distinctive characteristics of a type, period, region, or method of construction, or represents the work of an important creative individual, or possesses high artistic values; or

    d) has yielded, or may be likely to yield, information important in prehistory or history.

4) The fact that a resource is not listed in or determined to be eligible for listing in the CRHR, not included in a local register of historical resources (pursuant to Section 5020.1[k] of the PRC), or not identified in a historical resources survey (meeting the criteria in Section 5024.1[g] of the PRC) does not preclude a lead agency from determining that the resource may be a historical resource as defined in PRC Section 5020.1(j) or 5024.1.

In addition, CEQA Guidelines Section 16064.5(b)(3) states:

> Generally, a project that follows the Secretary of the Interior's Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring, and Reconstructing Historic Buildings or the Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings (1995), Weeks and Grimmer, shall be considered as mitigated to a level of less than significant impact on the historical resource.

Secretary of Interior Standards (SOIS) #9 and #10, related to Rehabilitation apply to new construction and read as follows:

> 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 will be differentiated from the old and will 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 will 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.

California Register of Historical Resources

All properties in California that are listed in or formally determined eligible for listing in the NRHP are eligible for listing in the CRHR. The CRHR is a listing of state of California resources that are significant within the context of California's history. The CRHR is a statewide program with a scope and criteria for inclusion similar to those used for the NRHP. In addition, properties designated under municipal or county ordinances are also eligible for listing in the CRHR.

A historical resource must be significant at the local, State, or national level under one or more of the criteria defined in the CCR Title 15, Chapter 11.5, Section 4850 to be included in the CRHR. The CRHR criteria are similar to the NRHP criteria and are tied to CEQA because any resource that meets the criteria below is considered a significant historical resource under CEQA. All resources listed in or formally determined eligible for listing in the NRHP are automatically listed in the CRHR.

The CRHR uses four evaluation criteria:

1. It is associated with events or patterns of events that have made a significant contribution to the broad patterns of local or regional history, or the cultural heritage of California or the United States.
2. It is associated with the lives of persons important to local, California, or national history.
3. It embodies the distinctive characteristics of a type, period, region, or method of construction, or represents the work of a master, or possesses high artistic values.
4. It has yielded, or has the potential to yield, information important to the prehistory or history of the local area, California or the nation.

Similar to the NRHP, a resource must meet one of the above criteria and retain integrity. The CRHR uses the same seven aspects of integrity as the NRHP.

California Historical Building Code

The purpose of the California Historical Building Code (CHBC) (as defined in Sections 18950–18961 of Division 13, Part 2.7 of the Health and Safety Code) is to provide regulations for the preservation, restoration, rehabilitation, relocation, or reconstruction of buildings or properties designated as qualified historical buildings or properties. The CHBC is intended to provide solutions for the preservation of qualified historical buildings or properties, to promote sustainability, to provide access for persons with disabilities, to provide a cost-effective approach to preservation, and to provide for the reasonable safety of the occupants or users. The CHBC requires enforcing agencies to accept solutions that are reasonably equivalent to the regular building code when dealing with qualified historical buildings or properties.

The CHBC is applicable to all issues regarding code compliance for qualified historical buildings or properties. The CHBC may be used in conjunction with the regular code to provide solutions to facilitate the preservation of qualified historical buildings or properties. State agencies shall apply the provisions of the CHBC in permitting repairs, alterations, and additions necessary for the preservation, restoration, rehabilitation, safety, relocation, reconstruction, or continued use of qualified historical buildings or properties.

When a qualified historical building or property is determined to be unsafe as defined in the regular code, the requirements of the CHBC are applicable to the work necessary to correct the unsafe conditions. Work to remediate the buildings or properties need only address the correction of the unsafe conditions, and it shall not be required to bring the entire qualified historical building or property into compliance with regular code. Qualified historical buildings or properties shall not be subject to additional work required by the regular code, regulation, or ordinance beyond that required to complete the work undertaken. Certain exceptions for accessibility and for distinct hazards exist by mandate and may require specific action, within the parameters of the CHBC.

Assembly Bill 52

AB 52, signed by the California governor in September of 2014, establishes a new class of resources under CEQA: "tribal cultural resources." It requires that lead agencies undertaking CEQA review must, upon written request of a California Native American tribe, begin consultation after the lead agency determines that the application for the project is complete, before a notice of preparation of an EIR or notice of intent to adopt a negative declaration or mitigated negative declaration is issued. AB 52 also requires revision to CEQA Appendix G, the environmental checklist. This revision has created a new category for tribal cultural resources.

LOCAL

The Capitol Annex Project site is located in downtown Sacramento on the State-owned Capitol grounds. The project, authorized by legislation, would be implemented by the Joint Rules Committee (JRC) under a memorandum of understanding (MOU) with DGS, with DGS providing specific services at the direction of JRC. As explained in Section 4.2, "Land Use and Planning," of the 2019 Draft EIR, in Section 4.2.1 "Regulatory Setting," the legislature is exempt from complying with local plans, policies, or zoning regulations. Nevertheless, in the exercise of its discretion, the JRC references, describes, and addresses in this EIR local plans, policies and regulations that are applicable to the project. DGS, working with JRC pursuant to the MOU, will determine the content of CEQA documents. This evaluation may also be used by local agencies for determining, as part of their permit processes, the project's consistency with local plans, policies, and regulations.

City of Sacramento 2035 General Plan

The following goal and policies from the City of Sacramento 2035 General Plan Historic and Cultural Resources Element are relevant to the analysis of effects considered in this section of this Draft REIR:

GOAL HCR 2.1: Identification and Preservation of Historic and Cultural Resources. Identify and preserve the city's historic and cultural resources to enrich our sense of place and our understanding of the city's prehistory and history.

- Policy HCR 2.1.2: Applicable Laws and Regulations. The City shall ensure compliance with City, State, and Federal historic preservation laws, regulations, and codes to protect and assist in the preservation of historic and archaeological resources, including the use of the California Historical Building Code as applicable. Unless listed in the Sacramento, California, or National registers, the City shall require discretionary projects involving resources 50 years and older to evaluate their eligibility for inclusion on the California or Sacramento registers for compliance with the California Environmental Quality Act.
- Policy HCR 2.1.11: Compatibility with Historic Context. The City shall review proposed new development, alterations, and rehabilitation/remodels for compatibility with the surrounding historic context. The City shall pay special attention to the scale, massing, and relationship of proposed new development to surrounding historic resources.
- Policy HCR 2.1.12: Contextual Features. The City shall promote the preservation, rehabilitation, restoration, and/or reconstruction, as appropriate, of contextual features (e.g., structures, landscapes, street lamps, signs) related to historic resources.
- Policy HCR 2.1.15: Demolition. The City shall consider demolition of historic resources as a last resort, to be permitted only if the rehabilitation of the resource is not feasible, demolition is necessary to protect the health, safety, and welfare of its residents, or the public benefits outweigh the loss of the historic resource.

- Policy HCR 2.1.17: Preservation Project Review. The City shall review and evaluate proposed development projects to minimize impacts on identified historic and cultural resources, including projects on Landmark parcels and parcels within Historic Districts, based on applicable adopted criteria and standards.

The following goal and policy from the City of Sacramento 2035 Land Use Element are relevant to the analysis in this section of this Draft REIR:

GOAL LU 1.1: Growth and Change. Support sustainable growth and change through orderly and well-planned development that provides for the needs of existing and future residents and businesses, ensures the effective and equitable provision of public services, and makes efficient use of land and infrastructure.

- Policy LU 2.4.2: Responsiveness to Context. The City shall require building design that respects and responds to the local context, including use of local materials where feasible, responsiveness to Sacramento's climate, and consideration of cultural and historic context of Sacramento's neighborhoods and centers.

4.12.2 Environmental Setting

As stated above, this section only provides environmental setting information relevant to the discussion of Impact 4.12-4, "Potential for Impacts on Historic Architectural Resources," as this is the only element of this Section addressed in the Ruling. The full environmental setting information supporting the analysis of archaeological, historical, and Tribal cultural resources from the 2019 Draft EIR and 2020 Recirculated Draft EIR is available at: https://www.dgs.ca.gov/RESD/Resources/Page-Content/Real-Estate-Services-Division-Resources-List-Folder/Information-and-Resources-for-CEQA. Also, new or additional information that assists in addressing the Ruling may also be included.

ETHNOGRAPHY

The project site lies within the lands historically occupied by the Nisenan (Kroeber 1925; Wilson and Towne 1978). Their territory included the southern extent of the Sacramento Valley, east of the Sacramento River between the North Fork Yuba River and Cosumnes River on the north and south, respectively, and extended east to the crest of the Sierra Nevada. Because this region provided these seasonally mobile hunter-gatherers with an abundance of natural resources, the Nisenan established central villages and smaller satellite villages along main watercourses in their territory. Two major Nisenan villages, *Sama* and *Momol*, were located in the city of Sacramento near the confluence of the Sacramento and American Rivers. An 1850 lithograph notes that a small village, *Sa'cum*, was situated atop a high knoll at today's Caesar Chavez Park. The local Native American Tribes call the area encompassing the project site Vesnak.

HISTORIC SETTING

Establishing a Capital City, State Capitol Building, and Capitol Park

The bustling Gold Rush boomtown of Sacramento served as a river transportation hub, providing critical access to the mining districts in the foothills. In 1850, only 1 year after it was founded, Sacramento was incorporated as a city, and in 1854, Sacramento became the state capital. Although businesses and industries supporting the Gold Rush and the growing population of Sacramento boomed, the city itself suffered multiple catastrophes. A series of events—fires in 1852 and 1854 and floods in 1853, 1854, 1861–1862, and 1878—motivated wealthy members of the city to construct levees and bulwarks and raise streets to protect people, homes, and businesses. Between 1864 and 1878, the streets and buildings between the east bank of the Sacramento River along Front Street to 12th Street and between I and L Streets were raised 4–15 feet. Convict labor, press gangs, and private contractors were used to systematically raise this approximately 140-acre main business area, which was located north and northwest of today's Capitol building and Capitol Park. Retaining walls strengthened by brick bulwarks or buttresses were constructed with locally fired bricks, sand and gravel hauled in by the wagonload from the American River or from local farms were used as street fill, buildings were jacked up, and the first stories of many downtown buildings became subterranean. Because of the severe flooding issues, the city also straightened and dug a new mouth for the American River between 1864 and 1868.

In 1856, the California Legislature voted to build a new State Capitol building on a plot bounded by 9th Street, 10th Street, I Street, and J Street; however, the bonds to finance the project were found to be illegal, and construction was halted. In 1860, four blocks bounded by 10th, 12th, L, and N Streets were donated by the city as a site for the new State Capitol building. The site was located on the southeast edge of the city, where a few scattered buildings stood on large parcels in a semirural area. The city condemned the property, removed people from their homes, and sold the homes, outbuildings, fences, fruit trees, and shrubbery at auction. The last building on the site, the Sacramento County Hospital, located at 10th and L Streets, was not removed until 1869 (Woodward 1981).

Groundbreaking for the new State Capitol building occurred in December 1860. Workers dug excavation trenches, lined them with a bed of cobblestones and broken granite, and covered them with a 3-foot-thick layer of concrete. A circular trench made of brick—2 feet wide, 2 feet deep and 28 feet in diameter—was used to make bricks for the basement wall. The trench was located east of the building site near an artesian well and large shed built for the operation, and the lime, sand, and water were mixed using a horse walker system. The cornerstone was laid in May 1861, but because of the 1861–1862 winter flood caused by levee breaks along the American River, work was brought to a halt. The walls were surrounded by 1 foot of mud and water, and building materials were destroyed or swept away. When work resumed in August 1862, wheelbarrows of dirt were dumped to raise the building's foundation height by 6 feet to protect against future flooding problems. After it was raised, the ground line at the Capitol building was 13 feet above adjacent streets (California State Capitol Museum 2015; City of Sacramento 2015: Appendix B; Woodward 1981).

By 1869, enough of the structure had been built to allow legislative sessions to convene within its walls. Construction of the new State Capitol building was completed in 1874, with the cost of construction totaling $500,000. In the 1870s, more land was donated to create what would become Capitol Park. The land was terraced around the raised Capitol, with cascading stone steps and balustrades, as well as plantings of flowers, trees and other plants (Dreyfuss + Blackford Architecture and Page & Turnbull 2006). The monumental design of the State Capitol combined with its setting within Capitol Park lent gravitas to the state of California, which at the time was fairly isolated from the rest of the country. The State Capitol was designed with neoclassical architectural features common to the U.S. Capitol building in Washington, D.C., and other state capitals. The first story of the building was clad in granite that was delivered to Sacramento via the Sacramento Valley Railroad from a quarry in Folsom. Granite for the upper stories was quarried in Penryn and transported via the new Central Pacific Railroad.

The new Capitol building had gas lighting and indoor water closets. A heating system was installed in the unfinished basement in 1872 and the basement walls pierced to let in fresh air. It was noted during later repairs, however, that "most of this plumbing went from nowhere to nowhere else, and didn't connect with much of anything in between, but it did a splendid job of providing employment and filling yawning spaces underneath various floors" (Visnich 2000). In 1890, sanitation improvements included cleaning the building's cesspool and the pipes leading to it. Water mains ran from M Street west into the Capitol grounds. By 1895, the Capitol building had electric light.

By 1872, the original four-block area housing the State Capitol building and surrounding gardens had been increased to the 10 blocks bordered by 10th, 15th, L, and N Streets. Beautification of the park, "considered one of the most beautiful State Capitol grounds in the nation," began in 1869 (California State Capitol Museum 2016). During the first phase of development, the area was graded, and silt and soil from the bed of the Sacramento River were used to enrich the land for planting, ultimately raising it "to a height of approximately ten feet" near completion of the Capitol building in 1874 (Woodward 1981:37). Formal rows of trees were planted, including six deodar cedars, imported from India and planted in 1872. The formal tree rows extended from each side of the building, interspersed with open expanses of lawn panels and pedestrian circulation. The rows of trees and circulation created concentric squares surrounding the Historic Capitol Building. This pattern of parallel rows around the building was carried out on all four sides of the Historic Capitol and established an orderly, symmetrical, and harmonious setting. Formal elements were employed on the site, such as straight rows, an open lawn, expansive views, a civic axis, and symmetry that aimed to show the order and control, grandeur, harmony, and civic pride of the California citizens (ICF 2019).

In the second phase of park design circa the late 1880s, particular attention was paid to the harmonious relationship of materiality and ratio of softscape to hardscape. The Historic Capitol Building was a monumental granite structure standing tall as the focal point of the park. The original four-block site and later the full 10-block site complemented

this structure with predominantly softscape in the form of stately trees, expansive lawns, and flowering shrubs. Among the varieties of native and exotic trees and flowering shrubs in the park is the row of California fan palms, planted in 1882, that still flank the park's perimeter. The hardscape consisted of pathways that brought people through the softscape park toward the focal point building, which was surrounded by a hardscaped loop pathway and terraces outside the entrances. The late 1880s design phase brought granite features into the landscape in the form of bollards, ornate stairs with banisters, a perimeter fence, and pillars. These landscape granite elements were spatially arranged to connect the visitor's eye from the entrance of the park through the towering trees and towards the granite Historic Capitol Building (ICF 2019).

The neighborhood surrounding the State Capitol and Capitol Park has undergone several phases of development since its opening. At the end of the 19th century, the Capitol Park neighborhood surrounding the project site boasted opulent Italianate and vernacular multistory family homes (Sanborn 1895). Twentieth-century development of the project area began in the early 1900s. Sanborn Fire Insurance maps from 1915 show many of the homes in this upper-class neighborhood had been converted to or included new construction of multifamily residences, while remaining single-family residences contained garages for Sacramento's first autos (Sanborn 1952). The residential neighborhood shifted to office buildings for the government bureaucracy during the interbellum period that followed.

The original four-block area immediately around the Capitol was laid out in a formal geometric pattern (Figure 4.12-1). As Capitol Park expanded to the east, the newer sections were designed to have a more natural, parklike feel. Laid out in typical Victorian style, the gardens had long lanes leading between beds of vivid annuals. The 800 trees and flowering shrubs that were planted represented more than 200 native and exotic varieties. Because of problems with deer and cattle, the park was fenced during its early years. California fan palms (*Washingtonia filifera*) planted in 1882 still flourish along the perimeter of today's Capitol Park. A circular path, planted in 1882 with alternating California fan palms and English elm (*Ulmus minor*), was used as a carriage path and shady walk between the Capitol building and the State Fair's Agricultural Pavilion, located in the area at 15th and N Streets and in use from 1884 to 1905. The pavilion was demolished in 1908, the site of which is now a native plant garden. The same year, the one-story State Insectary was completed in the park near the corner of L and 13th Streets, after the 1906 loss of the state insectary in the San Francisco earthquake and fire. Designed to house insect-related experiments in collecting, breeding and distributing beneficial insects, the building now houses ground keeping activities for Capitol Park (California State Capitol Museum 2016; Historic State Capitol Commission 2013).

The State Capitol building was renovated between 1906 and 1908. Improvements included new heating, ventilating, lighting, and plumbing systems; sanitation; fireproofing; a new elevator system; a telephone exchange; removal of old stairways to gain space for additional rooms; a new roof; and exterior paint. Areas around the building were excavated to admit light and air into the basement. Compressed air drills were used to cut openings through the foundation walls, and then retaining walls around those areas were built about 10–12 feet from the building. The original wood beams supporting the roof were replaced by 10-ton steel trusses. A fourth story, complete with windows, was created by raising the roof and lowering the ceilings of the Senate and Assembly Chambers by 7 feet. The interior of the building was also painted and decorated (Woodward 1981).

The largest change to the project site was the addition of the Annex. Nearly 80 years after it was completed, the original Capitol building was enlarged with the addition of the Annex which was appended to the rear (east) elevation of the original building. Plans originated during the 1930s and 1940s, and the design was supervised by State Architect Anson Boyd. Construction began in June 1949, the building was inspected in December 1951, and it was occupied in 1952. The Annex was built to hold offices for the governor, lieutenant governor, legislators, and other State officials. The East Apse was removed from the center of the east side (rear) of the original 1874 Capitol building, and the new five-story Annex was then appended to the east elevation of the four-story Capitol. The five-story Annex floor plates did not align with the floors of the Capitol with the exception of the third floor of the Annex aligning with the second floor of the Capitol. The Annex encroached on Capitol Park but was attached to the Historic Capitol and meant to appear as a continuous addition.

Source: Regnery 1983.

Figure 4.12-1 Photograph of the State Capitol Building and Capitol Park (west end) ca. 1885–1895 (view to south)

As part of the Annex project, Capitol Park was re-landscaped, which overall eliminated the terraces, removing the stone steps and pillars that accommodated the raised landscaping. The lawn was graded to a gentle slope, and new sidewalks and a stone patio were installed that helped direct foot traffic to the new, busier east wing. Additionally, completion of the East Annex resulted in the reorganization of the Capitol's circulation. The main entrance was reoriented to the east side, leaving the historic original entrance as a rear entry. The landscaping around the Capitol was altered to lead foot traffic to the east entrance. The vehicular loop around the building was removed, and the driveways along the north and south entrances were changed to loops around panels of lawn. The improvement program associated with the Annex project also called for 21 trees to be felled, although 21 new trees were planted to replace the destroyed trees. Trees were planted on the west side to fill in areas where old trees had been removed, including three California live oaks, three maidenhair trees, five tulip trees, five southern magnolias, and four coast redwoods. A. Teichert and Son Inc was tasked with levelling the two steep terraces on the west side of the Capitol and putting in a lawn sloping to the sidewalk to match the ground level around the new part of the Capitol, laying a brick and concrete patio in front of the west door like the patio at the north and south doors, and replacing the granite stairs and banisters with sloping concrete ramps. The quatrefoil planting beds were also removed from the West Lawn around this time, and a new irrigation system was installed to support the new plantings (ICF 2019).

The bottom two stories of the Annex, which form the base of the building, are clad in granite; the upper three stories are clad with smooth stucco. The five-story Annex has an underground garage with secured road access from both L and N Streets. A one-story, glass-walled building that houses a security entrance for visitors and staff was later appended to both the north and south sides of the Annex. The last major renovation of the 40-acre, 10-block area encompassing Capitol Park, conducted between 1948 and 1951, was related to construction of the Annex. Along with a variety of native and exotic trees and flowering shrubs, there are numerous points of interest, memorials, and monuments incorporated into Capitol Park. Among these is a granite slab that is inset level with the ground surface at the western edge of the project site along 10th Street. The 2,400-pound slab had previously sealed the Capitol's time capsule inside the cornerstone at the northeast corner of the building (California State Capitol Museum 2016).

The slab has three separate metal plaques: one designates the Capitol Complex as a State Historical Landmark (No. 872), the second is a Heritage '76 designation, and the third describes the previous location of the slab. It was inset at its present location to commemorate the close of California's Bicentennial Restoration Project, whereby the Capitol building was returned to its 1906 grandeur. The Capitol building, Capitol Park, and nearby buildings are serviced by a network of surface streets, parking lots, and Sacramento's urban light-rail mass transit network, which began service near the Capitol in 1987.

As the 1950s and 1960s progressed, the growing size of the government meant that plans for more space for the Capitol were frequently discussed. Several plans, including the idea of completely rebuilding the Capitol and moving to high rise towers, were considered, but in the end, restoration of the seismically unsound Historic Capitol won out. Seismic retrofitting was completed in 1974, and a restoration of the Historic Capitol building was undertaken from 1975 to 1982, costing $42 million (Dreyfuss + Blackford Architecture and Page & Turnbull 2006). In the ensuing years, some of the heritage trees have been lost because of age and storm damage. In 2016, two monumental 16-ton granite gateposts, which had been part of an ornate fence system encircling Capitol Park from 1889 to 1952, were placed at the west entrance of the Capitol building adjacent to the north and south sides of the lower steps. DGS maintains Capitol Park and the two adjacent blocks bounded by 9th, 10th, L, and N Streets immediately west of the State Capitol. These two blocks were secured in 1917 for the Capitol Extension Group (State Office Building No. 1 [Jesse M. Unruh Office Building], Stanley Mosk Library and Courts Building, and Capitol Fountain Plaza), which was completed in 1928.

Modern State Government Buildings around Capitol Park

In 1917, the city donated two blocks bounded by 9th, 10th, L, and N Streets immediately west of the State Capitol building to house two new government buildings. Construction of State Office Building No. 1 (now Jesse M. Unruh Office Building) and the Stanley Mosk Library and Courts Building, two buildings that were part of the Capitol Extension Group, began in 1922 and was completed in 1928. Another part of the Capitol Extension Group, the Capitol Fountain Plaza, located between the two buildings, was operating 2 years before the buildings were finished.

In 1929, an urban planning firm proposed that monumental buildings be constructed on M Street west of the Capitol building (present-day Capitol Mall). During the mid-1930s, additional office buildings were added across N Street facing the Capitol building: the Department of Motor Vehicles building in 1936 (currently California Department of Food and Agriculture building), the Public Works building in 1937 (currently housing the California Department of Transportation [Caltrans]), and the Legislative Office Building (formerly Business and Professions building) in 1939.

