

City of SACRAMENTO

COMMUNITY DEVELOPMENT
DEPARTMENT

ENVIRONMENTAL PLANNING
SERVICES

300 Richards Boulevard
Third Floor
Sacramento, CA 95811

MITIGATED NEGATIVE DECLARATION

The City of Sacramento, California, a municipal corporation, does hereby prepare, declare, and publish this Negative Declaration for the following described project:

4050 Florin Road Retail & Hydrogen Station Addition Project (DR21-244) The proposed project consists of the construction of a new retail building shell, a Hydrogen station and enclosure, a 500-gallon propane tank with a propane dispenser and perform various site improvements at 4050 Florin Road. The proposed retail building is approximately 3,423 square feet (sf). The hydrogen equipment enclosure is approximately 929 sf. Site improvements would include parking stalls, accessible path of travel to the right-of-way, masonry trash enclosure, site lighting and landscaping. The Hydrogen station will sell Hydrogen fuel.

The Lead Agency is the City of Sacramento. The City of Sacramento, Community Development Department, has reviewed the proposed project and, on the basis of the whole record before it, has determined that there is no substantial evidence that the project, as identified in the attached Initial Study, will have a significant effect on the environment. This Mitigated Negative Declaration reflects the lead agency's independent judgment and analysis. An Environmental Impact Report is not required pursuant to the Environmental Quality Act of 1970 (Sections 21000, et seq., Public Resources Code of the State of California).

This Mitigated Negative Declaration has been prepared pursuant to the California Environmental Quality Act (Public Resources Code Sections 21000 et seq.), CEQA Guidelines (Title 14, Sections 15000 et seq. of the California Code of Regulations), the Sacramento Local Environmental Regulations (Resolution 91-892) adopted by the City of Sacramento, and the Sacramento City Code.

A copy of this document and all supportive is available on the City's EIR Webpage at:

<http://www.cityofsacramento.org/Community-Development/Planning/Environmental/Impact-Reports>

Due to the COVID 19 crises and the current public counter closures, the document is not available for review in printed form. If you need assistance in reviewing the document please contact Ron Bess, Associate Planner at (916) 808-8272 or Rbess@cityofsacramento.org.

Environmental Services Manager, City of Sacramento,
California, a municipal corporation

By: Scott Johnson
Date: January 17, 2023



4050 FLORIN ROAD RETAIL AND HYDROGEN STATION ADDITION PROJECT [(DR21-244)]

INITIAL STUDY/ MITIGATED NEGATIVE DECLARATION FOR ANTICIPATED SUBSEQUENT PROJECTS UNDER THE 2035 GENERAL PLAN MASTER EIR

This Initial Study has been prepared by the City of Sacramento (City), Community Development Department, 300 Richards Boulevard, Third Floor, Sacramento, CA 95811, pursuant to the California Environmental Quality Act (CEQA) (Public Resources Code Sections 21000 *et seq.*), CEQA Guidelines (Title 14, Section 15000 *et seq.* of the California Code of Regulations) and the Sacramento Local Environmental Regulations (Resolution 91-892) adopted by the City of Sacramento.

ORGANIZATION OF THE INITIAL STUDY

This Initial Study is organized into the following sections:

SECTION I - BACKGROUND: Provides summary background information about the project name, location, sponsor, and the date this Initial Study was completed.

SECTION II - PROJECT DESCRIPTION: Includes a detailed description of the proposed project.

SECTION III - ENVIRONMENTAL CHECKLIST AND DISCUSSION: Reviews proposed project and states whether the project would have additional significant environmental effects (project-specific effects) that were not evaluated in the Master EIR for the 2035 General Plan.

SECTION IV - ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED: Identifies which environmental factors were determined to have additional significant environmental effects.

SECTION V - DETERMINATION: States whether environmental effects associated with development of the proposed project are significant, and what, if any, added environmental documentation may be required.

REFERENCES CITED: Identifies source materials that have been consulted in the preparation of the Initial Study.