In 1940, the State Planning Board and Division of Architecture recommended that State office buildings be constructed around Capitol Park instead of to the west along M Street/Capitol Mall. In response to this recommendation, all State buildings and additions were constructed immediately around the Capitol building and Capitol Park until the 1950s. As the government continued to grow, subsequent development was no longer restricted to the vicinity around the Capitol building. Three new government buildings were completed on Capitol Mall in the 1950s. Three additional buildings were built in the late 1940s/1950s facing O Street (Lemon and Davis 2018). Between 1949 and 1952, the original Capitol building was enlarged by construction of the Annex.

By 1960, the State occupied 23 publicly owned buildings (including annexes) and 19 leased buildings (including offices, special purpose buildings, and warehouses). The State owned nearly 70 acres in downtown Sacramento that included Capitol Park (40 acres), garages, parking lots, warehouses, and the Governor's Mansion on H Street between 15th and 16th Streets (built in 1877 and now a State Historic Park). In 1960, the first California State Capitol Plan was created by the Capitol Building and Planning Commission. The physical plan focused on the area bounded by L, Q, 7th, and 17th Streets and promoted the creation of seven superblocks, or pedestrian islands, by closing streets within the plan area to vehicular traffic and advocated purchasing land within the plan area before implementation began and property values increased. Policy changed in 1967. Meanwhile, cleared sites were used for surface parking lots, and leasing space from the private sector for State office needs became the dominant policy. Construction of the new 10th and O Street Office Building is underway on one such lot. Since 1977, DGS and the Capitol Area Development Authority have administered the updated 1977 Capitol Plan to guide smart growth development of the Capitol Area Plan.

HISTORIC ARCHITECTURAL RESOURCES STUDY AREA AND METHODOLOGY

The study area for the historic architecture evaluation (Figure 4.12-2) encompasses one built-environment resource consisting of the State Capitol Complex (Historic Capitol, Annex, Capitol Park, and the Insectary) and one historic district, the California State Government Building District (CSGBD) (Table 4.12-1). The study area was drawn to account for potential direct and indirect impacts resulting from the proposed project. ICF architectural historians exceeding the Secretary of the Interior's Professional Qualification Standards in the areas of history and architectural history conducted analysis and survey. The methodology for conducting the analysis of the resources in the study area included field observation conducted on July 2, July 10, December 2, and December 3, 2019. These field visits included photodocumentation and notation of alterations. Additional research included conversations with DGS staff and review of primary and secondary sources at the California History Room of the California State Library, the Government Publications Unit of the California State Library, the California State Archives, and the California Historical Society. Additionally, online and digital archival materials accessed through the Online Archive of California, the Center for Sacramento History, Library of Congress, Internet Archive, Sacramento Public Library, newspaper archives, digital Sanborn Maps, and historic aerial images provided additional context on the data gathered from reviewing the physical collections.

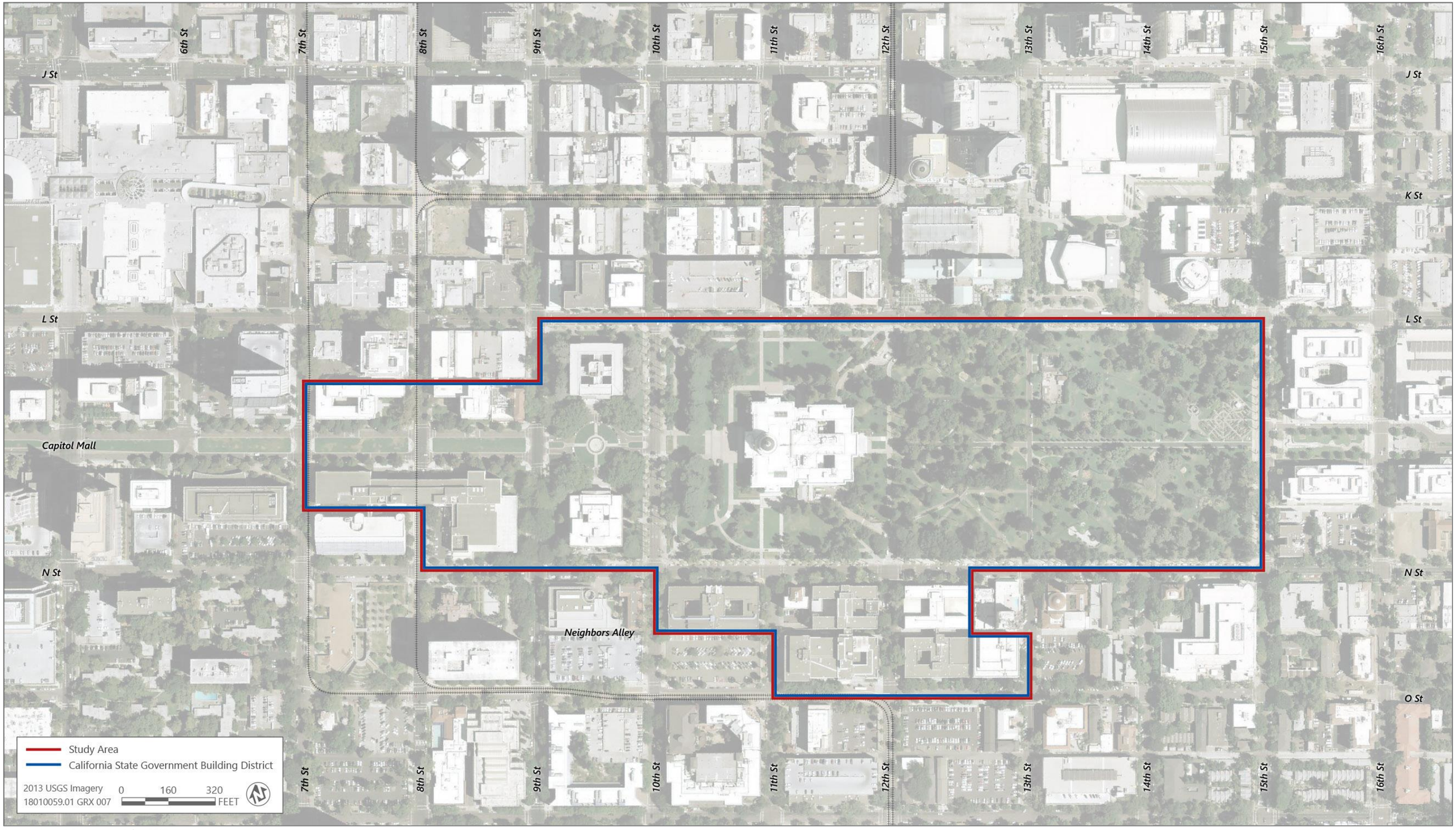
Table 4.12-1 Built Environment Resources Located in the Study Area

Address			
Multiple	State Capitol	1874; 1951	1S – NRHP* Listed, site
Multiple	Capitol Extension Group	1929	1D – NRHP Listed, district
Multiple	California State Government Building District	1874-1962	1D – NRHP Listed, district
1020 N Street	Legislative Office Building	1939	1CS – CRHR** Listed, building
1120 N Street	Department of Transportation Building	1937	1CS, CRHR Listed, building
1220 N Street	California Department of Food and Agriculture	1936	1CS, CRHR Listed, building
1400 10th Street	Blue Anchor Building	1932	1CS, CRHR Listed, building

Note: regarding nomenclature: For the purposes of this analysis, buildings will be named according to their current, rather than their original/historic name. Whenever possible, former names will be noted.

*National Register of Historic Places

**California Register of Historical Resources



Source: Ascent Environmental in 2019

Figure 4.12-2 Historic Architectural Resources Study Area

HISTORICAL RESOURCES

Summary of Historical Resources within Study Area

Seven CEQA historical resources are located in the study area. A summary of the CEQA historical resources is provided below.

State Capitol Complex

The State Capitol Complex is considered a CEQA historical resource because it is listed in the NRHP with historical significance under Criteria A and C. It is significant under Criterion A for its function as California's seat of government and under Criterion C for its monumental architecture and landscape design. The Capitol building is also a California Historical Landmark. The State Capitol Complex consists of the State Capitol Building, composed of the Historic Capitol, the Capitol Annex, Capitol Park, and the Insectary. The Historic Capitol, known as the West Wing, was built between 1860 and 1874, and the Capitol Annex, known as the East Wing, built between 1949 and 1951. The Capitol building is set within Capitol Park, which is approximately 40 acres of green space, walkways, and memorials. Within Capitol Park is the Insectary, built in 1908, which is an Arts and Crafts style bungalow. The Historic Capitol building is a monumental Classical Revival design moderated with federal influences, which consists of two virtually identical L-shaped four-story wings separated by a rotunda. The inner and outer dome of the rotunda rises to an overall height of approximately 210 feet. The Historic Capitol's west façade features a temple front, with a full height portico supported by seven granite archways, topped with a triangular pediment that contains five allegorical figures: Minerva, Education, Industry, Justice, and Mining. The West Wing is dominated by cast-iron ornamentation including elaborate moldings, dentils, corbels, and pilasters. The Historic Capitol has a concrete foundation, and is built of hard-burned brick, with a facing of granite on basement and ground floors. The rotunda is painted gold, and the floors in between are painted stark white. When the Annex was built between 1949 and 1951, the large apse on the eastern façade that held the state library was demolished and the Annex floors and the Historic Capitol floors were misaligned with the exception of the second floor of the Capitol and the third floor of the Annex. Although the Annex visually obscures the eastern façade, it was designed to stand two feet from the exterior wall, preserving many architectural features, but attaches to the Historic Capitol (Dreyfuss and Blackford Architecture, Page & Turnbull 2006: 3.25).

The Annex is designed in the Mid-Century Moderne style with references to stripped classicism. It is visually subservient to the Historic Capitol, which was achieved in part by limiting the height to below the base of the rotunda. The building is six stories high, with a five-bay organizational scheme and a flat roof. Given the later period of construction, the Annex uses more modern materials than the West Wing, with a steel skeleton covered in reinforced concrete, with exteriors finished in granite, stucco, extruded aluminum and cast aluminum details. The east façade of the Annex, which faces Capitol Park, features ten large cast aluminum spandrel panels depicting California flora and fauna, and the seven panels around the doorways include depictions of California industry including the Bay Bridge, factories, trains, and airplanes. The center panel features the seal of California.

Both the Historic Capitol and the Annex are defined by their massing, respective rooflines and roof profiles, granite facing, portico, terraces and granite steps, and ornamental elements, such as cast-iron columns, capitals, pilasters, cornices, brackets, and entablatures (Historic Capitol) and aluminum spandrel panels, grillwork, and balustrade (Annex). Given their respective dates of construction, the materials reflect the time and style of each wing and tend to differentiate their character-defining features as defined in the previous recordation. The windows and window frames are character-defining features for both buildings, but the Historic Capitol has wood-sash windows and cast-iron window frames, while the Annex has aluminum windows and window frames. Similarly, the location, layout, and decorative elements of interior spaces, such as lobbies, corridors, perimeter offices, senate and assembly chambers, and hearing rooms, are important defining features for both buildings. Other defining features of the Annex include wooden signage, theater seating (excluding new upholstery), and undulating east/west corridor walls on floors four and five.

The Historic Capitol Building is set within Capitol Park, which comprises approximately 40 acres of green space, plantings, trees, walkways, and memorials. The park is bounded by L Street to the north, 16th Street to the east, N Street to the south, and 10th Street to the west. Originally planted with 800 trees and flowering shrubs, the park is laid

out in a typical Beaux Art, formal style, with long lanes for walking. The bulk of the park is located east of the Capitol Building, and more than 20 trees, plants, and memorials dedicated to various public figures and events are located close to the Annex. Capitol Park east of the Capitol Building is defined by its circuitous walking paths; the variety of memorial trees, plants, gardens, and statuary; and its location surrounding the Capitol Building.

The western façade of the Capitol Building is set within the westernmost two city blocks of Capitol Park. These two blocks, identified as the West Lawn in this analysis, are defined by their more formal style, with symmetry to the circulation patterns and plantings, notably the north/south rows of monocultural trees (palms, cedars, and southern magnolias) that date from the 19th century flanking terraced stairs. The monocultural rows are interspersed with walking paths and a central east/west walk bisecting the rows, leading to the Capitol entrance. The west façade has a generous hardscape to softscape ratio, with expansive lawn groundcover, and the open space of the West Lawn provides a defining vista, with long, linear views down Capitol Mall.

Originally, all of Capitol Park was terraced, with stone stairs and balustrades providing access to the Historic Capitol, but on construction of the Capitol Annex from 1949 to 1951, the terracing was graded to a soft slope, and the stone stairs and balustrades were removed. However, the West Lawn still retains a stepped terrace system, with a top bench consisting of the building and entrance terrace area; then a second, subtle bench to approximately the west side of the interior sidewalk; then a gentle slope to meet the street grade. The benches are divided by broad sets of stairs. The top bench remains clearly differentiated from the rest of the site, as does the central walk, which retains sets of stairs. These elements employ the grandeur of the original three steeply terraced benches, which slowly move pedestrians upward toward the Historic Capitol Building. The western façade is the only side of the Capitol Building that retains the topography from the original park landscaping.

Within Capitol Park is the California State Insectary, which was built in 1908 after the 1906 loss of the state insectary in the San Francisco earthquake and fire. The building is Arts and Crafts style, with Japanese influences. It is a one-story building with a low-sloped hipped roof, composed on a dominant front bay flanked on both sides by diminutive wings. The building is finished in concrete, wood, and wood shake shingles. The California State Insectary is located over 600 feet to the east of the Capitol Annex, with various trees and plantings obscuring the view between the two.

Capitol Extension Group

The Capitol Extension Group is considered a CEQA historic resource because it was listed in the NRHP with historical significance under Criteria A and C. It is significant under Criterion A as the first extension of California State Government offices and buildings in Sacramento, and under Criterion C for its Beaux Arts architecture. The Capitol Extension Group consists of two Beaux Arts style buildings, the Stanley Mosk Library and Courts building and the Jesse M. Unruh Office building (formerly State Office Building No.1) and the Capitol Fountain. The pair of similarly styled Beaux Arts buildings are formally composed across green space and a circular drive, allowing for a view of the Historic Capitol from Capitol Mall. The buildings are five-stories high, clad in Sierra white granite and granitex, an architectural terra cotta. Both buildings feature a three-story portico with a decorative frieze.

California State Government Building District

The CSGBD is considered a CEQA historic resource because it is listed in the NRHP with historical significance under Criteria A and C. It is significant under Criterion A as a reflection of the expansion of state government from statehood until the 1960s, and under Criterion C for the architectural styles of the individual buildings that reflect popular styles and trends. The State Printing Office (State Archives) at 1020 O Street, the Franchise Tax Building (State Office Building) at 1021 O Street, and the California Department of Food and Agriculture Annex at 1215 O Street have been demolished since the original 1981 survey. The following group of 12 buildings and one park (13 total contributing elements) remain extant:

- State Capitol Building;
  - Capitol Park;
  - Capitol Park Service Area (the Insectary);
- Stanley Mosk Library and Courts Building, 914 Capitol Mall;

- Jesse M. Unruh Office Building (formerly State Office Building No. 1), 915 Capitol Mall;
- Education Building (Rehabilitation Building), 721 Capitol Mall;
- Personnel Building (State Personnel Building), 801 Capitol Mall;
- Employment Building (Employment Development Building), 800 Capitol Mall;
- Legislative Office Building (formerly Business and Professions building), 1020 N Street;
- Department of Transportation building (formerly Public Works office building), 1120 N Street;
- Department of Transportation Annex (formerly Public Works Annex), 1121 O Street;
- California Department of Food and Agriculture building (formerly Department of Motor Vehicles Building), 1220 N Street; and
- Veteran's Affairs Building, 1227 O Street.

Legislative Office Building (formerly Business and Professions Building)

The Legislative Office Building is considered a CEQA historical resource because it is listed in the NRHP with historical significance under Criteria A and C. It is significant under Criterion A for its association with the expansion of California state government and under Criterion C as an example of Moderne architecture. The Legislative Office Building was originally known as the Business and Professions building and was built in 1939. It is a five-story symmetrical building with a flat roof, designed in the Moderne style. Facing north onto Capitol Park, the five-story building features distinctive elements of PWA (Public Works Administration) Moderne, architecture with some International Style influences: a central pylon rises four stories above the entrance, which is further noted by a horizontal curved porch, green terra-cotta tiles, and decorative transom grilles; floors denoted by alternating bands of concrete and casement windows surrounded by a bezel and separated by narrow fluted panels; and a fluted cornice caps the building.

Department of Transportation Building (formerly Public Works Building)

The Department of Transportation Building is considered a CEQA historical resource because it is listed in the NRHP with historical significance under Criteria A and C. It is significant under Criterion A for its association with the expansion of California state government and under Criterion C as an example of Moderne architecture. The Department of Transportation Building was originally known as the Public Works building and was built in 1937. It is a five-story symmetrical building with a flat roof, designed in the Moderne style. The centered main entrance is sheltered by a horizontally accented canopy with curved corners, and outlined by sculptural panels below a narrow, nearly full-height window framed by pilasters. The vertically oriented central portion of the primary façade is stepped and punctuated by glass-block windows. Balancing this verticality are horizontal scallop-molding courses and long rows of original steel windows outlined by bezeled frames between fluted piers on the second to fifth floors.

California Department of Food and Agriculture Building (formerly Department of Motor Vehicles Building)

The California Department of Food and Agriculture Building is considered a CEQA historical resource because it is listed in the NRHP with historical significance under Criteria A and C. It is significant under Criterion A for its association with the expansion of California state government and under Criterion C as an example of Moderne architecture. The California Department of Food and Agriculture Building was formerly known as the Department of Motor Vehicles Building and was built in 1936. It is a three-story symmetrical building with an H-shaped footprint with a flat roof, designed in the Moderne style. The roof features a parapet, and the building is constructed of reinforced board-formed concrete.

Blue Anchor Building (formerly the California Fruit Exchange)

The Blue Anchor Building is considered a CEQA historical resource because it is listed in the NRHP with historical significance under Criteria A and C. It is significant under Criterion A for its association with the California Fruit Exchange that operated in the building from 1931 to 1966, and under Criterion C for its Spanish Colonial Revival Style. Built in 1931, the Blue Anchor Building is constructed of steel and concrete, finished in stucco, and capped by a low-

pitched red tile roof. The building features a balconette, decorative features at the roofline, and a tile staircase accessing the recessed entrance, which is framed by large engaged columns supporting an entablature, as well as a secondary balconette along O Street. Its most distinctive architectural feature is a two-and-a-half story tower at the junction of the two wings.

CONSULTATION EFFORTS

Native American Consultation

During project planning, a Native American contact program was initiated pursuant to AB 52. On March 11, 2019, the NAHC responded to the request from DGS with a consultation list of Native American tribes that are traditionally and culturally affiliated with the geographic area of the project. In addition, an electronic communication dated April 1, 2019, requested from the NAHC a search of the Sacred Lands Database managed by the NAHC. In its response, dated April 15, 2019, the NAHC stated that its search of the Sacred Lands Database was negative. Letters to tribal representatives about the Capitol Annex Project specifically were sent on April 10, 2019, inviting consultation pursuant to AB 52.

The United Auburn Indian Community of the Auburn Rancheria responded by email on April 11, 2019, and by letter dated April 25, 2019, requesting consultation pursuant to AB 52. By email on April 19, 2019, and on May 7, 2019, Wilton Rancheria and the Ione Band of Miwok Indians responded, respectively, requesting consultation pursuant to AB 52. The Shingle Springs Band of Miwok Indians requested consultation via e-mail on September 24, 2019.

AB 52 consultation has been ongoing with these Tribes since 2019 and will continue through preparation of this REIR.

Built Environment Architectural Resource Consultation

On July 12, 2019, letters requesting information regarding potential historic-era architectural resources in the project area were sent to the following interested parties:

California Council for the Promotion of History
CSU Sacramento, Department of History
6000 J Street
Sacramento, CA 95819-6059

Carson Anderson
City of Sacramento Historic Preservation Director
300 Richards Boulevard
Sacramento, CA 95811

Dylan McDonald
Center for Sacramento History
551 Sequoia Pacific Boulevard
Sacramento, CA 95811-0229

Jackie Whitelam, Chair
City of Sacramento Preservation Commission
300 Richards Boulevard, 3rd Floor
Sacramento, CA 95811

Sacramento Room
Sacramento Public Library
828 I Street
Sacramento, CA 95814

Sacramento Historical Society
P.O. Box 160065
Sacramento, CA 95816-0065

California State Archives
1020 O Street
Sacramento, CA 95814

California State Capitol Museum
California State Capitol
1315 10th Street
Sacramento, CA 95814

Dori Moorehead, Executive Director
California Museum
1020 O Street
Sacramento, CA 95814

Marcia Eymann, Executive Director
Sacramento History Museum
101 I Street
Sacramento, CA 95814

Preservation Sacramento
P.O. Box 162140
Sacramento, CA 95816

Historic State Capitol Commission
Koren R. Benoit, Executive Director
1020 N Street, Room 255
Sacramento, CA 95814

No responses to any of the information request letters were received.

4.12.3 Impacts and Mitigation Measures

THRESHOLDS OF SIGNIFICANCE

As stated above, this section of the Draft REIR only provides information relevant to the discussion of Impact 4.12-4, "Potential for Impacts on Historic Architectural Resources," as this impact discussion encompasses the topics identified in the Ruling. Where the 2019 Draft EIR and 2020 Recirculated Draft EIR included significance criteria relevant to a comprehensive CEQA analysis of archaeological, historical, and Tribal Cultural Resources, only significance criteria relevant to the analysis of Impact 4.12-4 is provided here. Therefore, using the significance criteria from the 2019 Draft EIR and 2020 Recirculated Draft EIR, an impact on historic architectural resources would be significant if implementation of the Capitol Annex Project would:

- cause a substantial adverse change in the significance of a historical resource pursuant to Section 15064.5 of the State CEQA Guidelines.

Section 15064.5 of the State CEQA Guidelines defines "substantial adverse change" as physical demolition, destruction, relocation, or alteration of the resource or its immediate surroundings.

ENVIRONMENTAL IMPACTS AND MITIGATION MEASURES

Impact 4.12-4: Potential for Impacts on Historic Architectural Resources

The Capitol Annex Project would cause physical changes within two historic districts and introduce changes to the setting of those districts, a third NRHP-eligible historic district, and four individually NRHP-eligible historic buildings. These changes would result in a substantial adverse change to the characteristics that qualify the State Capitol Complex for listing in the NRHP. This impact would be significant. The physical changes within the California State Government Building District would adversely affect one part of one contributor to the district, but overall, the project would not impair the district's ability to convey its historical significance. The impact to this district would be less than significant. The changes to the Capitol Extension Group present a change in setting, but because these changes would not substantially reduce the Group's ability to convey its relationship to the Capitol, the impact on the district would be less than significant. The four individually eligible buildings would not experience any alteration of their physical elements, and the proposed project would not impair the ability of those resources to convey their historical significance. There would be no impact relative to these resources.

State Capitol Complex

The proposed project has four components that would affect the State Capitol Complex: the new underground visitor/welcome center, the demolition of the existing Annex, the construction of the new annex, and introduction of the new underground parking (which requires removal of the existing driveways and introduction of new driveways that will alter areas of Capitol Park). When identified altogether, each of the proposed project components would alter one or more of the features of the State Capitol Complex (which includes the Capitol Building [i.e., Historic Capitol and Annex], Capitol Park, and State Insectary) to varying degrees. Because it is a listed historic resource, alterations to State Capitol Complex would result in a *potentially significant* impact.

New Visitor/Welcome Center. The construction of the new visitor/welcome center entrance within the West Lawn would create a lower plaza that would serve as visitor access to approximately 30,000 additional square feet of interior space and raise the western plaza (i.e., the upper plaza of the visitor/welcome center, see Chapter 3, "Project Description," and, in particular, Figure 3-11) to the base of the Historic Capitol steps. This would result in noticeable changes to the characteristic topography, pedestrian circulation, vegetation, and vistas of the west entrance to the Capitol building as it was experienced during the period of significance. The proposed project includes the expansion of the current plaza to the north and south as part of the upper plaza, expanding its current size, removing the inset center lawn panels, and raising the level of a portion of the existing plaza. The new upper plaza would include safety railing and a central raised skylight. Collectively, these project elements would interrupt the Beaux Arts layout of the West Lawn of the Capitol Building, altering the long walking lanes typical of Beaux Arts landscaping, and removing the stepped terraces that rise over a series of broad stairs over two banks to the west entrance of the Capitol. The Beaux Arts–style circulation and landscaping and the stepped terraces are character-defining features of the West Lawn that would be affected by the proposed project elements. The raised plaza would consist mainly of hardscape, which would reduce the number of lawn panels and alter the ratio of softscape to hardscape within the West Lawn. The existing lawn contributes to the West Lawn landscape, and the current ratio favors softscape. The new hardscape also has the potential to displace or damage current tree plantings that contribute to the West Lawn's significance, including the important monocultural rows of southern magnolias. The visual and functional intrusion on the historic West Lawn has the potential to create a physical interruption that would change the character-defining vista up and down Capitol Mall toward the Capitol Building.

Once constructed, the new visitor/welcome center entrance and interior subterranean space would create the most substantial change to the western entrance of the Capitol Building and the western blocks of Capitol Park since the building's completion in 1874. Construction of the new visitor/welcome center would alter historic features of the West Lawn landscape by interrupting the stepped terracing of the West Lawn, the north/side aligned tree rows, and pedestrian circulation paths; altering the spatial organization of the West Lawn and related ratio of softscape and hardscape elements; and removing portions of the perimeter pathways.

Construction activities for the new visitor/welcome center, such as excavation, grading, and pile installation, would cause ground-borne vibration that has the potential to result in physical damage to the Historic Capitol (western portion) of the State Capitol Building and damage to features of Capitol Park, such as historic-era trees, walkways, and planters on the western side of Capitol Park. Depending on the level of vibration and the proximity to the historic building, construction vibration can destabilize historic masonry foundations, cause structural cracks in historic masonry walls, or lead to damage to interior or exterior finishes or fixtures. If vibration causes any of these types of damage to the building, it would impair the historical integrity of materials, design, and/or workmanship, which would *contribute to the significant impact* on the historical resource.

Overall, the new visitor/welcome center would alter historic landscape features of the West Lawn of the Capitol and reduce the ability of the resource to communicate its period of significance. The proposed project would introduce a large, modern intrusion into the historic landscape, which would remove almost one-third of the West Lawn's character-defining features, such as historic circulation, portions of its vegetation, the spatial organization, and the topography. Therefore, this change would contribute to a *significant impact* on the historical resource.

Demolition of the Capitol Annex. Although it was built later than the original 1874 Historic Capitol building, the NRHP-listed historical resource recognizes the significant contribution of the Annex to the State Capitol Complex. Demolition of the Annex would cause a substantial adverse change to the State Capitol Complex, because it would permanently and completely remove part of the monumental building that anchors the complex that represents California's seat of government. This change would result in a *major contribution to the significant impact* to the historical resource. In addition to the physical demolition of the building, demolition of the existing Annex would require removal of some landscape surrounding the Annex, including the removal of commemorative trees, plantings, or other types of memorials (collectively referred to as "memorials") in Capitol Park. Demolition activities also have the potential to cause inadvertent damage to memorials in Capitol Park. Removal or damage of memorials in Capitol Park would *contribute to the significant impact* to the State Capitol Complex. Finally, demolition activities have the potential to cause damage to historic architectural elements of the eastern façade of the Historic Capitol that were preserved during the original construction of the Annex. Such damage would result in a *minor contribution to the significant impact* to the historical resource.

Construction of the New Annex. The new Annex would be built immediately adjacent to the Historic Capitol (western portion) of the State Capitol Building. The proposed design reflects the following design objectives adopted by the design team: preserve the park, reconnect people with the park, introduce an Annex that is subservient to the historic building, reveal portions of the Historic Capitol's east façade that was previously obscured by the historic Annex, and align the floor connections between the Historic Capitol and the new Annex.

The new square footage would extend toward 12th Street, which would encroach on Capitol Park, reducing the size of the park by up to approximately 40,000 square feet. The new Annex would require relocation of two historic trees and eight dedicated trees. No dedicated or historic trees would be removed (i.e., not relocated elsewhere) and 15 dedicated and historic trees would be retained in place, including the "moon tree" and the grove of five other dedicated redwoods near it. The dedicated trees and large trees retained around the Annex would continue to frame the pedestrian experience of the State Capitol Complex buildings in ways that are consistent with the current pedestrian experience. As stated in Chapter 3, "Project Description," any memorials, plaques, and similar items (i.e., plaques or signs associated with dedicated trees that will be relocated) that must be temporarily or permanently moved as a result of the project would be catalogued and stored in a secure location during construction. For trees or other features that have been dedicated to, recognize, or honor a particular individual or group, the State would send a letter to that person, or representative of that person or group, notifying them that the plaque or memorial would be temporarily removed during project construction, then returned to Capitol Park when construction is complete.

Based on the information provided below, the design of the new Annex has successfully achieved the standard promulgated by the National Park Service for new additions to existing historic properties, that is, SOIS #9 and #10 identified above in Section 4.12.1, "Regulatory Setting":

> 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 will be differentiated from the old and

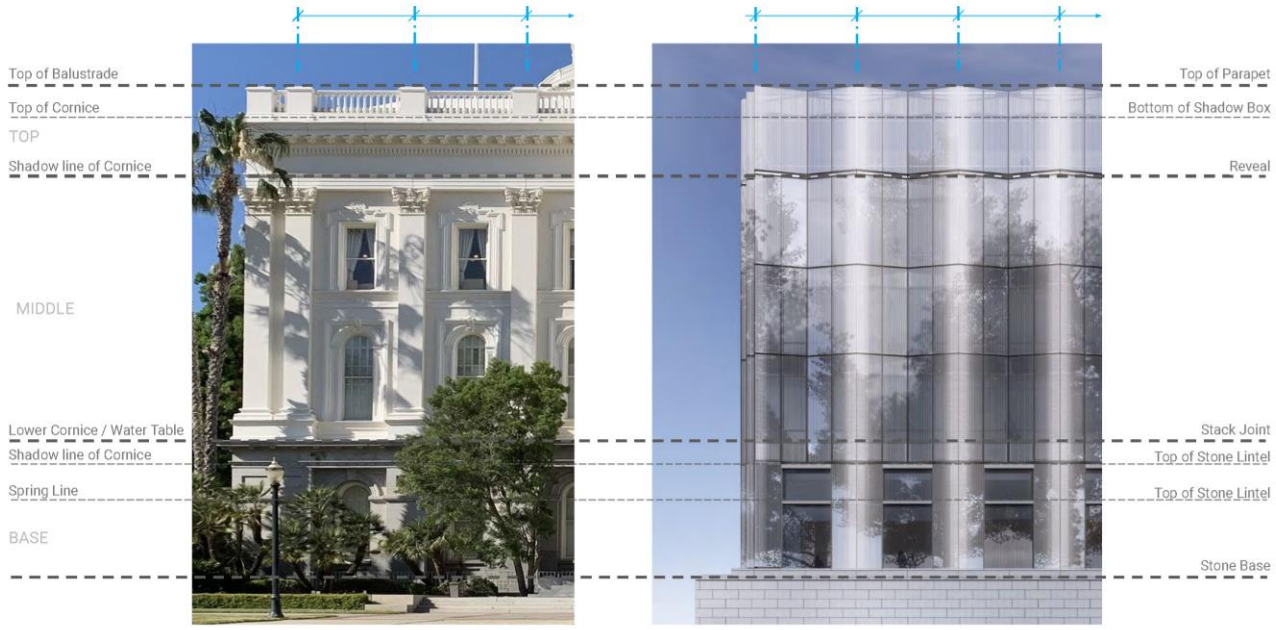
will be compatible with the historic materials, features, size, scale and proportion, and massing to protect the integrity of the property and its environment.

10. New additions and adjacent or related new construction will 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 new Annex is designed, and construction methods will be executed, in a manner that will preserve and protect the Historic Capitol. The design, in fact, exposes portions of the eastern face of the Historic Capitol that have been covered by the current Annex (see Figures 3-5 and 3-6 in Chapter 3, "Project Description").

The proposed design for the new Annex clearly differentiates it from the Historic Capitol, both in form where the new Annex's indented "hyphen" joins the east elevation of the Historic Capitol (see Figure 3-5, bottom image), and in materials with a stone base topped with a pleated glass wall (see Figure 3-8). However, the differentiation in form and materials does not preclude compatibility, as described in the paragraph below. The new Annex would be shorter in height than the Historic Capitol (see Figure 3-8), and while it would have a larger footprint, the stepped massing will allow the Historic Capitol building to maintain its distinct identity rather than being overwhelmed by the new addition. (see Figures 3-4 through 3-7).

The exterior treatment of the new Annex achieves compatibility and deference to the Historic Capitol with its use of horizontal and vertical rhythms that align with the Historic Capitol's exterior rhythms. The new Annex emulates the Historic Capitol's tripartite division of base, middle, and cornice where the pleated glass wall's glass parapet and shadow box aligns with the Historic Capitol's balustrade, a horizontal reveal aligns with the bottom of the Historic Capitol's cornice, and the lowest stack joint aligns with the Historic Capitol's water table (see Figure 4.12-3 and Figure 3-5, bottom image). Similarly, the Historic Capitol's strong vertical rhythm established by the use of Classical columns and the stacked alignment of large windows is emulated by the stone shadow box at the base and white ceramic frit coating in the glass above those shadow boxes that will give an appearance of a curved protrusion that will evoke the columns and pilasters on the Historic Capitol (see Figure 4.12-3). Finally, as identified above, the new Annex will reveal portions of the east elevation of the Historic Capitol that had been enclosed by the historic Annex (see Figures 3-5 through 3-6), effectively restoring this portion of the Historic Capitol to public view for the first time since the 1950s.



Source: Image from MOCA Systems, Inc. 2023

Figure 4.12-3 Capitol Annex – Horizontal and Vertical Alignment with Historic Capitol

Just as the current Annex may be removed from the Historic Capitol, construction of the new Annex will be undertaken in such a manner that, if removed in the future, the essential form and integrity of the Historic Capitol would be unimpaired. With the exposure of portions of the east elevation of the Historic Capitol with the new Annex, if the new Annex were removed, it would have less contact with the Historic Capitol, and therefore, less potential for disturbance to the Historic Capitol during removal.

Because the proposed design for replacing the Annex within the State Capitol Complex has successfully achieved the standards promulgated by the National Park Service for new additions to existing historic properties (i.e., SOIS), consistent with CEQA Guidelines Section 16064.5(b)(3), the presence of the new Annex would have a less than significant impact on the historical resource, or in this case, *not contribute to the significant impact* to the historical resource (i.e., the State Capitol Complex). However, construction activities will occur in very close proximity to the Historic Capitol, which has the potential to result in vibration levels that could cause damage to the historic masonry building. If such damage occurred, this would *contribute to the significant impact* to the State Capitol Complex.

Underground Parking. Construction of the new underground parking structure would occur immediately east of the new Annex underneath the 12th Street walkway alignment. Due to the distance of this alignment from the Historic Capitol (more than 250 feet), it is unlikely that excavation and construction of the underground parking would lead to vibration levels that could cause physical damage to the historic masonry building. Vehicular encroachments into Capitol Park would be reduced compared to existing conditions because the existing driveways that provide access to the underground parking from L Street and N Street would be removed, and the entries into the new parking structure would be underground not far into Capitol Park from L Street and N Street. Therefore, there would be fewer linear feet of vehicle roadway in Capitol Park after project implementation. However, construction of the underground parking could still result in the removal and/or inadvertent damage to commemorative trees, plantings, or memorials in Capitol Park, which would contribute to the significant impact to the State Capitol Complex.

Summary. The combination of the complete physical demolition of the Capitol Annex; the changes to the historical integrity of setting and association caused by the introduction of the new visitor/welcome center; the potential for vibration damage during construction activities; and physical changes to Capitol Park including introduction of the visitor/welcome center, which would include noticeable changes to the West Lawn's characteristic topography, pedestrian circulation, vegetation, and vistas of the west entrance to the Capitol building, as well as removal of or damage to memorials, and reconfiguration of pedestrian circulation systems in the landscaping surrounding all elevations of the Capitol Building, together would result in a substantial adverse change per State CEQA Guidelines Section 15064.5(b)(2)(A) because they would materially impair physical characteristics of the State Capitol Complex that help convey its historical significance and qualify it for listing in the NRHP. Therefore, the project would result in a significant impact on the State Capitol Complex historical resource.

Capitol Extension Group

The Capitol Extension Group was designed in the Beaux Arts style, with the Historic Capitol serving as its center axis, in order to complement and enhance the view of the Historic Capitol from the Capitol Mall. Implementation of the project would cause changes to the existing setting of the Capitol Extension Group.

The visitor/welcome center has the potential to adversely affect the viewshed from the Capitol Extension Group towards the Historic Capitol. The planned lower plaza and raising of the western Capitol plaza to accommodate subterranean space would be the most substantial change to the western entrance of the Capitol since the building's completion in 1874. The lower plaza would create a void below the current grade level visible from nearby viewpoints, and additional safety railings and the proposed skylight (which would provide light and views to the underground visitor's center), would introduce visual interruptions at the Capitol. However, many of the visitor/welcome center elements would either not be visible (i.e., below the current grade level and not visible unless close to the facility), or not prominent to a viewer standing at or near the Capitol Extension Group (see Figures 3-12 and 4.15-7b).

The addition of a visitor/welcome center would not substantially reduce the Group's ability to convey its relationship to the Capitol. The public would continue to have multiple viewpoints of the Historic Capitol from surrounding buildings and the roundabout, as well as viewpoints beyond the Group on Capitol Mall. Furthermore, other factors such as extensive tree canopy growth and traffic and parking on 10th Street already exist and have not negatively

affected the Group's ability to convey its significance as a grouping of Beaux Arts buildings which frame the Historic Capitol (NRHP Criteria C). Introduction of a visitor/welcome center would have a comparable lack of effect on the Group's ability to convey this element of its significance. In addition, the proposed project would not change the Group's ability to convey its significance as the first extension of State Government buildings in Sacramento (NRHP Criteria A) because the project would not affect the buildings within the Group or cause any appreciable changes to their function as buildings associated with state government work. Therefore, implementation of the project would not impair the Group's features that qualify it as a CEQA historical resource, and the Capitol Extension Group would not be impaired due to the physical change occurring as a result of the projects at the Capitol Complex. The proposed project would result in a less-than-significant impact on the Capitol Extension Group historical resource.

California State Government Building District

Similar to effects of the Capitol Extension Group, the Capitol Annex project would also result in changes to the existing setting of the CSGBD. The planned lower plaza, safety railings, skylight, security fencing, and raising of the western Capitol plaza to accommodate subterranean space for the visitor/welcome center would introduce visual interruptions at the Capitol. However, no aspect of physical change caused by the proposed project would impair any of the qualities that qualify the CSGBD as a CEQA historical resource because there would be no change in the District's ability to convey its significance as a grouping of buildings designed by the State Division of Architecture and functioning to support state government operations. Physical change resulting from removal and replacement of the Annex, construction of the proposed visitor/welcome center, or construction of a new underground parking facility at the project site would not compromise the CSGBD's ability to convey its eligibility status as a strong representation of California state government expansion during the first 100 years of statehood (NRHP Criterion A). The CSGBD will continue to retain its 13 contributing elements, while losing (and replacing anew) only one half of one of the District's contributors. Likewise, in the spirit of NRHP Criterion C, the District would only lose a small percentage of its architectural representation of the Moderne style, because the three Moderne buildings along N Street would still represent this style for the district. Therefore, demolition of the Capitol Annex would not change the critical mass of any one style within the District. The Capitol Annex Project would not impair the District's ability to represent its eligibility status as a collective representation of popular architectural styles and trends and the qualities that qualify the CSGBD as a CEQA historical resource would not be impaired due to the physical change occurring as a result of project implementation. The project would result in a less-than-significant impact to the CSGBD.

Individually Eligible Historic Buildings

There are four buildings within the CSGBD fronting the south side of N Street that are individually listed on their own merit in the CRHR and therefore are individual CEQA historical resources: the Department of Food and Agriculture, the Department of Transportation, the Legislative Office Building, and the Blue Anchor Building. The proposed project would result in a physical change to the setting of these four resources. However, no aspect of physical change caused by the removal and replacement of the Capitol Annex, the construction of the new visitor/welcome center, or the construction of a new underground parking facility at the Capitol Complex would impair any of the features that qualify each of these buildings as individual CEQA historical resources. The proposed project would not impair the character-defining features of these buildings because no aspect of the architectural quality of the individual buildings would be physically altered by the project. Likewise, the project would not affect or compromise the historically significant setting, feeling, and association of these buildings regarding their relationship to the Capitol Complex. For example, once the project site is complete, the Department of Food and Agriculture, the Department of Transportation, and the Legislative Office Building will each continue their state agency functions, physically facing and enjoying direct access to the State Capitol. In a similar vein, the setting, feeling, and association of the Blue Anchor Building will not be compromised because its orientation to the State Capitol Complex will also remain unchanged. Further, once the project is complete, each building would continue to convey its historical significance as a representative of its architectural style and as a state office building closely associated with California's seat of government. The project would result in no impact to the four individual historic buildings.

Mitigation Measures

Mitigation Measure 4.12-4a: Update Existing Historic Structure Report, for the Historic Capitol and Annex and follow the Secretary of the Interior's Standards for the Treatment of Historic Properties, the California Historical Building Code and Relevant National Park Service Preservations Briefs

The JRC will have historic preservation planners under contract including at least one of each of the following specialists: historical architect, materials conservation specialist, and architectural historian. The role of the historic preservation planners is to prepare an updated historic structure report (HSR) for the Historic Capitol and Annex to provide baseline information for protection measures outlined in Mitigation Measure 4.12-4e and to inform development of compatible new design for the Annex. The HSR shall be updated in accordance with NPS Preservation Brief 43 (The Preparation and Use of Historic Structure Reports) and include treatment measures that follow the Secretary of the Interior's Standards (SOIS) for the Treatment of Historic Properties and the California Historical Building Code (CHBC) as applicable. The HSR shall provide documentary and graphic information about the history and existing conditions of the Historic Capitol and Annex and identify historic preservation treatment objectives and requirements for the use of the buildings. The HSR shall record the buildings prior to initiation of any demolition, repairs, modifications, and/or renovations to ensure that the historical significance and condition of the buildings are considered in the development of the proposed project. The HSR shall include an updated conditions assessment of the buildings to document current conditions of the character-defining features. The HSR shall also outline maintenance guidelines for the building

DGS and the JRC will ensure that preservation treatment objectives for the buildings seek to meet all SOIS for character-defining features designated in the HSR. In instances when DGS and the JRC must address human safety issues not compatible with the SOIS, DGS and the JRC will utilize the CHBC to the extent feasible. The CHBC is defined in Sections 18950–18961 of Division 13, Part 2.7 of Health and Safety Code. The CHBC is a mechanism that provides alternative building regulations for permitting repairs, alterations and additions to historic buildings and structures. These standards and regulations are intended to facilitate the rehabilitation and preservation of historic buildings. The CHBC proposes reasonable alternatives so that a property's fire protection, means of egress, accessibility, structural requirements, and methods of construction would not need to be modernized in a manner that compromises historic integrity. The CHBC is intended to allow continued, safe occupancy while protecting the historic fabric and character-defining features that give a property historic significance, thus promoting adherence to the SOIS. The CHBC recognizes that efforts to preserve the historic materials, features, and overall character of a historic property at times may be in conflict with the requirements of regular buildings codes. The Office of the State Fire Marshall has ultimate authority over building health and safety measures and may require use of the standard building code, rather than allowances provided by the CHBC, in some instances.

DGS and the JRC shall review and approve the HSR prior to the completion of schematic design and will use the HSR to guide the design of the Annex and ensure that the HSR's historic preservation objectives and treatment requirements for the Historic Capitol are incorporated into the design. DGS and the JRC may consult with staff preservation architects within the Architectural Review and Environmental Compliance Unit of the State Office of Historic Preservation for additional guidance as needed.

Mitigation Measure 4.12-4b: Conduct Architectural and Landscape Salvage

Because a major component of the Capitol Annex Project is the demolition of a portion of the State Capitol Complex, the Annex, DGS and the JRC will seek feasible means for salvaging and reusing character-defining features that will be removed as part of the project. Additionally, because the construction of the visitor/welcome center would demolish a portion of the West Lawn, which contributes to the Capitol Complex, DGS and JRC will seek feasible means for salvaging and reusing character-defining landscape features, including but not limited to the granite pillars, memorials, and the Great Seal of the State of California. The architectural and landscape salvage shall be informed by the updated HSR completed under Mitigation Measure 4.12-4a and Landscape Treatment Report completed under Mitigation Measure 4.12-4d and incorporated into either the design of the new project proposed at the site or the interpretive program that would be developed under Mitigation Measure 4.12-4c. DGS and the JRC, along with the team of specialists including a historical architect, materials conservation specialist, and landscape

architect will prepare a detailed salvage plan to outline the feasibility and condition of salvaged materials and identify potential for reuse as part of the project, or incorporation into an interpretive program. If reuse of salvaged elements in either the design of the new building or in an interpretive program proves infeasible or otherwise undesirable, as determined by DGS and the JRC, DGS and the JRC will work with California State Parks and/or California State Archives to develop a long-term storage plan for the salvaged materials in accordance with requirements for state-owned property. DGS and the JRC shall review and approve the salvage plan and long-term storage plan (if required) prior to completion of design development.

Mitigation Measure 4.12-4c: Develop and Implement an Interpretive Program

As part of the project, DGS, the JRC, and the Capitol Museum and/or SOIS-qualified consultants shall facilitate the development of an interpretive program to commemorate the continuous development of the State Capitol Complex, including programming focused on the history of the Capitol Annex and Capitol Park. The interpretive program should result, at minimum, in the installation of a permanent publicly accessible exhibit in the Annex, Historic Capitol, or the new visitor/welcome center. The content of the interpretive program shall highlight the continued evolution of the State Capitol building and Capitol Park, as well as provide an inclusive history of the surrounding area, particularly the viewshed to and from the Capitol Mall as it relates to urban renewal and underserved communities that were displaced to create the current mall and in consultation with consulting Tribes. Although the interpretive program may be located in the Historic Capitol, its development and completion will be tied to either the Annex or visitor/welcome center components of the project. DGS and the JRC shall review and approve the content of the interpretive program prior to completion of design development for the project component the interpretive program is tied to. The interpretive program will be fully installed within six months of issuance of the occupancy permit for the selected project component.