APPENDIX A: Air Quality Emissions Model – CalEEMod.2022.1

APPENDIX B: CNDDDB, USFWS, CNPS, and NMFS Database Results

SECTION I - BACKGROUND

Project Name and File #: 4050 Florin Road Retail and Hydrogen Station Addition Project (DR21- 244)

Project Location: 4050 Florin Road
Sacramento, CA 95823
APN: 049-0370-004

Project Applicant: Sunny Goyal
AU Energy LLC
41805 Albrae Street
Fremont, CA 94538

Project Planner: Kevin Valente, Contract Planner
(916) 372-6100
kvalente@raneymanagement.com

Environmental Planner: Ron Bess, Associate Planner
Community Development Department
City of Sacramento
300 Richards Blvd, 3rd Floor
Sacramento, CA 95811

Date Initial Study Completed: January 2023

This Initial Study was prepared in accordance with CEQA (Public Resources Code Sections 1500 *et seq.*). The Lead Agency is the City of Sacramento.

The City, Community Development Department, has reviewed the proposed project and, on the basis of the whole record before it, has determined that the proposed project is an anticipated subsequent project identified and described in the 2035 General Plan Master Environmental Impact Report (EIR) and is consistent with the land use designation and the permissible densities and intensities of use for the project site as set forth in the 2035 General Plan. See CEQA Guidelines Section 15176 (b) and (d). It should be noted that the City is currently in the process of drafting the 2040 General Plan Update. Since a final plan has not been adopted, this Initial Study will reference the 2035 General Plan and Master EIR.

The City has prepared the attached Initial Study to review the discussions of cumulative impacts, growth inducing impacts, and irreversible significant effects in the 2035 General Plan Master EIR to determine their adequacy for the project (see CEQA Guidelines Section 15178(b),(c)) and identify any potential new or additional project-specific significant environmental effects that were not analyzed in the Master EIR and any mitigation measures or alternatives that may avoid or mitigate the identified effects to a level of insignificance, if any.

As part of the Master EIR process, the City is required to incorporate all feasible mitigation measures or feasible alternatives appropriate to the project as set forth in the Master EIR (CEQA Guidelines Section 15177(d)) Policies included in the 2035 General Plan that reduce significant impacts identified in the Master EIR are identified and discussed. See also the Master EIR for the 2035 General Plan. The

mitigation monitoring plan for the 2035 General Plan, which provides references to applicable general plan policies that reduce the environmental effects of development that may occur consistent with the general plan, is included in the adopting resolution for the Master EIR. See City Council Resolution No. 2015-0060, beginning on page 60. The resolution is available at

<http://portal.cityofsacramento.org/Community-Development/Planning/Environmental/Impact-Reports.aspx>.

This analysis incorporates by reference the general discussion portions of the 2035 General Plan Master EIR. (CEQA Guidelines Section 15150(a)). The Master EIR is available for public review at the City of Sacramento's web site at:

<http://www.cityofsacramento.org/Community-Development/Planning/Environmental/Impact-Reports.aspx>

The City is soliciting views of interested persons and agencies on the content of the environmental information presented in this document. Written comments should be sent at the earliest possible date, but no later than the 20-day review period ending February 20, 2023.

Please send written responses to:

Ron Bess, Associate Planner
Community Development Department
City of Sacramento
300 Richards Blvd, 3rd Floor
Sacramento, CA 95811
Direct Line: (916) 808-8272
rbess@cityofsacramento.org

SECTION II - PROJECT DESCRIPTION

INTRODUCTION

This section of the IS/MND provides project location and description of the Retail and Hydrogen Station Addition Project (project).

PROJECT LOCATION

The project is located at 4050 Florin Road (Figure 1. Project Vicinity). The project is within an urbanized portion of the City and is located on a developed parcel that contains an existing Shell gas station (APN: 049-0370-004-0000). Florin Road and Franklin Boulevard, both arterial roadways border the northern and eastern edge of the project area respectively.

The project site is located within the South Area Community Plan Area. The 2035 General Plan identifies the land use designation within the project area as Urban Center Low and the project is zoned as C-2 – General Commercial (Figure 2. Land Use Designation and Figure 3. Zoning).

PROJECT DESCRIPTION

AU Energy LLC proposes to construct a new retail building shell, a Hydrogen station and enclosure, a 500-gallon propane tank with a propane dispenser, and perform various site improvements at 4050 Florin Road (Figure 4. Project Features). The proposed retail building is approximately 3,423 square feet (sf). The hydrogen equipment enclosure is approximately 929 sf. Site improvements would include parking stalls, accessible path of travel to the right-of-way, masonry trash enclosure, site lighting and landscaping. The Hydrogen station will sell Hydrogen fuel.