Mitigation Measure 4.12-4d: Develop and Implement a Landscape Treatment Report for Capitol Park included Protection, Restoration, or Replacement of Commemorative Trees, Plantings, or Other Memorials

As part of the project, DGS and the JRC shall facilitate the development of a landscape treatment report that: (a) identifies which of the contributing landscape features located in Capitol Park require removal or that are located within the zone of potential damage from construction activities, (b) establishes specifications for protecting, restoring, replacing and/or relocating contributing landscape features within Capitol Park, consistent with the salvage plan identified in Mitigation Measure 4.12-4b, as close to their original location as feasible or to a compatible location within the park, (c) establishes guidelines for the protection of contributing landscape features, including detailed guidance for the treatment of contributing memorials and trees to ensure that construction, grading, and vibration does not cause damage to features within the zone of potential damage from construction activities, and (d) identifies the distance threshold at which construction activities have the potential to damage contributing landscape features, noting that this threshold may differ by feature type (i.e. trees vs. memorials).

The JRC shall bring at least one of each of the following specialists under contract as part of the Architect's team: landscape historian, arborist, and landscape architect with experience in cultural landscape treatment. The role of the landscape historian, arborist and landscape architect are to prepare a landscape treatment report for Capitol Park in accordance with Preservation Brief 36 (Protecting Cultural Landscapes: Planning, Treatment and Management of Historic Landscapes) and The Secretary of the Interior's Standards for the Treatment of Historic Properties with Guidelines for the Treatment of Cultural Landscapes. The landscape treatment report shall provide an existing conditions analysis of Capitol Park to establish baseline conditions of trees, plantings, memorials, and contributing landscape features prior to the commencement of any demolition or construction of the proposed project. The report shall also outline preservation objectives and treatment guidelines for the protection, rehabilitation, restoration, relocation and/or replacement of contributing features of Capitol Park. The landscape treatment report is not equivalent to a master plan and will not specify future design.

In developing the report, DGS and the JRC will prioritize protection in place over removal of contributing landscape features. Where protection, preservation, or in-kind replacement of contributing landscape features is not feasible, guidelines for compatible design options that comply with the Secretary of the Interior's Standards for Rehabilitation will be included. For each memorial (including commemorative trees, plantings, statues, or other types of memorials)

where removal is necessary, DGS or the JRC will consult with individuals or groups who are affiliated with that memorial (such as the original sponsoring organization or the individual or group that is the subject of the memorial) to identify a mutually agreeable treatment for the memorial. Treatments may include relocation of the memorial to a new location as close as possible to the original location after project construction is complete, relocation of the original memorial to a new location within Capitol Park, complete removal of the original memorial and replacement "in-kind" with the same type/species or materials, or complete removal of the original memorial and replacement with a mutually acceptable new memorial. DGS and the JRC shall review the draft landscape treatment report prior to the completion of schematic design for the first project component to be implemented. DGS and the JRC shall review and approve the final landscape treatment report prior to the completion of the 50% design development phase. DGS, the JRC, and the design team will use the report to ensure that the landscape treatment report's historic preservation objectives and treatment recommendations are incorporated into the design for the Annex and Capitol Park.

Mitigation Measure 4.12-4e: Develop and Implement a Plan for Protection, Monitoring, and Repairs for Inadvertent Damage to the Historic Capitol Building

Prior to commencement of any ground disturbing activities, DGS and the JRC shall oversee a SOIS qualified specialist team in the preparation of a Plan for the Protection, Monitoring, and Repair of Inadvertent Damage to the Historic Capitol Building. The plan shall be prepared by an interdisciplinary team, including (but not limited to) as appropriate, an architectural historian, architect, photographer, structural engineer, and acoustical engineer with expertise in ground-borne vibration. Protection measures would be developed in consultation with the Historic State Capitol Commission. The plan shall record existing conditions in order to (1) establish a baseline against which to compare the building's post-project condition, (2) to identify structural deficiencies that make the building vulnerable to project construction related damage, such as vibration, and (3) to identify stabilization or other measures required to avoid or minimize inadvertent impacts. The plan shall describe the protocols for documenting inadvertent damage (should it occur), and shall direct that inadvertent damage to historic properties shall be repaired in accordance with the Secretary of the Interior's (SOI) Standards for the Treatment of Historic Properties (U.S. Department of the Interior, 1995). DGS and the JRC will review and approve the plan for protection, monitoring, and repairs for inadvertent damage prior to the completion of design development.

Significance after Mitigation

Implementation of Mitigation Measures 4.12-4a, 4.12-4b, 4.12-4c, 4.12-4d, and 4.12-4e would help to reduce impacts and compensate for those impacts that cannot be avoided by ensuring preservation treatments, preparing a detailed salvage plan, development of an interpretive program, and ensuring protection of Capitol Park resources and the Historic Capitol. However, even after application of these mitigation measures, this impact would remain significant and unavoidable because the Capitol Annex, which represents approximately half of the monumental building in the NRHP-listed complex, would be permanently and completely destroyed, and the West Lawn of Capitol Park would be intensely modified, to the point of potentially not conveying its period of significance.

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4.15 AESTHETICS, LIGHT, AND GLARE

Section 4.15 of the 2021 EIR (i.e., 2019 Draft EIR, 2020 Recirculated Draft, and where relevant, additional material in the 2021 Final EIR) described existing conditions related to aesthetics, light, and glare; summarized applicable regulations; and evaluated potential impacts related to these resources that could result from implementation of the Capitol Annex Project (project). The 2021 EIR addressed potential impacts related to scenic vistas, visual character and quality, potential conflicts with applicable zoning and other regulations governing scenic quality, and generation of light and glare.

This section of the REIR provides the additional, revised analysis of effects on scenic vistas and nighttime lighting generated by the project as required by the Court of Appeal's Ruling in *Save our Capitol! v. Department of General Services* (2023) 87 Cal.App.5th 655. See Chapter 1, "Introduction," in this REIR for further information on the Ruling and its relationship to this REIR.

One item the Ruling identifies related to the analysis of impacts on scenic vistas as requiring further action is the provision of a visual simulation from grade level (i.e., view for person standing at ground level) of the view of the west side of the Historic Capitol with the new visitor/welcome center present. The Ruling concludes that CEQA requires the EIR to include a representation or rendering of the view of the Historic Capitol's west side from Capitol Mall once the visitor center is completed, and that without such a depiction, those who did not participate in the EIR's preparation lack sufficient information to understand and meaningfully consider the project's impacts on the scenic vista.

The Ruling's call for a visual simulation is remedied in this REIR by the inclusion of a visual simulation of the grade view from the west of the Historic Capitol, showing conditions with the visitor/welcome center in place. (See Figures 4.15-7a and 4.15-7b). The issue of project views as seen from the west (i.e., Capitol Mall) was addressed in Impact 4.15-1, "Adverse Effects on a Scenic Vista" in the 2020 Recirculated Draft EIR. Therefore, the discussion of Impact 4.15-1 from the 2020 Recirculated Draft EIR is provided below with the inclusion of the suggested visual simulation.

The Ruling also identifies one item related to the analysis of light and glare as requiring further action; that is, the provision of additional information on how the light generated by the new glass exterior of the Annex will compare to the light generated by the current Annex and how much that light may detract from the focus on the Historic Capitol or alter the aesthetics within the existing State Capitol Complex. The Ruling concludes that, notwithstanding the project's requirement to meet California Green Building Standards Code (CALGreen) standards which limit light and glare generated from state-owned buildings, the EIR needs to explain how the light generated by the new Annex with the glass exterior will compare to the light generated by the existing Annex and how much that light may detract from the focus on the Historic Capitol or alter the aesthetics within the existing State Capitol Complex.

The issue of light and glare/nighttime lighting was addressed in Impact 4.15-3, "Introduction of New Sources of Light and Glare that Adversely Affect Day or Nighttime Views" in the 2020 Recirculated Draft EIR. Therefore, the discussion of Impact 4.15-3 from the 2020 Recirculated Draft EIR is provided below with the addition of new information responsive to the Ruling.

This REIR section retains the same section numbering (i.e., Section 4.15), title, and general organization as 2021 EIR to simplify comparisons across the two documents if desired. However, this chapter only addresses the issues necessary to rectify any inadequacies identified in the Ruling. Therefore, Section 4.15.1, "Regulatory Setting," in this REIR only provides information relevant to the discussion of Impacts 4.15-1, "Adverse Effects on a Scenic Vista" and 4.15-3, "Introduction of New Sources of Light and Glare that Adversely Affect Day or Nighttime Views." Where the 2021 EIR included regulatory setting information related specifically to visual character and quality and zoning and regulations governing scenic quality; that information is not repeated here because it is not relevant to addressing the content of the Ruling. Similarly, Section 4.15.2, "Environmental Setting," in this REIR only provides information relevant to the discussion of Impact 4.15-1 and 4.15-3. Section 4.15.3, "Impacts and Mitigation Measures," only includes a discussion of Impacts 4.15-1, "Adverse Effects on a Scenic Vista" and 4.15-3, "Introduction of New Sources of Light and Glare that Adversely Affect Day or Nighttime Views," as these are the only impact analysis issue in this Section found by the Court to be inadequate. The original versions of Section 4.15 from the 2019 Draft EIR and 2020 Recirculated Draft EIR,

as well as the 2021 Final EIR, are available at: https://www.dgs.ca.gov/RESD/Resources/Page-Content/Real-Estate-Services-Division-Resources-List-Folder/Information-and-Resources-for-CEQA.

Between the 2020 Recirculated Draft EIR and the 2021 Final EIR there were no edits to the text of Section 4.15, "Aesthetics Light and Glare." Therefore, while Section 4.12, "Archaeological, Historical, and Tribal Cultural Resources" of this Draft REIR reflects text revisions as identified in Chapter 6, "Revisions to the DEIR and RDEIR" of the 2021 Final EIR; there are no similar text revisions to include here in Section 4.15.

4.15.1 Regulatory Setting

As stated above, this section only provides regulatory setting information relevant to the discussion of Impacts 4.15-1, "Adverse Effects on a Scenic Vista" and 4.15-3, "Introduction of New Sources of Light and Glare that Adversely Affect Day or Nighttime Views," as these are the only elements of this Section addressed in the Ruling. The full regulatory setting information supporting the analysis of aesthetics, light, and glare from the 2019 Draft EIR and 2020 Recirculated Draft EIR is available at: https://www.dgs.ca.gov/RESD/Resources/Page-Content/Real-Estate-Services-Division-Resources-List-Folder/Information-and-Resources-for-CEQA.

FEDERAL

No federal plans, policies, regulations, or laws related to aesthetics, light, or glare are applicable to the Capitol Annex Project.

STATE

Capitol Area Plan

The 1997 Capitol Area Plan (CAP) serves as the master plan for development of State-owned land within the Capitol Area. A few of the statutory objectives and related principles that form the basis of the CAP both directly and indirectly address design objectives and aesthetic issues, as follows:

- Land Use. To establish patterns of land use in the Capitol Area which are responsive to the goals of the Capitol Area Plan, which provide for flexibility in meeting future State needs, and which protect the State's long-term interest without inhibiting the development process.
  - Principle 3: Consider transit accessibility, protection of the State Capitol Building's prominence, and linkage to surrounding neighborhoods in the location, intensity, and design of development.
- State Offices. To provide offices and related services to meet present and future space requirements for the State of California near the State Capitol and in the context of metropolitan Sacramento, in the most effective manner.
  - Principle 3: Ensure that building massing for office development enhances the Capitol Area's urban character, respects and maintains the State Capitol Building and Capitol Park as the focus of the Capitol Area, and provides adequate transition to the surrounding neighborhoods.
  - Principle 5: Intensify office space use on underutilized sites or in aging State facilities through renovation of existing buildings or through redevelopment.
- Open Space and Public Amenities. To develop within the Capitol Area a network of attractive and convenient open spaces and access routes to improve the environment for workers, residents and visitors, and to encourage a favorable response to alternatives for moving within and using the resources of the Capitol Area.
  - Principle 2: Incorporate open space features into new office facilities and housing developments.
  - Principle 4: Ensure a streetscape that enhances the Capitol Area's identity and sense of place, is responsive to the needs of pedestrians and the requirements of adjacent activities, and orients visitors to destinations and services within the Capitol Area. Chapter 11 of the 1997 Capitol Area Plan includes a set of "Urban Design

> Guidelines," which are broadly intended to…promote the Capitol Area's identity, vitality, and sense of place, and foster an environment that is conducive to living, working, and visiting. The relationship between buildings and streets, pedestrian shade and comfort, visitor orientation, and safety are all important components of neighborhood building.

The following Urban Design Guidelines included in the CAP do not represent commitments to specific design solutions, nor are they implementing actions. These guidelines outline an advisory framework to guide the character and quality of the urban environment. They are intended as suggestions to be used by architects, site planners, and developers for development of specific sites (DGS 1997). The Urban Design Guidelines are as follows:

- **Guideline 1:** Maintain the State Capitol Building as the focus of the Capitol Area.
- **Guideline 2:** Ensure that all development complies with the stipulations of the Capitol View Protection Act.
- **Guideline 3:** Promote mixed-use development.
- **Guideline 4:** Maintain building intensities that are appropriate to the role of the Capitol Area and its setting.
- **Guideline 5:** Promote harmony between the old and the new.
- **Guideline 6:** Promote development that is pedestrian-friendly and has a neighborhood orientation.
- **Guideline 7:** Facilitate building identification and visitor orientation through a comprehensive signage program.
- **Guideline 8:** Promote streetscapes that further the Capitol Area's identity, and promote pedestrian comfort and safety.

California Government Code Section 8156(a), providing legislative direction on the development and implementation of the CAP, says the following:

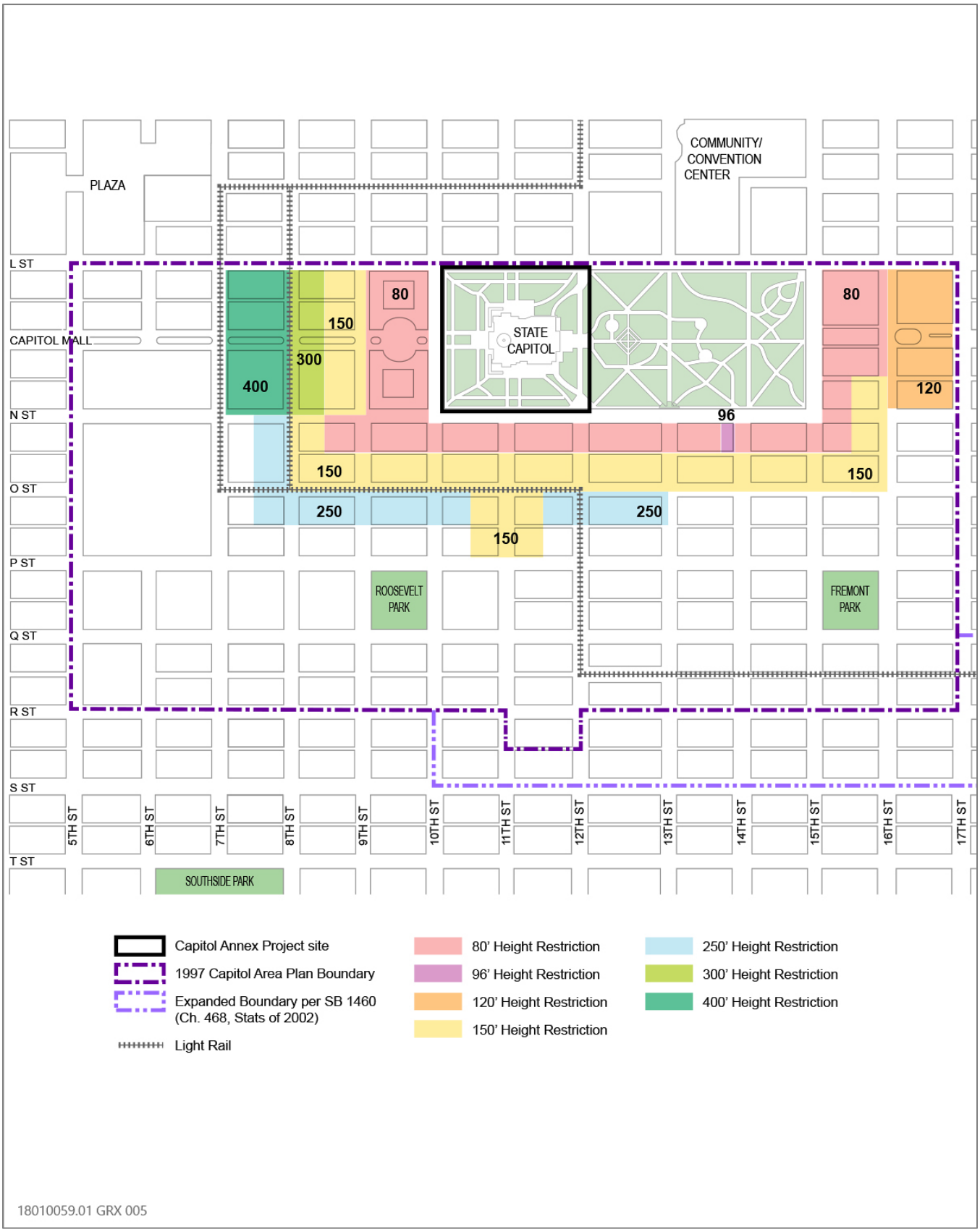
> The Legislature finds and declares:
>
> a. There is a clear justification and need for the creation of a beautiful and impressive western approach to the capitol city of California, which coordinates and integrates the planning and development of all major elements of the immediate environment, and emphasizes the most important single structure in the complex, the State Capitol Building.

Capitol View Protection Act

The Capitol View Protection Act (Government Code Section 8162 et seq.) was enacted to maintain the visual prominence of the State Capitol by setting height restrictions in zones surrounding the Capitol building (Figure 4.15-1), and to maintain the existing urban edge of surrounding streets by requiring certain building setbacks (California Office of Historic Preservation 2005). The Capitol View Protection Act does not individually address the State Capitol building because the purpose of the act is to protect State Capitol views as development occurs within the vicinity of the Capitol property. The Capitol View Protection Act also does not provide height restrictions or other limitations in Capitol Park (Figure 4.15-1). For this reason, the project would not be required to comply with the Capitol View Protection Act.

California Green Building Standards Code

The CALGreen is Part 11 of the California Buildings Standards Code and is the first statewide green building code in the United States. The purpose of CALGreen is to improve public health, safety, and general welfare by enhancing the design and construction of buildings using building concepts that have a positive environmental impact and encouraging sustainable construction practices. The provisions of the code apply to State-owned buildings, among others. The 2016 version of CALGreen, which was in effect when the 2021 EIR was certified, and the 2022 version of CALGreen which is currently in effect, include mandatory standards to reduce light pollution for subject properties (CBSC 2017a, 2017b, 2023). The provisions of the code include maximum allowable backlight, upplight, and glare ratings intended to minimize light pollution in order to maintain dark skies and to ensure that newly constructed projects reduce the amount of backlight, upplight, light, and glare from exterior sources.



Sources: Adapted by Ascent Environmental; DGS 1997, DGS 2005.

Figure 4.15-1 Capitol View Protection Act Height Restrictions

Assembly Bill 2667

AB 2667 adds Section 9105.5 to the Government Code and requires that any work of construction, restoration, rehabilitation, renovation, or reconstruction pursuant to Article 5.2 (State Capitol Building Annex Act of 2016) shall do all of the following:

- Incorporate elements complementary to the historic State Capitol, elements to make the newly constructed state capitol building annex or the restored, rehabilitated, renovated, or reconstructed State Capitol Building Annex efficient and sustainable, and historic elements from the existing State Capitol Building Annex.
- Integrate within its design elements that educate and impress upon visitors the rich heritage of symbolism that earlier generations of Californians made a vital part of the palette of the historic State Capitol design so as to convey the meaning of California's self-governance and the state's unique and ever-distinctive heritage.
- Incorporate symbolic treasures, as is befitting the heritage of symbols left by California's founders for current and future generations to enjoy and explore, so as to ensure that the legislative and executive branch working spaces in the newly constructed state capitol building annex or the restored, rehabilitated, renovated, or reconstructed State Capitol Building Annex are no longer barren and devoid of the enriching presence of those symbols of self-governance.
- It is the intent of the Legislature that any newly constructed State Capitol Building Annex or the restored, rehabilitated, renovated, or reconstructed State Capitol Building Annex be designed to welcome all visitors to a safe, healthful, accessible, and working State Capitol, including historic chambers supported by needed caucusing spaces, offices for the Chief Clerk of the Assembly, the Secretary of the Senate, and the Legislative Counsel; hearing spaces to facilitate the convenient conduct of hearings during sessions, and space for the Sergeants at Arms so that all Californians may effectively engage with their elected representatives and their state government in meaningful, participatory, and deliberative democracy.

LOCAL

The Capitol Annex Project site is located in downtown Sacramento on the State-owned Capitol grounds. The project, authorized by legislation, would be implemented by the Joint Rules Committee (JRC) under a memorandum of understanding (MOU) with DGS, with DGS providing specific services at the direction of JRC. As explained in Section 4.2, "Land Use and Planning," of the 2019 Draft EIR, in Section 4.2.1 "Regulatory Setting," the legislature is exempt from complying with local plans, policies, or zoning regulations. Nevertheless, in the exercise of its discretion, the JRC references, describes, and addresses in this EIR local plans, policies and regulations that are applicable to the project. DGS, working with JRC pursuant to the MOU, will determine the content of CEQA documents. This evaluation may also be used by local agencies for determining, as part of their permit processes, the project's consistency with local plans, policies, and regulations.

City of Sacramento 2035 General Plan

The following goals and policies from the Land Use and Environmental Resources Elements of the City of Sacramento 2035 General Plan (2035 General Plan) are relevant to the analysis of effects considered in this section of this Draft REIR:

GOAL LU 2.7: City Form and Structure. Require excellence in the design of the city's form and structure through development standards and clear design direction.

- **Policy LU 5.6.5: Capital View Protection.** The City shall ensure development conforms to the Capital View Protection Act.
- **Policy ER 7.1.1: Protect Scenic Views**. The city shall avoid or reduce substantial adverse effects of new development on views from public places to the Sacramento and American Rivers and adjacent greenways, landmarks, and the State Capitol along Capitol Mall.

- **Policy ER 7.1.3: Lighting.** The city shall minimize obtrusive light by limiting outdoor lighting that is misdirected, excessive, or unnecessary, and requiring light for development to be directed downward to minimize spill-over onto adjacent properties and reduce vertical glare.
- **Policy ER 7.1.4: Reflective Glass.** The city shall prohibit new development from (1) using reflective glass that exceeds 50 percent of any building surface and on the bottom three floors, (2) using mirrored glass, (3) using black glass that exceeds 25 percent of any surface of a building, (4) using metal building materials that exceed 50 percent of any street-facing surface of a primarily residential building, and (5) using exposed concrete that exceeds 50 percent of any building.

4.15.2 Environmental Setting

As stated above, this section only provides environmental setting information relevant to the discussion of Impacts 4.15-1, "Adverse Effects on a Scenic Vista" and 4.15-3, "Introduction of New Sources of Light and Glare that Adversely Affect Day or Nighttime Views," as these are the only element of this Section addressed in the Ruling. The full environmental setting information supporting the analysis of aesthetics, light, and glare is available at: https://www.dgs.ca.gov/RESD/Resources/Page-Content/Real-Estate-Services-Division-Resources-List-Folder/Information-and-Resources-for-CEQA.

VISUAL CHARACTER OF THE PROJECT SITE AND VICINITY

Project Site

The project site includes the Historic Capitol and Capitol Annex building; an existing parking garage under the Annex; and associated landscaping, trees, and hardscape surrounding the property. The CAP Land Use Diagram currently designates landscaped portions of Capitol Park as Parks and Open Space but designates walkways and hardscape, including the State Capitol and the Annex, as Other Existing Use (DGS 1997).

Because of its cultural and governmental importance, the State Capitol is a scenic landmark within the City of Sacramento. Capitol Mall, which extends west from the Capitol building, includes a wide, open boulevard between the Sacramento River and the Capitol building. This corridor offers a unique view of the building by providing an uninterrupted view from Tower Bridge, located at the western end of Capitol Mall. The Sacramento Urban Design Plan lists Capitol Mall as one of the "Protected Views and Vistas." This view is primarily characterized by the tree-lined roadway, which includes two lanes of both westbound and eastbound traffic, divided with a landscaped median strip (City of Sacramento 2015).

The approximately 325,000-square-foot Annex accommodates members of the California Executive Branch, Assembly, and Senate in addition to serving as the entrance for the general public. The Annex has six stories, most of which contain office and meeting space for legislature members and staff. As shown in the images of project area conditions below (Figures 4.15-3 through 4.15-6), the exterior of the Annex (Figure 4.15-5; Photo 5), which was designed in the Mid Century Moderne architectural style, is constructed of painted white concrete-on-steel (Dreyfuss & Blackford Architects and Page & Turnbull 2006). Beneath the Annex is an underground parking garage that serves members of the legislature and State Capitol building employees. Westbound vehicles access the garage from L Street, north of the Capitol, and eastbound vehicles from N Street, to its south. Both entrances also serve as exits. The existing garage has approximately 150 parking spaces.

Vicinity

The project site is bounded on the north by L Street, on the east by Capitol Park and 15th Street, on the south by N Street, and on the west by 10th Street. The site is surrounded by cement sidewalk along the northern, western, and southern boundaries and by paved walking paths on the east. Trees and other landscaping are present within the site and along the paved sidewalks and walking paths. The area east of the project site includes additional portions of Capitol Park. Capitol Park encompasses 37 acres and includes a variety of memorials, gardens, paved pathways, and trees from around the world. The park includes over 200 trees, varying in size, species, and importance.

Representative views of the project site and vicinity, which correspond to the viewpoints illustrated in Figure 4.15-2, are depicted in Figures 4.15-3 through 4.15-6 and are described in detail below.

Photo 1 (Figure 4.15-3) shows a view of the western (primary) façade of the Capitol building, looking east, from Capitol Mall. This viewpoint also shows the Capitol fountain. To the north and south of Capitol fountain are the Jesse M. Unruh Office Building and Stanley Mosk Library and Courts Building, respectively. Together, these two buildings and the Capitol fountain are identified as a historic district, referred to as the Capitol Extension Group. Photo 2 (Figure 4.15-3) shows a view looking west of the Historic Capitol and Annex down the Capitol Mall corridor. Long-distance and undisturbed views along Capitol Mall are recognized as a scenic vista. At the western end of Capitol Mall is Tower Bridge, which is a Sacramento landmark.

Photo 3 (Figure 4.15-4) shows views from the southwest corner of the project site and of the southern façade of the Capitol and Annex. This viewpoint provides a glimpse of the many paved walking paths, landscaped areas, and variety of on-site mature trees. From this viewpoint, portions of the Historic Capitol's primary façade are shielded by existing trees.

Photo 4 (Figure 4.15-4) shows views of the southeast portion of the project site. From this viewpoint, the eastern façade of the Annex can be seen, although it is largely shielded by existing trees. In addition to showing more paved walking paths, this photo includes the southern (N Street) entrance to the existing parking garage, located underneath the Annex. Photo 5 (Figure 4.15-5) shows a western view of the eastern façade of the Annex, looking west. As previously described, the approximately 325,000-square-foot building is six stories in height and provides office space for the executive branch, assembly, and senate. The eastern façade has six cement columns, leading up to the ground level by way of entry steps. From this view, the top of the rotunda can be seen from its position atop the Historic Capitol.

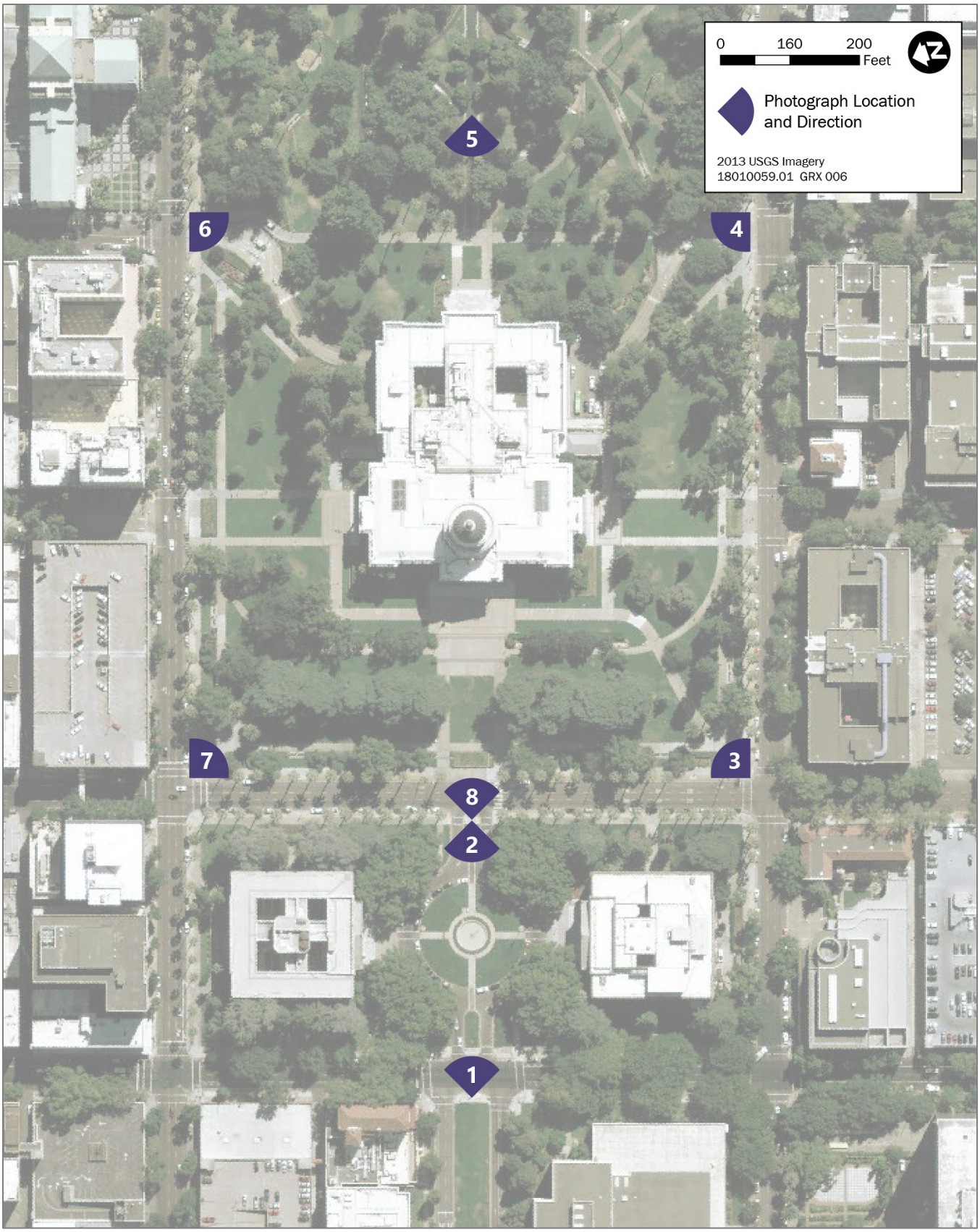
Photo 6 (Figure 4.15-5) provides views from the northeast portion of the project site looking southwest. From this viewpoint, portions of the northern façade of the Annex can be seen; however, it is largely shielded by existing trees. This photo also includes the northern (L Street) entrance to the existing underground parking garage. Photo 7 (Figure 4.15-6) provides a view of the project site from the northwest corner looking southeast. Portions of the western (primary) façade of the Historic Capitol can be seen behind the existing trees. This photo also provides an additional view of the many on-site paved walking paths and landscaping.

Photo 8 (Figure 4.15-6) shows the primary façade of the Historic Capitol. The Historic Capitol, constructed between 1860 and 1874, was built to house the executive branch, assembly, senate, state supreme court, and state library and archives (Joint Committee on Rules 2017). The four-story white-painted building is constructed of plaster-clad brick, granite, and painted cast iron. Atop the building is a rotunda and tall dome that rests on a drum. The primary façade of the Historic Capitol also includes a set of steps (commonly referred to as the "west steps") and terraces. Sets of pillars and columns, as well as replicated balustrade sculptures, can also be viewed along the primary façade of the Historic Capitol (Dreyfuss & Blackford Architects and Page & Turnbull 2006). For further discussion of the historic features of the Historic Capitol, refer to Section 4.12, "Archaeological, Historical, and Tribal Cultural Resources." In front of the Historic Capitol is a set of parallel, paved walking paths, landscaping, and several historic and ornamental trees. City sidewalk is featured along 10th Street because large groups (e.g., students and tours) often use this portion of the street for drop-off and pickup services.

LIGHT AND GLARE CONDITIONS

Existing sources of light and glare are uniformly present in the project vicinity. Sources of light include streetlights along project roadways; lights in parking lots, along walkways, and on the exteriors of buildings; lights associated with the light rail system; interior lights in buildings; and lights directed at the Capitol dome to highlight the prominence of the Historic Capitol.

Natural and artificial light reflects off various surfaces and can create localized occurrences of daytime and nighttime glare. Buildings and structures made with glass, metal, and polished exterior roofing materials exist throughout the Capitol Area; however, there are no reported occurrences of excessive daytime or nighttime glare in the project vicinity.



Source: Figure created by Ascent Environmental in 2019.

Figure 4.15-2 Viewpoint Locations

Source: Photograph taken by Ascent Environmental in 2019.

Photo 1: View of State Capitol looking east from 9th Street

Source: Photograph taken by Ascent Environmental in 2019.

Photo 2: View of Capitol Mall corridor looking west from 10th Street

Figure 4.15-3 Existing Visual Conditions of the Project Site - Representative Photographs

Source: Photograph taken by Ascent Environmental in 2019.

Photo 3: View of southwest portion of State Capitol looking northeast from 10th and N Streets

Source: Photograph taken by Ascent Environmental in 2019.

Photo 4: View of southeast portion of Capitol Annex looking northwest from N Street

Figure 4.15-4 Existing Visual Conditions of the Project Site - Representative Photographs

Source: Photograph taken by Ascent Environmental in 2019.

Photo 5: View of Capitol Annex eastern façade looking west

Source: Photograph taken by Ascent Environmental in 2019.

Photo 6: View of northeast portion of Capitol Annex looking southwest from L Street

Figure 4.15-5 Existing Visual Conditions of the Project Site - Representative Photographs

Source: Photograph taken by Ascent Environmental in 2019.

Photo 7: View of northwest portion of State Capitol looking southeast from 10th and L Streets

Source: Photograph taken by Ascent Environmental in 2019.

Photo 8: View of State Capitol primary façade looking east from 10th Street

Figure 4.15-6 Existing Visual Conditions of the Project Site - Representative Photographs

4.15.3 Environmental Impacts and Mitigation Measures

THRESHOLDS OF SIGNIFICANCE

As stated above, this section of the Draft REIR only provides information relevant to the discussion of Impact 4.15-1, "Adverse Effects on a Scenic Vista" and 4.15-3, "Introduction of New Sources of Light and Glare that Adversely Affect Day or Nighttime Views," as these impact discussions encompass the topics identified in the Ruling. Where the 2019 Draft EIR and 2020 Recirculated Draft EIR included significance criteria relevant to a comprehensive CEQA analysis of aesthetics, light, and glare, only significance criteria relevant to the analysis of Impacts 4.15-1 and 4.15-3 are provided here. An impact on aesthetics, light, and glare would be significant if implementation of the Capitol Annex Project would:

- have a substantial adverse effect on a scenic vista; or
- create a new source of substantial light or glare that would adversely affect day or nighttime views in the area.

ENVIRONMENTAL IMPACTS AND MITIGATION MEASURES

Impact 4.15-1: Adverse Effect on a Scenic Vista

The Capitol Mall corridor is considered a scenic vista. Implementation of the Capitol Annex Project would require substantial construction activities, which would temporarily alter views of the primary façade of the Historic Capitol, located at the eastern end of Capitol Mall. The entry to the new visitor/welcome center would be constructed primarily below ground, with only minor features (proposed skylight, safety railings, upper plaza planters, and fencing around emergency exits) visible at the foreground potentially obstructing views of the Historic Capitol. As such, scenic views of the State Capitol's primary façade would be permanently, though not substantially, impaired. Because construction activities would be temporary, these activities would not result in a permanent adverse effect. Further, because the modified entry to the new visitor/welcome center would be belowground (with the exception of the proposed skylight, safety railings, and fencing around emergency exits), it would not adversely affect views of the Historic Capitol, an identified scenic vista. This impact would be **less than significant**.

The east-facing view of Capitol Mall toward the State Capitol is considered a "protected view and vista" (City of Sacramento 2015). Implementation of the project would require the temporary use of large construction equipment, materials, and personnel. During construction, temporary fencing and other security measures such as cameras and lighting would be installed to prevent unauthorized access and promote site safety surrounding the construction area. Construction associated with the new visitor/welcome center would occur in the western portion of the project site, including portions of 10th Street (sidewalk and street parking) and could impede views of the Historic Capitol. Construction areas associated with demolition and reconstruction of the Annex and construction of the underground parking structure would include the sidewalk along N Street between 10th Street and 13th Street and the parking lane along the north side of N Street. The sidewalk along L Street between 10th Street and 13th Street would be closed, as would the parking lane along the south side of L Street. Construction of the underground parking structure and associated entry/exit ramps would extend beyond the eastern edge of 12th Street as shown in Figure 3-3. Construction activity (beginning with needed utility line relocations remediation of hazardous materials at the existing Annex) encompassing all of the project elements would occur between 2022 and roughly 2026. Once construction is complete, exclusion fencing and security measures would be removed and 10th Street would be restored to pre-project conditions. Therefore, construction activities would be temporary, would occur in individual project phases, and would not result in permanent impacts on the long-distance easterly views of the Historic Capitol and Capitol Mall.

As described above, the eastern views of the State Capitol from Capitol Mall are considered a scenic vista. The new visitor/welcome center would be primarily below grade, with a large open sloped walkway entrance from 10th Street continuing eastward to the lower plaza (see Section 3.4.8, "Visitor/Welcome Center"). The lower plaza, in conjunction with the below grade visitor/welcome center would be designed to be deferential to the Historic Capitol and

maintain the west façade of the Historic Capitol as a focal point of the Capitol Mall. The new visitor/welcome center is specifically envisioned to be primarily below grade to minimize visual impacts, particularly from the Capitol Mall facing east. This is reflected in the visual simulation provided below in Figure 4.15-7. Figure 4.15-7a shows a photo of the existing condition looking at the western side of the Historic Capitol. Figure 4.15-7b shows the same view, but with presence of the new visitor/welcome center simulated in the image. Note that these are the same images provided previously in Figure 3-12, but in a larger format. The top of the visitor/welcome center roof would be below the base of the west portico steps. Thus, full visibility of the Historic Capitol would be retained. The visitor/welcome center itself would be designed with simple and precise geometry, though largely not visible from the exterior and establishing a base on which the ornate Historic Capitol sits. A large skylight is located on the upper plaza of the new visitor/welcome center, allowing visitors a clear view and strong connection to the Historic Capitol as they enter below. The skylight would protrude approximately 3-feet from the ground and, thus, would be visible above ground in front of the west portico. Any obstruction to views of the Historic Capitol from the west would be limited to a portion of the portico steps. A second aboveground feature that would partially obstruct views of the Historic Capitol would consist of a safety railing on the upper plaza This safety railings would be typical of such features at a roughly waist to chest height and are intended to consist of closely spaced, vertical metal railing. Again, any obstruction to views of the Historic Capitol from the west would be limited to a portion of the portico steps. Finally, emergency exits would be installed on the east end of the visitor welcome center consisting of stairways leading up to ground level. Metal fencing would be installed around the ground level portions of the emergency exits to prevent unauthorized access. The design, materials, and color for the fencing would be consistent with the current setting and historic nature of the Capitol; thereby minimizing visual impacts and ensuring that long-distance views of the Historic Capitol are not substantially altered.

Construction of these above-ground visitor/welcome center structures (e.g., skylight, safety railings, and fencing around emergency exits) at the foreground of the primary (western) façade of the Historic Capitol would result in permanent, albeit minor, visual obstructions that could affect long-distance views and the protected view and vista from the Capitol Mall toward the Historic Capitol (Figure 4.15-7b). The State Capitol is a scenic landmark within the city of Sacramento, and the Capitol Mall corridor offers a unique view of the building by providing an uninterrupted view from Tower Bridge. Because the new above ground features of the visitor/welcome center would either have a relatively low profile and would only obstruct views of a portion of the portico steps, they would not substantially alter the long-distance views of the Historic Capitol from Capitol Mall and the overall visual integrity of the Historic Capitol's primary façade would be retained.

As part of the project, the sidewalk on 10th Street in front of the Historic Capitol would be extended into the existing parking lane (also known as a bulb-out). This would result in the loss of approximately five to seven existing parking spaces. Benefits of the bulb-out would include greater safety for pedestrians and maintenance of unobstructed views of the Historic Capitol, which are often blocked, albeit temporarily, by buses and vehicles parking directly in front of the Capitol on 10th Street. The bulb-out would have no adverse effects on scenic conditions.

Once constructed and operational, the new Annex would not adversely affect the Capitol Mall scenic vista because views would be considerably shielded by the Historic Capitol. Similarly, operation of the parking garage would not impair long-distance, scenic views because the structure would be located on the east side of the Historic Capitol, underground, below street level. Therefore, this structure would not be visible along the Capitol Mall corridor.

Because the project would not substantially alter long-distance views of the Capitol Mall scenic vista, this impact would be **less than significant**.

Mitigation Measures

No mitigation is required for this impact.

Source: Image from MOCA Systems, Inc. 2023.

Figure 4.15-7a Existing Condition View Without New Visitor/Welcome Center

Source: Image from MOCA Systems, Inc. 2023.

Figure 4.15-7b Simulation of View of Historic Capitol with New Visitor/Welcome Center

Impact 4.15-3: Introduction of New Sources of Light and Glare that Adversely Affect Day or Nighttime Views

The Capitol Annex Project would involve new lighting associated with construction and operation of the Annex, visitor/welcome center, and parking garage. Construction lighting would be temporary and would be utilized primarily as a security measure for the construction site. The proposed exterior finishes of the Annex, visitor/welcome center, and parking garage would not include materials that are highly reflective or that would produce substantial glare. Operational project-related light sources would be similar to the current lighting in downtown Sacramento in amount and intensity of light. More specifically, light emitted from the new Annex would be similar in amount and intensity to light generated by the existing Annex. In addition, lighting plans would be consistent with the U.S. Green Building Council's Leadership in Energy and Environmental Design version 4 (LEED v4) Green Building Rating System, which would reduce both the generation of exterior light and the potential for light trespass to affect off-site areas. The project would also be required to meet CALGreen standards that limit light and glare generated by State-owned buildings. Finally, the existing bright exterior lighting currently focused on the Historic Capitol anchors the building's prominence in nighttime views. Lighting emitted from the interior of the new Annex would not be sufficient to detract from the prominent view of the Historic Capitol and Capitol dome. For these reasons, project implementation would not create a new source of substantial light that would adversely affect day or nighttime views in the area. This impact would be **less than significant**.

Downtown Sacramento has a large amount of widespread, ambient light from urban uses. Existing sources of light associated with the project site include exterior building lighting, street and parking lighting, and spillover of internal lights to the exterior. In particular, the current lighting regime on the west side of the Historic Capitol includes directed lighting focused on the Historic Capitol and dome that is designed to highlight and draw focus to these building elements. The bright exterior lighting currently focused on the Historic Capitol anchors the building's prominence in nighttime views (Figure 4.15-8).

Source: iStock photos, 2023.

Figure 4.15-8 Existing Nighttime View of the Historic Capitol

During construction, security measures such as cameras and lighting would be installed to prevent unauthorized access and promote site safety. Security lighting would be similar to that used for residential security and would meet the California Energy Commission's Building Energy Efficiency Standards for Outdoor Lighting. Further, all security lighting would be shielded and angled downwards (into the construction area), to prevent excess spillover light from entering outside of the project site. Once operational, the Capitol Annex Project would not include additional light sources beyond the types of lighting that are found in the current urban environment. All interior and exterior lighting and fixtures would be selected based on architectural aesthetic, efficiency, maintenance, and glare control. The new visitor/welcome center would include some additional lighting at or near ground level and there could be limited elevated lighting attached to trees and directed at ground level. This lighting regime would be consistent with the existing lighting at the project site. Additionally, the proposed skylight above the visitor/welcome center would be a new source of light, as well as light seen through the visitor/welcome center doors when viewed from Capitol Mall. This additional lighting would be of less brightness/intensity than the existing lighting used to highlight the Historic Capitol and dome (described above) and would not detract from the prominence of those building elements. The nighttime lighting at the new visitor/welcome center would be designed to maintain the emphasis on the Historic Capitol, consistent with California Government Code Section 8156(a), which states that the Historic Capitol is "the most important single structure in the complex."

Similarly, nighttime lighting of the new Annex would maintain the emphasis on the Historic Capitol and not detract from the Historic Capitol's prominence in nighttime views. Figure 4.15-9 provides two evening views of the current Annex and Historic Capitol, showing that the existing Annex exterior and interior lighting remain subservient to the exterior lighting on the Historic Capitol. Note that when the Ruling was published, utility work separating shared utilities between the existing Annex and the Historic Capitol had been underway for some time and hazardous material remediation in the Annex had been initiated. By the time the issue of nighttime lighting had been identified in the Ruling, power service to the existing Annex had been shut off and damage to, and removal of, wiring and light fixtures during remediation made powering the facility unsafe. Therefore, a photo of the existing Annex with nighttime lighting could not be taken after the Ruling was issued. A search for previously created images of the Annex at night was conducted through sources such as historical photo libraries, commercial and open source stock image libraries, and general internet searches. While many images of the Historic Capitol at night are available (particularly of the west side), almost no images of the Annex at night could be found. The photos shown in Figure 4.15-9 are the best image that could be found.

Visual simulations were then prepared showing the same photos, but with the existing Annex removed and a rendering of the new Annex inserted (Figure 4.15-10). These simulations show a limited number of lights on inside new Annex offices to allow easy discernment of the level of light emanating from offices where lights are on. In addition, these lighting levels are reflective of the most common evening or nighttime lighting at the Annex. Interior lighting levels will be highly variable in the new Annex, just as they are in the existing Annex. When the legislature is on recess (roughly 5-weeks a year as well as holidays), there is little to no nighttime activity in the Annex and almost no interior lighting is illuminated. When legislative business calls for nighttime sessions (a limited number of days each year and varying from year to year), the vast majority of the lights inside the Annex may be turned on. The most common circumstance would be a "normal" legislative calendar (roughly 40-45 weeks a year) resulting in modest to no nighttime activity, and associated lighting in the Annex. The simulation shows the most common condition of modest activity in the Annex with associated lighting levels. However, as shown in the simulations, each individual room or office does not emanate a significant amount of light when lights are on, especially relative to the bright lighting focused on the Historic Capitol and Capitol dome. Even if all interior lights in the Annex were on, the level of light emitted would be less than the lighting focused on the Historic Capitol.

The visual simulation also reflects the various components of the new Annex design that limit both interior light generation emanating from the windows at night and light generation from exterior features. All interior and exterior lighting and fixtures would be selected based on architectural aesthetic, efficiency, maintenance, and glare control. The new building would achieve at least the U.S. Green Building Council's LEED v4 Silver certification. Consistency with LEED requirements would reduce both the generation of exterior light and the potential for light trespass to affect off-site areas. The project would also be required to meet CALGreen standards that limit light and glare for

State-owned buildings. Energy efficiency standards under LEED and CALGreen require use of motion sensing light switches, ensuring no lights are left on in offices and other parts of the building when no one is present.

The fritting pattern in the glass would also limit the amount of light escape from the interior of the building. As identified in Chapter 3, "Project Description", a portion of the glass used for the exterior wall of the new Annex would be coated with a white frit pattern (ceramic coating on the glass) which serves to control heat gain and glare, and gives the facade a white color, to more closely integrate the New Annex with the Historic Capitol and accentuate the rhythm of the Historic building's column spacing. Although the fritting is permanently bonded to the glass, it can be thought of like parallel lines of white tape put on the interior surface of one of the sheets of double-pane glass. Depending on the thickness and opacity of each piece of "tape" and how close together each piece is, different effects can be achieved. Where the fritting is present, it will minimize the amount of Annex interior light visible from outside the building. A rendering of a daytime and nighttime view of the new Annex with the pleated glass design is provided in Figure 4.15-11.

As shown in Figures 4.15-9 and 4.15-10, light emitted from the new Annex would not be substantially different from light emitted by the existing Annex. In addition, because of the bright lights focused on the Historic Capitol, the visual prominence of this structure would be maintained. There would be little to no effect on nighttime views of the west side of the Historic Capitol from Capital Mall because views of the Annex would be shielded by the Historic Capitol. Because the amount and intensity of light emitted would be similar to the current Annex and surrounding urban setting, the nighttime views from sensitive (residential) land uses would not be significantly affected. In addition, the Annex building would continue to sit within a tree-filled park environment. The majority of the trees to the north and the south of the new Annex would be retained and would continue to shield direct views of the new Annex from N Street and L Street as seen in Figure 4.5-11 below, and Figures 3-5 through 3-8. Furthermore, because nighttime light intensity would be similar to the existing Annex, the project would not contribute substantially to sky glow effects generated by the community at large.

Daytime glare could be produced by the increased amount of surface area resulting from the new Annex, which could reflect or concentrate light. However, the glass is not "mirror glass." Where a typical mirror reflects close to 100 percent of visible light that hits it, the Annex surface would reflect approximately 25 to 35 percent of visible light. Although films and fritting will be placed on the glass, it will not appear dark, or as "black glass." Brightness and lightness will be the primary characteristics of the glass, to relate to the white color of the Historic Capitol, and to provide a subtle backdrop to the significant landscape. The appearance of the glass will actually change over the day based on various conditions such as position of the sun, brightness of the sun, whether clouds are present, and whether the interior occupant has the shades drawn or the lights on. Depending on the conditions, glass on some parts of the building could appear transparent while glass on other parts of the building may show a muted reflection of the surroundings. Given these characteristics of the glass, as well as the change in surface angles provided by the curtain wall design, even though there will be more glass surface on the new Annex compared to the existing Annex, there will not be a substantial increase in glare; there will be no concentrations of reflected light that would cause substantial glare, nor change air temperatures for pedestrians or nearby vegetation, or be damaging to nearby vegetation.

In summary, due to energy efficiency measures and design requirements, light generation from inside project facilities and from exterior lighting fixtures would be minimized and would not be substantially different from existing conditions. The minor changes in lighting generated by the project would not be sufficient to overwhelm the prominence of nighttime views of the Historic Capitol created by the existing bright lights directed at the Historic Capitol and Capitol Dome. Due to the nature of the building designs (e.g., underground for the parking and visitor/welcome center) and the materials used (e.g., glass with minimized reflective properties), the project would not generate substantial glare that would adversely affect views in the area. For these reasons, project implementation would not create a new source of substantial light and/or glare that would adversely affect day or nighttime views in the area. Therefore, this impact would be **less than significant**.

Mitigation Measures

No mitigation is required for this impact.

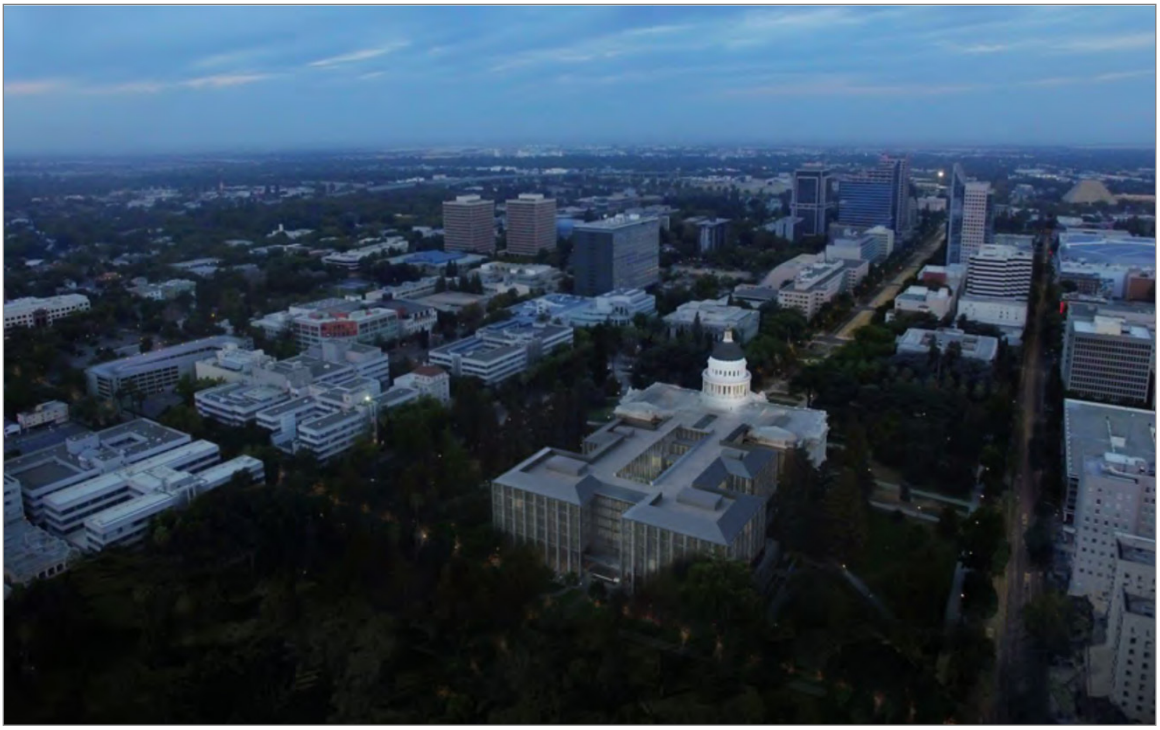
Source: AdobeStock 2019 (https://stock.adobe.com/video/aerial-california-sacramento-may-2019-night-30mm-4k-inspire-2-aerial-video-of-downtown-sacramento-at-night/284983297?prev_url=detail).

Source: AdobeStock 2016 (https://stock.adobe.com/video/aerial-california-sacramento-september-2016-4k/139468179?prev_url=detail).

Figure 4.15-9 Existing Evening Views of the Historic Capitol and Annex

Source: Image from MOCA Systems, Inc. 2023.

Simulation with new Annex



Source: Image from MOCA Systems, Inc. 2023.

Simulation with new Annex

Figure 4.15-10 Simulated Evening Views with the New Annex

Source: Image from MOCA Systems, Inc. 2023.

Daytime Rendering of New Annex

Source: Image from MOCA Systems, Inc. 2023.

Nighttime Rendering of New Annex

Figure 4.15-11 Daytime and Nighttime Renderings of the New Annex

7 ALTERNATIVES

7.1 INTRODUCTION

7.1.1 Background for the Revised EIR

The analysis of alternatives provided in the 2021 EIR (i.e., 2019 Draft EIR, 2020 Recirculated Draft, and where relevant, additional material in the 2021 Final EIR) is contained primarily in Chapter 7 of the 2019 Draft EIR. Chapter 7 contains the following components:

- Background information on the CEQA requirements for an EIR alternatives analysis,
- A listing of the identified project objectives,
- A summary of the environmental impacts of the proposed Capitol Annex Project (project),
- A description of alternatives that were considered but not selected for detailed analysis (i.e., not evaluated further) and justification for this decision,
- A description and evaluation of three alternatives that were selected for detailed analysis, and
- Identification of an environmentally superior alternative.

This chapter of the REIR provides an additional analysis of alternatives as required by the Court of Appeal's Ruling in *Save Our Capitol v. Department of General Services* (2023) 87 Cal.App.5th 655 (Ruling). See Chapter 1, "Introduction," in this REIR for further information on the Ruling and its relationship to this REIR. See Appendix A for the complete text of the ruling.

The Ruling identifies one item related to the analysis of project alternatives (i.e., Chapter 7 of the 2021 EIR) as requiring discussion and analysis; that is, the consideration of alternatives to the proposed visitor/welcome center that would both feasibly attain most of the project's objectives while also lessening the project's significant impacts on the historic landscape of the Capitol Park, and specifically, the portion identified in the 2021 EIR as the West Lawn.

As identified in the Ruling, petitioners faulted the 2021 EIR for introducing the new location for the underground parking garage, on the east side of the new Annex along the 12th Street alignment, for the first time in the Final EIR, and not using this as an opportunity to consider an alternative location for the visitor/welcome center on the south side of the Historic Capitol. Petitioners argued that an alternative locating the visitor/welcome center on the south side of the Historic Capitol would reduce the project's impacts on the Historic Capitol's West Lawn area. They further argued that because the new location for the underground parking was introduced in the Final EIR, the public was precluded from suggesting this visitor/welcome center alternative during the comment period. The court agreed. The Ruling concluded that because the relevant information was included only in the Final EIR, rather than in the draft document, this did not foster informed public decision-making. In addition, the court found that in order to evaluate a "reasonable range of alternatives," the EIR should consider alternatives to the visitor/welcome center that would feasibly attain most of the project objectives while also lessening the project's significant impacts on the West Lawn.

The shortcomings identified in the Ruling are remedied by providing, in this Draft REIR, further analysis of alternatives to the visitor/welcome center that would feasibly attain most of the project objectives while also lessening the project's significant impacts on the West Lawn. Preparation and distribution of this Draft REIR provides the opportunity for public participation as interested parties may review the analysis of these alternatives and provide comments on the Draft REIR, and responses to these comments will be included in the Final REIR. Methods for the public to comment on the contents of this Draft REIR are identified in Chapter 1, "Introduction."

An expanded analysis of alternatives to the proposed visitor/welcome center is provided below. This REIR chapter retains the same numbering (i.e., Chapter 7), title, and general organization as 2021 EIR, and specifically the 2019 Draft

EIR, to simplify comparisons across the two documents if desired. However, this chapter only addresses the issues necessary to rectify any inadequacies identified in the Ruling. Section 7.1.2, "CEQA Direction on an EIR Alternatives Analysis," provided below, repeats information from the CEQA Guidelines provided in the 2019 Draft EIR relevant to the understanding of an EIR alternatives analysis. Section 7.2, "Considerations for Selection of Alternatives," retains the same section number, title, and content as this section from the 2019 Draft EIR, but does include updated information in subsection 7.2.2, "Environmental Impacts of the Capitol Annex Project" related to impacts identified in the 2020 Recirculated Draft EIR, 2021 Final EIR, and the impact analysis provided in this Draft REIR.

Section 7.3, "Alternatives Considered but Not Evaluated Further" retains the same section number and title as the 2019 Draft EIR, but only includes content relevant to evaluating alternatives to the visitor/welcome center. Only information on alternatives related to the visitor/welcome center is provided in this Draft REIR as this is the only project element addressed in the Ruling that requires further alternatives analysis. Where the 2019 Draft EIR evaluated eight options for project alternatives in this section, only three of those options relate to the visitor/welcome center. Therefore, Section 7.3 of this Draft REIR evaluates the three "alternatives considered but not evaluated further" from the 2019 Draft EIR related to the visitor/welcome center. In addition, information in this section reflects the proposed project analyzed in this Draft REIR. For example, the original alternatives analysis in the 2019 Draft EIR was based on a project sequencing scenario where the visitor/welcome center was the first project component to be completed. The analysis provided here has been updated to reflect the current sequencing, with the new Annex and underground parking being completed prior to the visitor/welcome center. The 2019 Draft EIR did include an evaluation of a visitor/welcome center alternative located to the east of the new Annex. The evaluation of this alternative is retained and updated to reflect the current Annex and underground parking location and design.

Section 7.4, "Alternatives Selected for Detailed Analysis," also retains the same section number and title as the 2019 Draft EIR, but provides new content in response to the Ruling. Section 7.4 of the 2019 Draft EIR included the evaluation of three alternatives, Alternative 1: No Project-No Development Alternative; Alternatives 2: Capitol Annex Renovation Alternative; and Alternative 3: New Annex Building and Parking Garage with Two Basement Levels Alternative. The Ruling does not address the analysis of these alternatives and no modifications are required to the evaluations of these alternatives in response to the Ruling or updates needed due to project changes. Therefore, the evaluations of Alternatives 1, 2, and 3 from the 2019 Draft EIR are not repeated here. For those who may wish to review the prior alternatives analysis for the project, the 2019 Draft EIR, 2020 Recirculated Draft EIR, and 2021 Final EIR, are available at: https://www.dgs.ca.gov/RESD/Resources/Page-Content/Real-Estate-Services-Division-Resources-List-Folder/Information-and-Resources-for-CEQA.

The new content provided in Section 7.4, "Alternatives Selected for Detailed Analysis," is the evaluation of two new alternatives, Alternative 4: Visitor/Welcome Center North Entry, and Alternative 5: Visitor/Welcome Center South Entry. These new analyses of a visitor/welcome center alternative north of the Historic Capitol and another south of the Historic Capitol is included to respond to the Ruling's direction to consider alternatives to the visitor/welcome center that would feasibly attain most of the project objectives while also lessening the project's significant impacts on the West Lawn. The "North Entry" and "South Entry" alternatives meet this criteria.

Section 7.5, "Environmentally Superior Alternative," also retains the same section number and title as the 2019 Draft EIR, but adds Alternatives 4 and 5 into the consideration of the environmentally superior alternative.

7.1.2 CEQA Direction on an EIR Alternatives Analysis

The following replicates text from the 2019 Draft EIR. The information provided has not changed since 2019.

The California Code of Regulations (CCR) Section 15126.6(a) (State CEQA Guidelines) requires EIRs to describe "a range of reasonable alternatives to the project, or to the location of the project, which would feasibly attain most of the basic objectives of the project but would avoid or substantially lessen any of the significant effects of the project, and evaluate the comparative merits of the alternatives. An EIR need not consider every conceivable alternative to a project. Rather, it must consider a range of potentially feasible alternatives that will avoid or substantially lessen the significant adverse impacts of a project, and foster informed decision making and public participation. An EIR is not

required to consider alternatives that are infeasible. The lead agency is responsible for selecting a range of project alternatives for examination and must publicly disclose its reasoning for selecting those alternatives. There is no ironclad rule governing the nature or scope of the alternatives to be discussed other than the rule of reason." This section of the State CEQA Guidelines also provides guidance regarding what the alternatives analysis should consider. Subsection (b) further states the purpose of the alternatives analysis is as follows:

> Because an EIR must identify ways to mitigate or avoid the significant effects that a project may have on the environment (Public Resources Code [PRC] Section 21002.1), the discussion of alternatives shall focus on alternatives to the project or its location which are capable of avoiding or substantially lessening any significant effects of the project, even if these alternatives would impede to some degree the attainment of the project objectives, or would be more costly.

The State CEQA Guidelines require that the EIR include sufficient information about each alternative to allow meaningful evaluation, analysis, and comparison with the proposed project. If an alternative would cause one or more significant effects in addition to those that would be caused by the project as proposed, the significant effects of the alternative must be discussed, but in less detail than the significant effects of the project as proposed (CCR Section 15126.6[d]).

The State CEQA Guidelines further require that the "no project" alternative be considered (CCR Section 15126.6[e]). The purpose of describing and analyzing a no project alternative is to allow decision makers to compare the impacts of approving a proposed project with the impacts of not approving the proposed project. If the no project alternative is the environmentally superior alternative, CEQA requires that the EIR "…shall also identify an environmentally superior alternative among the other alternatives." (CCR Section 15126[e][2]).

In defining "feasibility" (e.g., "… feasibly attain most of the basic objectives of the project …"), CCR Section 15126.6(f) (1) states, in part:

> Among the factors that may be taken into account when addressing the feasibility of alternatives are site suitability, economic viability, availability of infrastructure, general plan consistency, other plans or regulatory limitations, jurisdictional boundaries (projects with a regionally significant impact should consider the regional context), and whether the proponent can reasonably acquire, control or otherwise have access to the alternative site (or the site is already owned by the proponent). No one of these factors establishes a fixed limit on the scope of reasonable alternatives.

In determining what alternatives should be considered in the EIR, it is important to consider the objectives of the project, the project's significant effects, and unique project considerations. These factors are crucial to the development of alternatives that meet the criteria specified in Section 15126.6(a). Although, as noted above, EIRs must contain a discussion of "potentially feasible" alternatives, the ultimate determination as to whether an alternative is feasible or infeasible is made by the lead agency's decision-making body, here the California Department of General Services (DGS). (See PRC Sections 21081.5, 21081[a][3].)

7.2 CONSIDERATIONS FOR SELECTION OF ALTERNATIVES

7.2.1 Attainment of Project Objectives

As described above, one factor that must be considered in selection of alternatives is the ability of a specific alternative to attain most of the basic objectives of the project (CCR Section 15126.6[a]). Chapter 3, "Project Description," articulates the following project objectives, which have remained the same since the 2019 Draft EIR:

- Provide an accessible, efficient, and safe environment for State employees, elected officials, and the public they serve.
- Integrate the new State development with the existing surroundings.
- Develop sustainable and energy efficient facilities.

- Provide modern facilities that meet current construction standards and codes.
- Continue to provide secure parking for legislative and executive branch officials.
- Provide meeting space for legislative and executive functions of sufficient size to support efficient performance of State business and with modern communications technology.
- Continue to provide Annex facilities directly adjacent to the Historic Capitol.
- Promote education, hospitality, and a welcoming environment for the visiting public.

7.2.2 Environmental Impacts of the Capitol Annex Project

Sections 4.2 through 4.15 of the 2019 Draft EIR address the environmental impacts of implementation of the Capitol Annex Project. Impacts related to Section 4.4, "Utilities and Service Systems," Section 4.12, "Archaeological, Historical, and Tribal Cultural Resources," and Section 4.15, "Aesthetics, Light, and Glare" were updated in the 2020 Recirculated Draft EIR. The modified visitor/welcome center design evaluated in the 2020 Recirculated Draft EIR no longer had elevator bays or stairwells that included aboveground facilities that resulted in a significant adverse effect on the views from Capitol Mall. Therefore, the significant adverse effect on scenic vistas identified in the 2019 Draft EIR was reduced to less than significant in the Recirculated Draft EIR and subsequent CEQA documents. Impacts related to Section 4.12, "Archaeological, Historical, and Tribal Cultural Resources," and Section 4.15, "Aesthetics, Light, and Glare" are further updated in this Draft REIR.

Potentially feasible alternatives were developed with consideration of avoiding or lessening the significant, and potentially significant, adverse impacts of the project, as identified in the 2021 EIR and this Draft REIR; they are summarized below. If an environmental issue area is not addressed below, it is because no significant impacts were identified for that issue area. One significant and unavoidable environmental impact resulting from the project was identified: even after implementation of mitigation measures, historic structure impacts to the State Capitol Complex (composed of the Historic Capitol, the Capitol Annex, and Capitol Park, see Section 4.12, "Archaeological, Historical, and Tribal Cultural Resources.") would be significant and unavoidable.

- Noise and Vibration: Project construction would require the use of heavy-duty vibration-generating equipment; drilling of piles, if needed for new structures, is anticipated to generate the highest levels of vibration. Specific locations, number/frequency of piles, and specific equipment characteristics (i.e., equipment model) are not known at this time; however, construction activities that can generate high levels of ground vibration may be located adjacent to the existing Historic Capitol, potentially resulting in structural damage and/or disturbance to employees or daily operations taking place within the building. Implementation of Mitigation Measure 4.8-1 would require the preparation and implementation of a vibration control plan that ensures pile installation would not occur during the more sensitive times of the day (i.e., late evening through early morning). It also requires the construction team to define appropriate setback distances and identify and implement construction methods that would not result in ground vibration induced damage to nearby buildings or substantial human disturbance. These measures would ensure compliance with recommended vibration levels to prevent structural damage and human annoyance, and this impact would be reduced to a less-than-significant level.
- Archaeological, Historical, and Tribal Cultural Resources: The project site has been disturbed during past development, reducing the potential for sub-surface cultural resources to be present. However, contact with previously undisturbed native soils during construction could result in damage or destruction of currently unrecorded subsurface historic and pre-historic archeological resources, tribal cultural resources, or human remains. Mitigation Measures 4.12-1, 4.12-2, and 4.12-3 collectively require stopping work in the vicinity of any area where evidence of historic or pre-historic archeological resources, tribal cultural resources, or human remains are encountered; properly evaluating, documenting, and protecting any finds; and transferring any archeological material or remains removed from the site to a pre-approved location. Implementation of these measures would reduce this impact to a less-than-significant level.

Implementation of the Capitol Annex Project would result in a substantial adverse change to a historic architectural resource (the State Capitol Complex) due to demolition and reconstruction of the Annex, construction disturbance to the Historic Capitol building, and disturbance to landscape and hardscape features of Capitol Park surrounding the Capitol building, in particular, the West Lawn area would be heavily altered by the placement of the visitor/welcome center. The presence of the new Annex would alter the visual conditions and lighting adjacent to the Historic Capitol. However, because the proposed design for replacing the Annex within the State Capitol Complex successfully achieves the standards promulgated by the National Park Service for new additions to existing historic properties, the appearance of the new Annex would not contribute a significant impact on the Historic Capitol. Mitigation Measure 4.12-4a requires that preservation treatment objectives meet all Secretary of the Interior's Standards (SOIS) for character-defining features having primary significance status and meet as many SOIS as feasible for those character-defining features designated as having secondary significance status, and require adherence to the California State Historical Building Code to the extent feasible in instances when JRC must address human safety issues not compatible with the SOIS. Mitigation Measures 4.12-4b and 4.12-4c require JRC to seek feasible means for salvaging the Annex's character-defining architectural features and incorporating them into either the design of the new Annex or the interpretive program, which should, at minimum, result in the installation of a permanent exhibit, located on-site, in a public space, which is viewable and accessible to the public. Although the implementation of Mitigation Measures 4.12-4a, b, and c would help preserve historic architectural features of the project site, the effects of demolition of the Annex and project site disturbance would remain significant and unavoidable.

- Biological Resources: The project would require pruning or removal of trees, including trees within Capitol Park and City street trees. Project implementation could result in indirect disturbance to nesting Swainson's hawk, white-tailed kite, other nesting raptors, and other native nesting birds, if present within the trees on the project site or the City street trees adjacent to the project site. Project implementation could also result in inadvertent disturbance to roosts or maternal colonies of common bat species or inadvertent exclusion of these bats, if present within the exterior or interior of the Annex. Implementation of Mitigation Measures 4.11-1, 4.11-2, and 4.11-3 would reduce these impacts to a less-than-significant level because active nests would be identified during preconstruction surveys and indirect disturbance to nesting raptors would be avoided; bat roosts and maternity colonies would be identified and bats would be excluded during construction activities; and City street trees would be protected, relocated, or replaced.

7.3 ALTERNATIVES CONSIDERED BUT NOT EVALUATED FURTHER

As described above, State CEQA Guidelines Section 15126.6(c) provides that the range of potential alternatives for the project shall include those that could feasibly accomplish most of the basic objectives of the project and could avoid or substantially lessen one or more of the significant effects. Alternatives that fail to meet the fundamental project purpose need not be addressed in detail in an EIR. (*In re Bay-Delta Programmatic Environmental Impact Report Coordinated Proceedings* (2008) 43 Cal.4th 1143, 1165-1167.)

In determining what alternatives should be considered in the EIR, it is important to acknowledge the objectives of the project, the project's significant effects, and unique project considerations. These factors are crucial to the development of alternatives that meet the criteria specified in Section 15126.6(a). Although, as noted above, EIRs must contain a discussion of "potentially feasible" alternatives, the ultimate determination as to whether an alternative is feasible or infeasible is made by lead agency decision-maker(s). (See Pub. Resources Code, § 21081(a)(3).) At the time of action on the project, the decision-maker(s) may consider evidence beyond that found in this EIR in addressing such determinations. The decision-maker(s), for example, may conclude that a particular alternative is infeasible (i.e., undesirable) from a policy standpoint, and may reject an alternative on that basis provided that the decision-maker(s) adopts a finding, supported by substantial evidence, to that effect, and provided that such a finding reflects a reasonable balancing of the relevant economic, environmental, social, and other considerations supported by substantial evidence. (*City of Del Mar v. City of San Diego* (1982) 133 Cal.App.3d 401, 417; *California Native Plant Society v. City of Santa Cruz* (2009) 177 Cal.App.4th 957, 998.)

The EIR should also identify any alternatives that were considered by the lead agency but were rejected during the planning or scoping process and briefly explain the reasons underlying the lead agency's determination.

The following alternatives were considered by DGS but are not evaluated further in this Draft REIR. Only alternatives related to the visitor/welcome center are provided here as this is the only portion of the 2021 EIR alternatives analysis addressed in the Ruling. Alternative discussions in Sections 7.3.1, "No Visitor/Welcome Center," 7.3.2, "Basement Visitor/Welcome Center, and Section 7.3.3, "Visitor/Welcome Center East Entry" include information from the 2019 Draft EIR, but update the text to address changes to the project description since the Draft EIR was published; primarily the moving of the underground parking garage to the 12th Street alignment location and the change of project phasing, with work on the Annex beginning prior to work on the visitor/welcome center.

7.3.1 No Visitor/Welcome Center

This alternative considers demolition and reconstruction of the Annex and construction of the underground parking garage, as proposed in the Capitol Annex Project (see Chapter 3, "Project Description," of this Draft Revised EIR). However, under this alternative, a new visitor/welcome center would not be constructed and the original visitor center, located within the Historic Capitol, would continue to serve those visiting the State Capitol. Entrance to the Historic Capitol would either be located at the Historic Capitol, where existing visitor entry is currently not permitted, or through the new Annex. Construction impacts associated with demolition and construction would be reduced compared to the proposed project because the area of ground disturbance would be reduced. Long-term operation of this alternative would result in similar impacts as the proposed project, because the Annex would continue to serve the same number of occupants. Although this is a feasible alternative to the proposed project, if entry were provided at the Historic Capitol, then permanent physical modifications to the Historic Capitol building would be required to provide ADA access and a covered security checkpoint at one or more of the Historic Capitol entries, resulting in increased impacts to historic architecture. If entry were provided at the new Annex, the goal of providing separate entries to the Capitol for visitors and those doing business the Capitol would not be met and the project objective of an "efficient…environment for State employees, elected officials, and the public that they serve." would not be achieved. In addition, the footprint of the new Annex would likely have to be increased to provide security checkpoints with sufficient capacity to address both visitors and those doing business at the Capitol. In addition, services provided by the proposed visitor/welcome center would not be available, reducing the ability to meet the project objective of promoting education and hospitality for the visiting public. . For these reasons, DGS and the JRC are not considering the No Visitor/Welcome Center alternative, and it is not further evaluated in this Revised EIR.

7.3.2 Basement Visitor/Welcome Center

This alternative considers construction of a new Annex and underground parking structure as proposed in the Capitol Annex Project (see Chapter 3, "Project Description," of this Draft Revised EIR). Under this alternative, visitor/welcome center functions would be provided in the Historic Capitol Basement. Various existing functions in the basement, such as the bill room, travel office, and State Parks storeroom, would be moved to the new Annex to make space for the new uses in the Historic Capitol basement. The square footage of the new Annex would need to be increased to accommodate these functions. Like the No Visitor/Welcome Center alternative described above, public entries, with ADA compliant facilities and a covered security checkpoint, would need to be established at one or more of the Historic Capitol entrances. Although this is a feasible alternative to the proposed project, this alternative would require permanent modifications to the Historic Capitol building to provide ADA compliant and secure public entry, resulting in increased impacts to historic architecture. Reconfiguration of most, if not all, of the Historic Capitol basement to remove existing uses and support visitor/welcome center functions could also result in additional impacts to historic architecture. If public entry were provided at the new Annex rather than the Historic Capitol, the goal of providing separate entries to the Capitol for visitors and those doing business the Capitol would not be met and the project objective of an "efficient…environment for State employees, elected officials, and the public that they serve" would not be achieved.

Under this alternative, the footprint of the new Annex would likely have to be increased to provide security checkpoints with sufficient capacity to address both visitors and those doing business at the Capitol. The footprint of the Annex would also need to be expanded to accommodate functions moved from the Historic Capitol basement. Therefore, although effects on the West Lawn would be decreased with the absence of a visitor/welcome center, disturbance on the east side of Historic Capitol would increase. The area east of the Historic Capitol and Annex is also part of the historic landscape of Capitol Park; therefore, impacts on the historic landscape would still occur, although the severity of the effect may be less by fully avoiding disturbance of the West Lawn area. Keeping new ground disturbance all to the east of the historic capitol building would have the benefit of concentrating the impacts on State Capitol Complex to one area of the landscape component of the historical resource, rather than introducing new construction to two different areas (i.e., the West Lawn and the area east of the existing Annex). This alternative also has the benefit of avoiding the disruption to the important visual and pedestrian circulation relationship between the west façade of the Historic Capitol building, the West Lawn, and the open space of the West Lawn that provides a defining vista both to and from the long, linear views down Capitol Mall. Although there may be some decrease in overall effects on the historic landscape under this alternative. Impacts on the Historic Capitol building itself would increase and project objectives related to access and operational efficiency would not be met. For these reasons, DGS and the JRC are not considering the Basement Visitor/Welcome Center alternative, and it is not further evaluated in this Draft Revised EIR.

7.3.3 Visitor/Welcome Center East Entry

This alternative considers construction of a new Annex and underground parking structure as proposed in the Capitol Annex Project (see Chapter 3, "Project Description," of this Draft Revised EIR), but with construction of the new visitor/welcome center directly east of these facilities. Constructing the visitor/welcome center in this location would require removal of existing elements of Capitol Park, including the trout pond and historic Civil War Grove, resulting in increased effects on the historic landscape of Capitol Park when compared with the effects on the landscape of the new Annex and underground parking alone. Co-locating all three of the new facilities (annex, parking garage, and visitor/welcome center) to the east of the historic capitol building would have the benefit of concentrating the impacts on State Capitol Complex to one area of the landscape component of the historical resource, rather than introducing new construction to two different areas (i.e., the West Lawn and the area east of the existing Annex). This alternative also has the benefit of avoiding the disruption to the important visual and pedestrian circulation relationship between the west façade of the Historic Capitol building, the West Lawn, and the open space of the West Lawn that provides a defining vista both to and from the long, linear views down Capitol Mall. However, this alternative still creates a scenario where any benefit from preserving the West Lawn area must be compared against the permanent loss of the trout pond and historic Civil War Grove.

Under this alternative a pathway through the underground parking garage and the new Annex would need to be established to allow visitors to move from the visitor/welcome center to the Historic Capitol. As part of this alternative the visitor/welcome center continues to be an underground facility to avoid placing a new aboveground building in Capitol Park. Therefore, visitors would need to pass through the parking garage to reach the Historic Capitol. Pedestrians, including large groups, crossing the parking garage on a regular basis would generate a safety risk for the pedestrians and traffic controls necessary to allow safe pedestrian passage would hinder the efficient functioning of the garage. Unless a pathway was designed as part of the new Annex to provide passage for visitors from visitor center through the parking garage and Annex to the Historic Capitol, visitor traffic would not be separated from Legislative and staff traffic and would conflict with efficient day-to-day operations within the new Annex. Whether due to the crossing of the parking garage or pedestrian traffic in the Annex, the objective of promoting accessibility, efficiency, and safety of the Capitol for State employees, elected officials, and the public they serve would not be achieved. For these reasons, DGS and the JRC is not considering the Visitor/Welcome Center East Entry alternative, and it is not further evaluated in this EIR.

7.4 ALTERNATIVES SELECTED FOR DETAILED ANALYSIS

As stated previously, this section of the Draft REIR provides an evaluation of two new alternatives,

- Alternative 4: Visitor/Welcome Center North Entry assumes that construction of a new Annex and underground parking structure would occur as in the proposed project; however, the visitor/welcome center would be constructed immediately north of the Historic Capitol.
- Alternative 5: Visitor/Welcome Center South Entry assumes that construction of a new Annex and underground parking structure would occur as in the proposed project; however, the visitor/welcome center would be constructed immediately south of the Historic Capitol.

These alternatives respond to the Ruling's direction to consider alternatives to the visitor/welcome center that would feasibly attain most of the project objectives while also lessening the project's significant impacts on the West Lawn.

Further details on these alternatives, and an evaluation of environmental effects relative to the proposed Capitol Annex Project, are provided below.

As also stated previously, the evaluations of Alternatives 1, 2, and 3 from the 2019 Draft EIR are not repeated here. For those who may wish to review the prior alternatives analysis for the project, the 2019 Draft EIR, 2020 Recirculated Draft EIR, and 2021 Final EIR, are available at: https://www.dgs.ca.gov/RESD/Resources/Page-Content/Real-Estate-Services-Division-Resources-List-Folder/Information-and-Resources-for-CEQA. In the 2019 Draft EIR, Alternative 1 was evaluated in Section 7.4.1, Alternative 2 was evaluated in Section 7.4.2, etc.. The evaluation of Alternative 4 provided below is labeled as Section 7.4.4 and Alternative 5 is evaluated in Section 7.4.5 to retain this section numbering convention.

7.4.4 Alternative 4: Visitor/Welcome Center North Entry

This alternative considers construction of a new Annex and underground parking structure as proposed in the Capitol Annex Project (see Chapter 3, "Project Description," of this Draft Revised EIR); however, under this alternative, the visitor/welcome center would be constructed immediately north of the Historic Capitol.

The north side of the Historic Capitol provides approximately 50 feet less distance between the Capitol building and L Street compared to the distance between the Historic Capitol and 10th Street. This reduced distance between the Historic Capitol and the nearest street provides a constraint to the visitor/welcome center design in this location. The west side visitor/welcome center design provides 174.1 feet between 10th Street and the entrance to the underground portion of the visitor/welcome center. This 174.1 feet, which encompasses the visitor/welcome center lower plaza, is the minimum distance needed to provide a walkway slope considered "universal access." The universal access designation means that, based on ADA and other requirements, the walkway slope is gentle enough to require no special accommodations for mobility-impaired persons. People with no mobility impairments and those with mobility impairments may all use the same access route at the same time. The west side visitor/welcome center included as part of the proposed project is specifically designed to meet this standard. If the same design for the underground portion of the visitor/welcome center were moved to the north of the Historic Capitol, there would be 134 feet available for a lower plaza entry ramp. This shorter distance would require changes to the facility design to provide ADA compliant access for the mobility impaired.

Multiple options are available to provide ADA compliant access in this more constrained space, each with its own consequences for project impacts. An entry ramp would not be necessary if stairs and elevators were provided, similar to the visitor/welcome center design provided in the 2019 Draft EIR. However, the entries to these facilities would result in new, permanent aboveground features in Capitol Park. Loop ramps could be provided, similar to the visitor/welcome center ramp design provided in 2020 Recirculated Draft EIR. However, this would result in greater ground disturbance and disruption to the Capitol Park landscape than the current visitor/welcome center design evaluated in this Draft Revised EIR. The size of the underground portion of the visitor/welcome could be reduced and reconfigured to provide more space for a universal access ramp; however, this would limit available education and hospitality elements of the facility; impeding the ability to meet the project objectives of promoting education and

hospitality for the visiting public. Finally, the underground portion of the visitor/welcome center could be narrowed in the north/south direction to provide more space for an entry ramp and lengthened in the east/west direction to maintain the overall facility square footage. However, this would increase ground disturbance to the west and require removal of several large trees in this area. Extending the facility to the east would also increase disturbance to trees, including the grove of redwoods immediately north of the existing Annex that includes the "Moon Tree." However, most, if not all of this grove of redwoods, including the moon tree, would likely need to be removed under any visitor/welcome center design option on the north lawn that provides a facility of similar size as the proposed project. For the purposes of this analysis, the loop ramps are evaluated as the proposed approach to providing entry to this alternative as all project objectives are still met, no new permanent above ground facilities are needed, and ground disturbance immediately adjacent to the Historic Capitol is minimized. Maximum excavation depths would be the same as the proposed project, approximately 20 feet.

The nearest street to a visitor/welcome center in this northern location is L Street. L Street has one-way westward traffic flow in this area. Unless the one-way flow of traffic were reversed, or L Street became two-way, bus parking at a visitor/welcome center entry on L Street would not be feasible. Bus entry/exit doors are on the right side of the bus and individuals exiting a bus parked on the south side of L Street would exit the bus into a vehicle travel lane. Any bus parking on L St. would need to be on the north side of the street and individuals would need to cross L Street to reach the visitor/welcome entry. Because of this, if the visitor/welcome center entry were constructed on the north side of the Historic Capitol, buses would continue to park on 10th Street and individuals would have to walk a longer distance to the visitor/welcome center compared to a location on the west side of the Historic Capitol.

Utility connections between the Central Plant at 8th and O Street and the Historic Capitol and Annex run along the north side of the Historic Capitol. Constructing a visitor/welcome center in this area would require the re-routing of significant underground utilities and connecting these utilities to the Historic Capitol and Annex at new locations. This would result in new excavations in Capitol Park and adjacent to the Historic Capitol, including in the West Lawn area.

Within the basement of the Historic Capitol on the north side are facilities and equipment that support operation of the Historic Capitol. Relocating this equipment would result in substantially more disturbance to the Historic Capitol basement than relocation of the gift shop and similar facilities that would be affected by visitor/welcome center entry on the west side of the basement.

LAND USE AND PLANNING

Like the proposed project, Alternative 4 would not alter the existing land use and would not result in any conflicts with environmental plans, goals, or regulations adopted for the purpose of avoiding or mitigating an environmental effect. Therefore, land use impacts under Alternative 4 would be similar to those of the proposed project.

TRANSPORTATION/CIRCULATION

Similar to the proposed project, Alternative 4 would generate construction-related vehicular trips for renovation activities and would result in no change to operational vehicular trips or transit. Construction of either the proposed project or Alternative 4 would temporarily disrupt vehicle trips as well as parking, pedestrian, and bike access in the vicinity of the project site. However, these localized and temporary impacts would be minimized through implementation of a Construction Traffic Management Plan in accordance with City of Sacramento Code. It is assumed that buses bringing groups to visit the Capitol would continue to park on the east side of 10th Street as parking on L Street would require visitors to cross L Street to reach Capitol Park. Therefore, roadway traffic conditions would not change. However, compared to the Proposed Project, pedestrian patterns of visitors would be altered, focusing visitors arriving by bus into the northwest corner of Capitol Park as they make a longer walk to visitor/welcome center north entrance versus the entrance facing 10th Street under the proposed project. However, this would not substantially alter pedestrian or bike access in Capitol Park. Alternative 4 would have similar construction- and operation-related transportation impacts as the proposed project.

UTILITIES AND SERVICE SYSTEMS

Alternative 4 would generate similar demand for water, wastewater treatment, stormwater conveyance, and electricity; therefore, it would result in a similar need for demand driven improvements to utility infrastructure. However, Alternative 4 would require significantly more re-routing and relocation of underground utilities, resulting in greater potential for utility service disruptions as these re-routes and relocations are completed. Alternative 4 would involve upgrades to existing utility systems, which would include similar water efficiency features in the building. Similar to the proposed project, Alternative 4 would have no new demand for potable water, stormwater/surface-runoff management, wastewater treatment, and wastewater conveyance infrastructure, and the efficiency measures through Annex renovations could potentially reduce existing demand. However, because of the significantly greater utility re-routing and relocation work required under Alternative 4, Alternative 4 would result in greater impacts on utilities than the proposed project.

AIR QUALITY

Similar to the proposed project, Alternative 4 would involve the same level of demolition through complete removal of the Annex. However, Alternative 4 would involve a greater level of construction/ground disturbance to accommodate the loop ramps for entry and utility re-routing and relocation. Therefore, the construction-related air emissions would be greater than the proposed project's less-than-significant emissions; however, the emission impacts would likely still be considered less-than-significant. Similar to the proposed project, operation of Alternative 4 would not result in additional employees or new vehicular trip generation and would result in similar less-than-significant operational air emissions. Because Alternative 4 would result in a higher level of construction activity compared to the proposed project, Alternative 4 would result in greater, although still less-than-significant, impacts to air quality compared to the proposed project.

GREENHOUSE GAS EMISSIONS AND CLIMATE CHANGE

Because Alternative 4 would involve a higher level of ground disturbance and associated construction activity, even though similar GHG efficiency measures would be implemented, the construction-related GHG emissions would be greater than the proposed project's less-than-significant GHG emissions. However, the emission impacts would likely still be considered less-than-significant. This alternative would have similar less-than-significant operations-related GHG emissions because, similar to the proposed project, Alternative 4 would not include additional employees, would not result in new vehicular trip generation, and would implement energy efficiency measures. Therefore, due to the increased construction emissions, Alternative 4 would result in greater, although still less-than-significant, GHG emissions compared to the proposed project.

ENERGY

Alternative 4 would involve increased energy use during construction because of the additional excavation needed to construct loop ramps. Operational energy use would be the same for Alternative 4 and the proposed project. Neither the proposed project nor Alternative 4 would result in wasteful, inefficient and unnecessary consumption of energy during construction or operation. Although Alternative 4 would result in a greater energy usage during the construction period, overall, for the purposes of this analysis, the energy usage is considered similar to the proposed project.

NOISE AND VIBRATION

Alternative 4 would generate the same construction related noise and vibration as the proposed project for construction of the Annex and underground parking, and would use similar construction methods as the proposed project for the visitor/welcome center. Although there would be a greater level of ground disturbance and overall construction activity under Alternative 4, maximum construction noise generation levels would not differ. Like the

proposed project, Alternative 4 would implement a vibration control plan to reduce vibration impacts and potential damage to the Historic Capitol to a less-than-significant level. Similar to the proposed project, Alternative 4 would not include additional employees and would not result in new vehicular trip generation. Additionally, like the proposed project, this alternative would not change operation-related noise at the project site. Because Alternative 4 would involve a similar potential for construction noise generation, and no difference in operational noise generation, similar noise and vibration impacts would occur under this alternative compared to that of the proposed project.

GEOLOGY AND SOILS

Alternative 4 would increase excavation of soils for entry loop ramps and utility re-routing and relocation. This could result in an increased potential for construction-related erosion impacts on nearby buildings and structures. The potential increase in the risk of exposure to injury or property damage because of a seismic event would remain the same. Both alternatives would be required to comply with building standards; therefore, neither the proposed project nor Alternative 4 would result in significant impacts related to geology and soils. However, Alternative 4 would have slightly greater potential for impacts related to geology and soils due to the increased ground disturbance and construction activity.

HAZARDS AND HAZARDOUS MATERIALS

The existing Annex has identified hazardous materials such as asbestos and lead-based paint that would be abated in compliance with federal, State, and local regulations under either the proposed project or Alternative 4. In addition, under either the proposed project or Alternative 4, construction and operation would involve the storage, use, and transport of hazardous materials; however, such use would be done in compliance with federal, State, and local regulations. Compliance with regulations would prevent the project or Alternative 4 from resulting in a significant risk to construction workers or the public. Therefore, Alternative 4 would result in similar hazardous materials impacts as the proposed project.

HYDROLOGY AND WATER QUALITY

Alternative 4 would require greater excavation of soils during construction as well as groundwater pumping during construction. These activities would increase the potential for construction-related releases of sediment and contaminants into surface waters or groundwater in comparison to the proposed project. Because the project site is already developed and has sufficient stormwater management and transport infrastructure, long-term changes to runoff and runoff water quality resulting from the project or Alternative 4 are considered less than significant. In addition, various stormwater pollution prevention devices and best management practices (BMPs) would be implemented for either the proposed project or Alternative 4, and both would be required to comply with existing State and local regulations regarding the City's combined storm sewer (CSS) and National Pollutant Discharge Elimination System (NPDES) permits. Implementation of BMPs and compliance with State and local requirements would result in similar runoff and water quality during storm events as under existing conditions. Therefore, Alternative 4 would result in similar less-than-significant impacts to the project with regard to hydrology and water quality.

ARCHAEOLOGICAL, HISTORICAL, AND TRIBAL CULTURAL RESOURCES

Alternative 4 would involve the same level of excavation for the new Annex building and parking garage, but a greater level of ground disturbance for construction of the underground visitor/welcome center. Due to the increased excavation footprint, Alternative 4 would have a greater potential to result in the destruction, or alteration of any known or as-yet-undiscovered/unrecorded pre-historic or historic archeological resources, Tribal Cultural Resources, and human remains through increased excavation depths. These impacts would be reduced to less-than-significant levels through mitigation under either the proposed project or Alternative 4. Because Alternative 4 would demolish and reconstruct the Annex, it would result in similar significant and unavoidable historic structure impacts. However,

because of the modified location of the visitor/welcome center under Alternative 4, there is the potential for differing impacts on Capitol Park, which is a component of the Capitol Complex.

There are many features within Capitol Park that help this landscape contribute to the overall eligibility of the State Capitol Complex historical resource, including the formal West Lawn area that establishes a visual and circulatory connection between visitors and the historic primary façade of the Historic Capitol building, the north and south lawns that continue that formal relationship to the secondary entrances to the Historic Capitol building, and the much larger and more eclectic portion of Capitol Park to the east of these lawns. Alternative 4 would eliminate the impacts to the West Lawn while introducing new impacts to the north lawn and several landscape features of Capitol Park (such as the redwood grove and Moon Tree). Overall, this alternative would have a slightly reduced, but still significant, impact on the State Capitol Complex because it would avoid the disruption to the important visual and pedestrian circulation relationship between the west façade of the Historic Capitol building, the West Lawn, and the open space of the West Lawn that provides a defining vista both to and from the long, linear views down Capitol Mall.

Relocation of facilities and equipment on the north side of the Historic Capitol basement that support operation of the Historic Capitol has the potential to adversely affect the building as conduits, pipes, and heavy equipment must be moved within the basement. Relocating this equipment would result in substantially more disturbance to the Historic Capitol basement than relocation of the gift shop and similar facilities that would be affected by visitor/welcome center entry on the west side of the basement.

Considering both the increased potential for effects on subsurface resources under Alternative 4, potential adverse effects on the Historic Capitol from needed basement work, and the slightly reduced impact on the State Capitol Complex, cultural resource impacts under Alternative 4 would be similar to the proposed project.

BIOLOGICAL RESOURCES

Alternative 4 would have the same footprint and project features for the new Annex building and parking structure, but a larger area of ground disturbance for the visitor/welcome center compared to the proposed project. The project site is currently developed with urban uses and lacks sensitive species or their habitat. As with the proposed project, Alternative 4 has the potential to disturb nesting raptors, bat roosts, or City street trees, which would be mitigated to avoid disturbance to these resources, resulting in less-than-significant impacts. Although increasing the disturbance area for the visitor/welcome center may increase some construction disturbance on the project site, overall, Alternative 4 would have similar biological resource impacts as the proposed project.

PUBLIC SERVICES AND RECREATION

Similar to the proposed project, Alternative 4 would not include any new or increased employees. Under both the proposed project and the Alternative 4, increased demands for public services would be less than significant. Similar to the proposed project, Alternative 4 would include private security at the project site during construction and would temporarily disrupt recreational uses in Capitol Park. Overall, Alternative 4 would have similar impacts on recreational uses as would occur under the proposed project. Therefore, the impacts of this alternative on public services are considered to be similar to the proposed project.

AESTHETICS, LIGHT, AND GLARE

Alternative 4 and the proposed project include the same new Annex building and underground parking. Therefore, aesthetics, light, and glare impacts from these facilities would not differ across the two alternatives. Moving the visitor/welcome center from the West Lawn area would prevent impacts on views of the Capitol west steps and views from Capitol Mall. However, impacts on these views are less than significant given the limited visibility of visitor/welcome center facilities. The loop ramps associated with Alternative 4 would make the north entry visitor/welcome center more visible than the visitor/welcome center design under the proposed project. However, the

loop ramps would benefit from the same limited visibility provided by placing project facilities lower than the ground surface. Both visitor/welcome center designs would not be readily visible unless the viewer were very close to each facility or they were viewing the facilities from an elevated position. However, the view of the west face of the Historic Capitol from Capitol Mall is considered part of a scenic vista where the north face of Historic Capitol is not. Therefore, although the effects on this scenic vista are considered less than significant under the proposed project, these effects would not occur at all under Alternative 4. Therefore, Alternative 4 would have less of an impact compared to the proposed project.

7.4.5 Alternative 5: Visitor/Welcome Center South Entry

This alternative considers construction of a new Annex and underground parking structure as proposed in the Capitol Annex Project (see Chapter 3, "Project Description," of this Draft Revised EIR); however, under this alternative, the visitor/welcome center would be constructed immediately south of the Historic Capitol.

Constraints associated with placing the visitor/welcome center south of the Historic Capitol are very similar to those described above for a visitor/welcome center placed north of the Historic Capitol. Like the north entry alternative evaluated above, the south side of the Historic Capitol provides approximately 50- feet less distance between the Capitol building and N Street compared to the distance between the Historic Capitol and 10th Street. This reduced distance between the Historic Capitol and the nearest street provides a constraint to the visitor/welcome center design in this location. The universal access ramp design for the west entry visitor/welcome center, requiring a minimum of 174.1- feet of space, would not fit in the 134- feet available on the south side of the Historic Capitol. This shorter distance would require changes to the facility design to provide ADA compliant access for the mobility impaired.

An entry ramp would not be necessary if stairs and elevators were provided, similar to the visitor/welcome center design provided in the 2019 Draft EIR. However, the entries to these facilities would result in new, permanent above-ground features in Capitol Park, increasing impacts on aesthetic resources. Loop ramps could be provided, similar to the visitor/welcome center ramp design provided in 2020 Recirculated Draft EIR. However, this would result in greater ground disturbance and disruption to the Capitol Park landscape than the current visitor/welcome center design evaluated in this Draft REIR. The size of the underground portion of the visitor/welcome could be reduced and reconfigured to provide more space for a universal access ramp; however, this would limit available education and hospitality elements of the facility; impeding the ability to meet the project objectives of promoting education and hospitality for the visiting public. Finally, the underground portion of the visitor/welcome center could be narrowed in the north/south direction to provide more space for an entry ramp between the facility entry and N Street. However, to maintain the overall facility square footage, the underground portion of the visitor welcome center would need to be lengthened in the east/west direction. If this approach of changing the shape of the underground portion of the visitor/welcome center were taken, this would increase ground disturbance along the southern edge of the Historic Capitol and potentially require removal of several large trees to the west of this area. Extending the facility to the east would also increase disturbance to trees, including the multiple very large redwoods immediately south of the and the existing Annex. The existing large redwoods along the south side of the Annex and Historic Capitol are preserved under the proposed project. Several of these trees would need to be removed for any visitor/welcome center alternative on the south of the Historic Capitol. However, implementing the option of changing the shape of the underground portion of the south lawn visitor/welcome center to provide space for an entry ramp would require removal of all of these large redwoods.

For the purposes of this analysis, the loop ramps are evaluated as the proposed approach to providing entry to Alternative 5 as all project objectives are still met, no new permanent above ground facilities are needed, and ground disturbance immediately adjacent to the Historic Capitol is minimized. Maximum excavation depths would be the same as the proposed project, approximately 20 feet.

The nearest street to a southern visitor/welcome center is N Street. N Street has one-way easterly traffic flow in this area. Unless the one-way flow of traffic were reversed, or N Street became two-way, bus parking at a visitor/welcome center entry on N Street would not be feasible. Bus entry/exit doors are on the right side of the bus and individuals exiting a bus parked on the north side of N Street would exit the bus into a vehicle travel lane. Any bus parking on N

Street would need to be on the south side of the street and individuals would need to cross N Street to reach the visitor/welcome entry. This issue would be resolved if plans by the City of Sacramento to convert N Street to a two-way traffic flow in this area are implemented. However, a set schedule for this N Street modification has not been established. Until N Street is converted to a two-way traffic flow, and bus parking is shifted to N Street, which is not a certainty, buses transporting visitor groups to the Capitol would continue to park on 10th Street. If the visitor/welcome center entry was constructed on the south side of the Historic Capitol, individuals would have to walk a longer distance to the visitor/welcome center compared to a location on the west side of the Historic Capitol.

Within the basement of the Historic Capitol on the south side is a restaurant and kitchen. Relocating the kitchen equipment would result in more disturbance to the Historic Capitol basement than relocation of the gift shop and similar facilities that would be affected by visitor/welcome center entry on the west side of the basement.

LAND USE AND PLANNING

Like the proposed project, Alternative 5 would not alter the existing land use and would not result in any conflicts with environmental plans, goals, or regulations adopted for the purpose of avoiding or mitigating an environmental effect. Therefore, land use impacts under Alternative 5 would be similar to those of the proposed project.

TRANSPORTATION/CIRCULATION

Similar to the proposed project, Alternative 5 would generate construction-related vehicular trips for renovation activities and would result in no change to operational vehicular trips or transit. Construction of either the proposed project or Alternative 5 would temporarily disrupt vehicle trips as well as parking, pedestrian, and bike access in the vicinity of the project site. However, these localized and temporary impacts would be minimized through implementation of a Construction Traffic Management Plan in accordance with City of Sacramento Code. It is assumed that buses bringing groups to visit the Capitol would continue to park on the east side of 10th Street as parking on N Street would require visitors to cross N Street to reach Capitol Park. Therefore, roadway traffic conditions would not change. However, compared to the Proposed Project, pedestrian patterns of visitors would be altered, focusing visitors arriving by bus into the southwest corner of Capitol Park as they make a longer walk to visitor/welcome center south entrance versus the entrance facing 10th Street under the proposed project. However, this would not substantially alter pedestrian or bike access in Capitol Park. This condition could change if the City of Sacramento implements plans to convert N Street to two-way traffic and buses could then potentially park on N Street. However, whether this change to N Street occurs or not, Alternative 5 would have similar construction- and operation-related transportation impacts as the proposed project.

UTILITIES AND SERVICE SYSTEMS

Alternative 5 would generate similar demand for water, wastewater treatment, stormwater conveyance, and electricity; therefore, it would result in a similar need for demand driven improvements to utility infrastructure. Alternative 5 would require similar amounts of re-routing and relocation of underground utilities as the proposed project. Alternative 5 would involve upgrades to existing utility systems, which would include similar water efficiency features in the building. Similar to the proposed project, Alternative 5 would have no new demand for potable water, stormwater/surface-runoff management, wastewater treatment, and wastewater conveyance infrastructure, and the efficiency measures through Annex renovations could potentially reduce existing demand. Alternative 5 would result in similar impacts on utilities as the proposed project.

AIR QUALITY

Similar to the proposed project, Alternative 5 would involve the same level of demolition through complete removal of the Annex. However, Alternative 5 would involve a greater level of construction/ground disturbance to accommodate the loop ramps for entry. Therefore, the construction-related air emissions would be slightly greater

than the proposed project's less-than-significant emissions; however the emission impacts would still be considered less-than-significant. Similar to the proposed project, operation of Alternative 5 would not result in additional employees or new vehicular trip generation and would result in similar less-than-significant operational air emissions. Because Alternative 5 would result in a higher level of construction activity compared to the proposed project, Alternative 5 would result in greater, although still less-than-significant, impacts to air quality compared to the proposed project.

GREENHOUSE GAS EMISSIONS AND CLIMATE CHANGE

Because Alternative 5 would involve a higher level of ground disturbance and associated construction activity, even though similar GHG efficiency measures would be implemented, the construction-related GHG emissions would be greater than the proposed project's less-than-significant GHG emissions. However, the emission impacts would likely still be considered less-than-significant. This alternative would have similar less-than-significant operations-related GHG emissions because, similar to the proposed project, Alternative 5 would not include additional employees, would not result in new vehicular trip generation, and would implement energy efficiency measures. Therefore, due to the increased construction emissions, Alternative 5 would result in greater, although still less-than-significant, GHG emissions compared to the proposed project.

ENERGY

Alternative 5 would involve increased energy use during construction because of the additional excavation needed to construct loop ramps. Operational energy use would be the same for Alternative 5 and the proposed project. Neither the proposed project nor Alternative 5 would result in wasteful, inefficient and unnecessary consumption of energy during construction or operation. Although Alternative 5 would result in a greater energy usage during the construction period, overall, for the purposes of this analysis, the energy usage is considered similar to the proposed project.

NOISE AND VIBRATION

Alternative 5 would generate the same construction related noise and vibration as the proposed project for construction of the Annex and underground parking and would use similar construction methods as the proposed project for the visitor/welcome center. Although there would be a greater level of ground disturbance and overall construction activity under Alternative 5, maximum construction noise generation levels would not differ. However, constructing the visitor/welcome center on the south side of the Historic Capitol places construction activity nearer the Lewis Apartments, a sensitive receptor. Heavy equipment used for excavation could operate within 125 feet of these residences under Alternative 5. The closest excavation activity under the proposed action would be greater than 350 feet away. Therefore, although construction noise generation may be the same for Alternative 5 and the proposed action, potential impacts are greater under Alternative 5 because of the closer proximity to a sensitive noise receptor.

Like the proposed project, Alternative 5 would implement a vibration control plan to reduce vibration impacts and potential damage to the Historic Capitol to a less-than-significant level. Similar to the proposed project, Alternative 5 would not include additional employees and would not result in new vehicular trip generation. Additionally, like the proposed project, this alternative would not change operation-related noise at the project site. Although noise generation under Alternative 5 and the proposed action is the same in many respects, because Alternative 5 would place construction activity significantly closer to a sensitive residential noise receptor, greater noise and vibration impacts would occur under this alternative compared to that of the proposed project.

GEOLOGY AND SOILS

Alternative 5 would increase excavation of soils for entry loop ramps. This could result in an increased potential for construction-related erosion impacts on nearby buildings and structures. The potential increase in the risk of exposure to injury or property damage because of a seismic event would remain the same. Both alternatives would be required to comply with building standards; therefore, neither the proposed project nor Alternative 5 would result in significant impacts related to geology and soils. However, Alternative 5 would have slightly greater potential for impacts related to geology and soils due to the increased ground disturbance and construction activity.

HAZARDS AND HAZARDOUS MATERIALS

The existing Annex has identified hazardous materials such as asbestos and lead-based paint that would be abated in compliance with federal, State, and local regulations under either the proposed project or Alternative 5. In addition, under either the proposed project or Alternative 5, construction and operation would involve the storage, use, and transport of hazardous materials; however, such use would be done in compliance with federal, State, and local regulations. Compliance with regulations would prevent the project or Alternative 5 from resulting in a significant risk to construction workers or the public. Therefore, Alternative 5 would result in similar hazardous materials impacts as the proposed project.

HYDROLOGY AND WATER QUALITY

Alternative 5 would require greater excavation of soil during construction. These activities would increase the potential for construction-related releases of sediment and contaminants into surface waters or groundwater in comparison to the proposed project. Because the project site is already developed and has sufficient stormwater management and transport infrastructure, long-term changes to runoff and runoff water quality resulting from the project or Alternative 5 are considered less than significant. In addition, various stormwater pollution prevention devices and BMPs would be implemented for either the proposed project or Alternative 5, and both would be required to comply with existing State and local regulations regarding the City's CSS and NPDES permits. Implementation of BMPs and compliance with State and local requirements would result in similar runoff and water quality during storm events as under existing conditions. Therefore, Alternative 5 would result in similar less-than-significant impacts to the project with regard to hydrology and water quality.

ARCHAEOLOGICAL, HISTORICAL, AND TRIBAL CULTURAL RESOURCES

Alternative 5 would involve the same level of excavation for the new Annex building and parking garage, but a greater level of ground disturbance for construction of the underground visitor/welcome center. Due to the increased excavation footprint, Alternative 5 would have a greater potential to result in the destruction, or alteration of any known or as-yet-undiscovered/unrecorded pre-historic or historic archeological resources, tribal cultural resources, and human remains through increased excavation depths. These impacts would be reduced to less-than-significant levels through mitigation under either the proposed project or Alternative 5. Because Alternative 5 would demolish and reconstruct the Annex, it would result in similar significant and unavoidable historic structure impacts. However, because of the modified location of the visitor/welcome center under Alternative 5, there is the potential for differing impacts on Capitol Park, which is a component of the Capitol Complex.

Like the north entry alternative evaluated above, this alternative would eliminate the impacts to the West Lawn portion of Capitol Park while introducing new impacts to the south lawn. Overall, this alternative would have a slightly reduced, but still significant, impact on the State Capitol Complex. The impact would be reduced because it would avoid the disruption to the important visual and pedestrian circulation relationship between the west façade of the Historic Capitol building, the West Lawn, and the open space of the West Lawn that provides a defining vista both to and from the long, linear views down Capitol Mall. But the impact of the visitor/welcome center alternative south of the Historic Capitol would still introduce a large modern addition to the historic landscape and thus contribute to the significant impact to the State Capitol Complex historical resource.

Relocation of the restaurant kitchen on the south side of the Historic Capitol basement has the potential to adversely affect the building as conduits, pipes, and vents must be moved/relocated within the basement. Relocating this equipment would result in more disturbance to the Historic Capitol basement than relocation of the gift shop and similar facilities that would be affected by visitor/welcome center entry on the west side of the basement.

Considering both the increased potential for effects on subsurface resources under Alternative 5, potential adverse effects on the Historic Capitol from needed basement work, and the reduced impact on the State Capitol Complex, cultural resource impacts under Alternative 5 would be similar to the proposed project.

BIOLOGICAL RESOURCES

Alternative 5 would have the same footprint and project features for the new Annex building and parking structure, but a larger area of ground disturbance for the visitor/welcome center compared to the proposed project. The project site is currently developed with urban uses and lacks sensitive species or their habitat. As with the proposed project, Alternative 5 has the potential to disturb nesting raptors, bat roosts, or City street trees, which would be mitigated to avoid disturbance to these resources, resulting in less-than-significant impacts. Although increasing the disturbance area for the visitor/welcome center may increase some construction disturbance on the project site, overall, Alternative 5 would have similar biological resource impacts as the proposed project.

PUBLIC SERVICES AND RECREATION

Similar to the proposed project, Alternative 5 would not include any new or increased employees. Under both the proposed project and the Alternative 5, increased demands for public services would be less than significant. Similar to the proposed project, Alternative 5 would include private security at the project site during construction and would temporarily disrupt recreational uses in Capitol Park. Overall, Alternative 5 would have similar impacts on recreational uses as would occur under the proposed project. Therefore, the impacts of this alternative on public services are considered to be similar to the proposed project.

AESTHETICS, LIGHT, AND GLARE

Alternative 5 and the proposed project include the same new Annex building and underground parking. Therefore, aesthetics, light, and glare impacts from these facilities would not differ across the two alternatives. Moving the visitor/welcome center from the West Lawn area would prevent impacts on views of the Capitol west steps and views from Capitol Mall. However, impacts on these views are less than significant given the limited visibility of visitor/welcome center facilities. The loop ramps associated with Alternative 5 would make the south entry visitor/welcome center more visible than the visitor/welcome center design under the proposed project. However, the loop ramps would benefit from the same limited visibility provided by placing project facilities lower than the ground surface. Both visitor/welcome center designs would not be readily visible unless the viewer were close to each facility (less than approximately 300 feet) or they were viewing the facilities from an elevated position. However, the view of the west face of the Historic Capitol from Capitol Mall is considered part of a scenic vista where the south face of Historic Capitol is not. Therefore, although the effects on this scenic vista are considered less than significant under the proposed project, these effects would not occur at all under Alternative 5. Therefore, Alternative 5 would have less of an impact compared to the proposed project.

7.5 ENVIRONMENTALLY SUPERIOR ALTERNATIVE

The 2019 Draft EIR described that because the No Project–No Development Alternative would avoid all adverse impacts resulting from construction and operation of the Capitol Annex Project, it was initially identified as the environmentally superior alternative. However, the No Project–No Development Alternative would not meet the objectives of the project as presented above in Section 7.2.

When the environmentally superior alternative is the No Project Alternative, the State CEQA Guidelines (Section 15126.6[e][2]) require selection of an environmentally superior alternative from among the other action alternatives evaluated. Table 7-1, provided below, reproduces information from the 2019 Draft EIR for the Proposed Project and Alternatives 1, 2, and 3. However, information from this Draft REIR for Alternatives 4 and 5 is added to the last two columns. In the 2019 Draft EIR, Alternative 2, the Capitol Annex Renovation Alternative was identified as the environmentally superior action alternative because although the environmental impacts would be similar to the proposed project, Alternative 2 would fully renovate the existing Annex, and fully avoid the project's significant and unavoidable historic structure impact related to the Historic Capitol Complex. However, this alternative would not provide an Annex structure large enough to meet the project objectives, such as providing meeting space for legislative and executive functions of sufficient size to support efficient performance of State business or improved public access to the Capitol.

The additions of Alternative 4: Visitor/Welcome Center North Entry and Alternative 5: Visitor/Welcome Center do not change these conclusions regarding Alternative 2. However, Alternatives 4 and 5 differ from Alternative 2 in that they feasibly attain the project's objectives. Alternatives 4 and 5 also differ from Alternative 2 in that while Alternatives 4 and 5 lessen the significant impact on the Capitol Complex by shifting the visitor/welcome center from the West Lawn area, Alternative 2 completely removes the significant impact on the Capitol Complex of removing the current Annex building. The CEQA statute and guidelines do not identify meeting project objectives as a criterion for selecting an environmentally superior alternative. Therefore, because Alternative 2 completely removes a significant adverse impact, while Alternatives 4 and 5 only lessen a significant impact, Alternative 2 remains the environmentally superior alternative.

Table 7-1 Summary of Environmental Effects of the Alternatives Relative to the Proposed Capitol Annex Project

Environmental Topic						
Land Use	Less than Significant	Similar	Similar	Similar	Similar	Similar
Transportation and Circulation	Less than Significant	Less	Similar	Similar	Similar	Similar
Utilities and Service Systems	Less than Significant	Less	Similar	Similar	Greater	Similar
Air Quality	Less than Significant	Less	Less	Similar	Greater	Greater
Greenhouse Gas Emissions and Climate Change	Less than Significant	Short-term Less Long-term Greater	Less	Similar	Greater	Greater
Energy	Less than Significant	Short-term Less Long-term Greater	Less	Similar	Similar	Similar
Noise	Less than Significant with Mitigation	Less	Less	Similar	Similar	Greater
Geology and Soils	Less than Significant	Similar	Similar	Greater	Greater	Similar

Environmental Topic						
Hazards and Hazardous Materials	Less than Significant	Less	Similar	Similar	Similar	Similar
Hydrology and Water Quality	Less than Significant	Similar	Similar	Similar	Similar	Similar
Archaeological, Historical, and Tribal Cultural Resources	Significant and Unavoidable	Less	Less	Greater	Similar	Similar
Biological Resources	Less than Significant with Mitigation	Less	Similar	Similar	Similar	Similar
Public Services and Recreation	Less than Significant	Less	Less	Similar	Similar	Similar
Aesthetics, Light, and Glare	Less than Significant with Mitigation	Less	Similar	Similar	Less	Less

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