Hours of Operation

The hours of operation for the Hydrogen station are 24 hours per day, 7 days per week, 365 days per year. The hours of operation for the retail building will be determined by future retail tenant.

Site Lighting

The exterior lighting levels will be enough to ensure the safety of the facility, but to not provide glare or excessive light spillage onto adjacent properties or the public right-of-way.

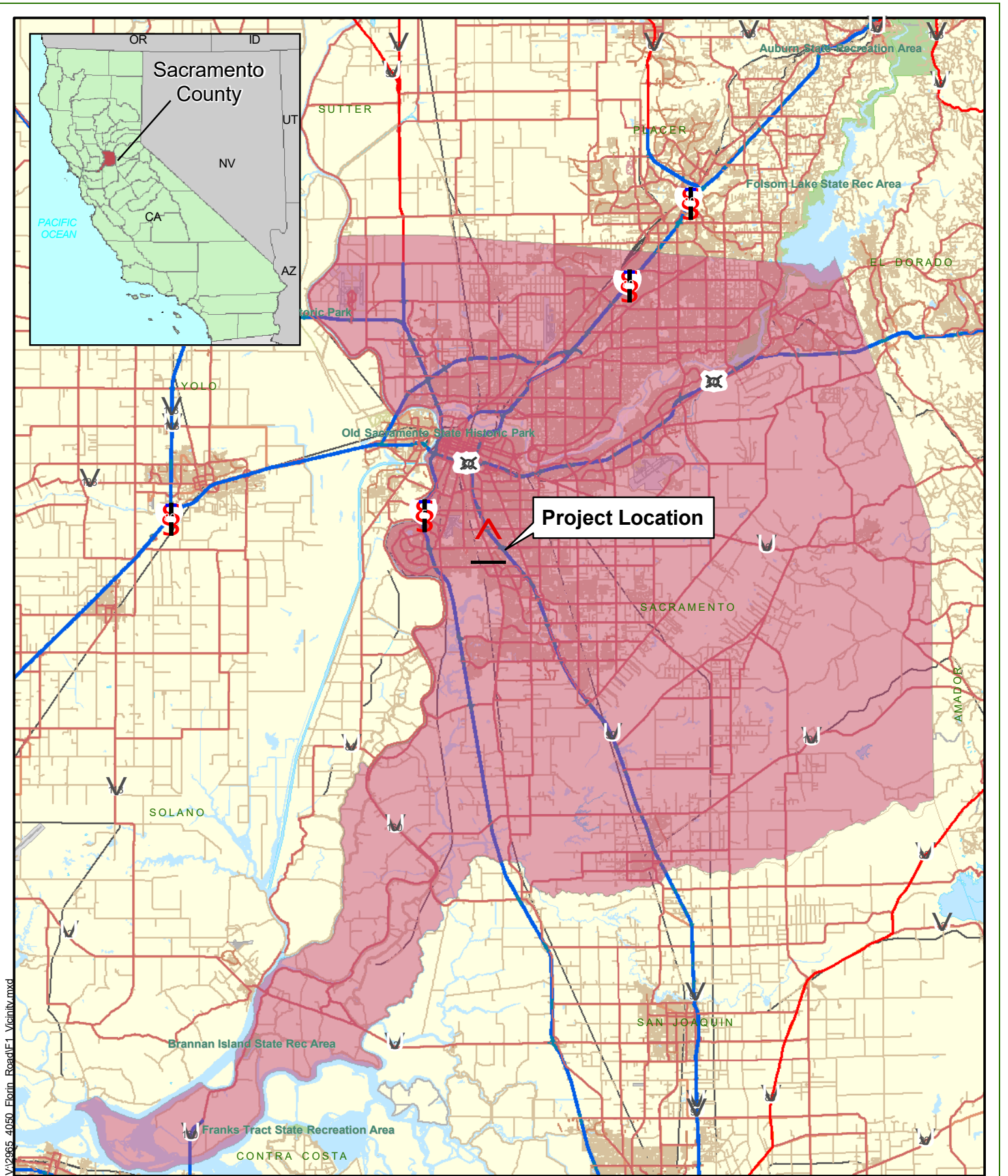
FIGURES AND MAPS

Figure 1. Project Vicinity Map

Figure 2. Land Use Designation Map

Figure 3. Zoning Map

Figure 4. Project Features Map



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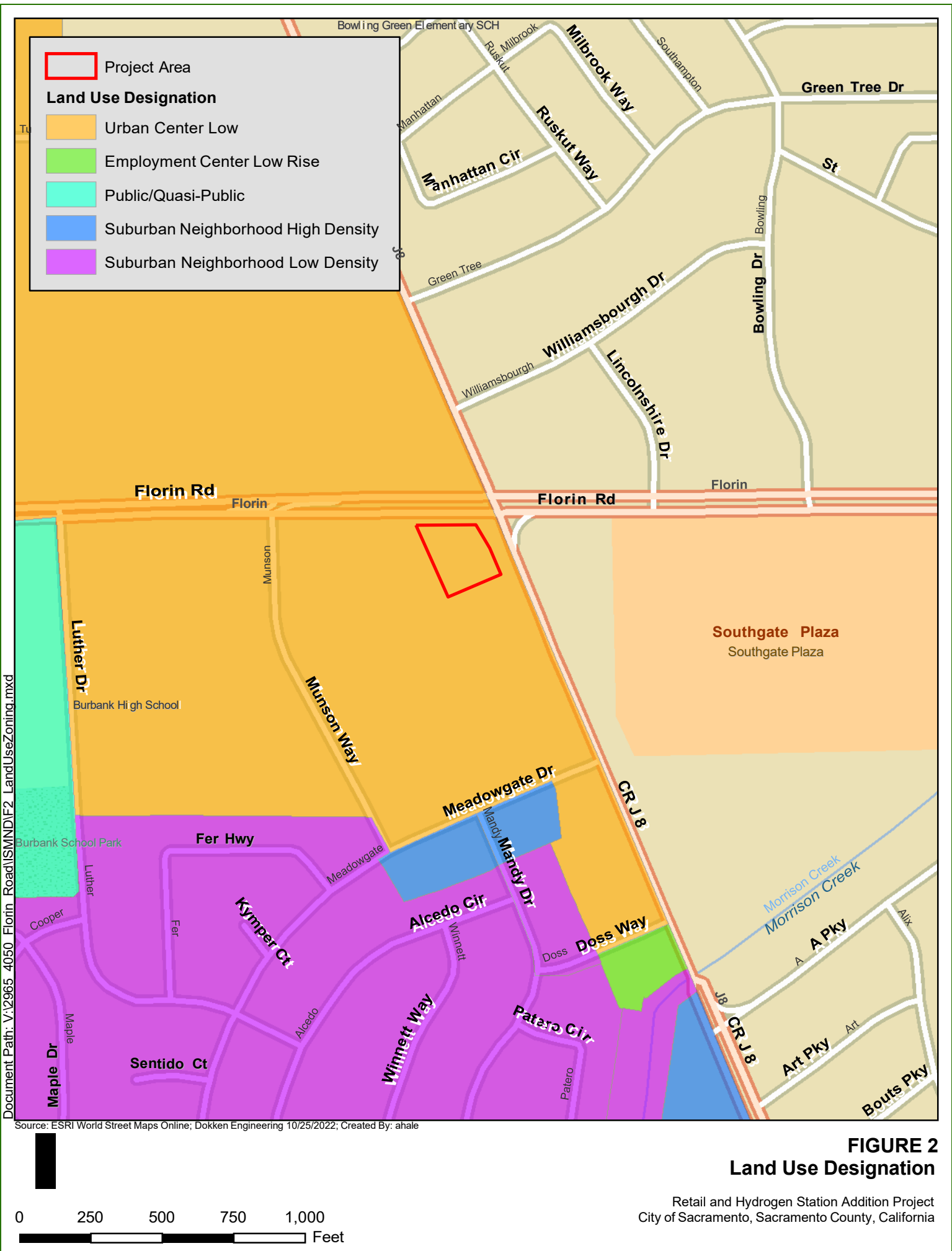
Source: ESRI 2008; Dokken Engineering 10/25/2022; Created By: ahale

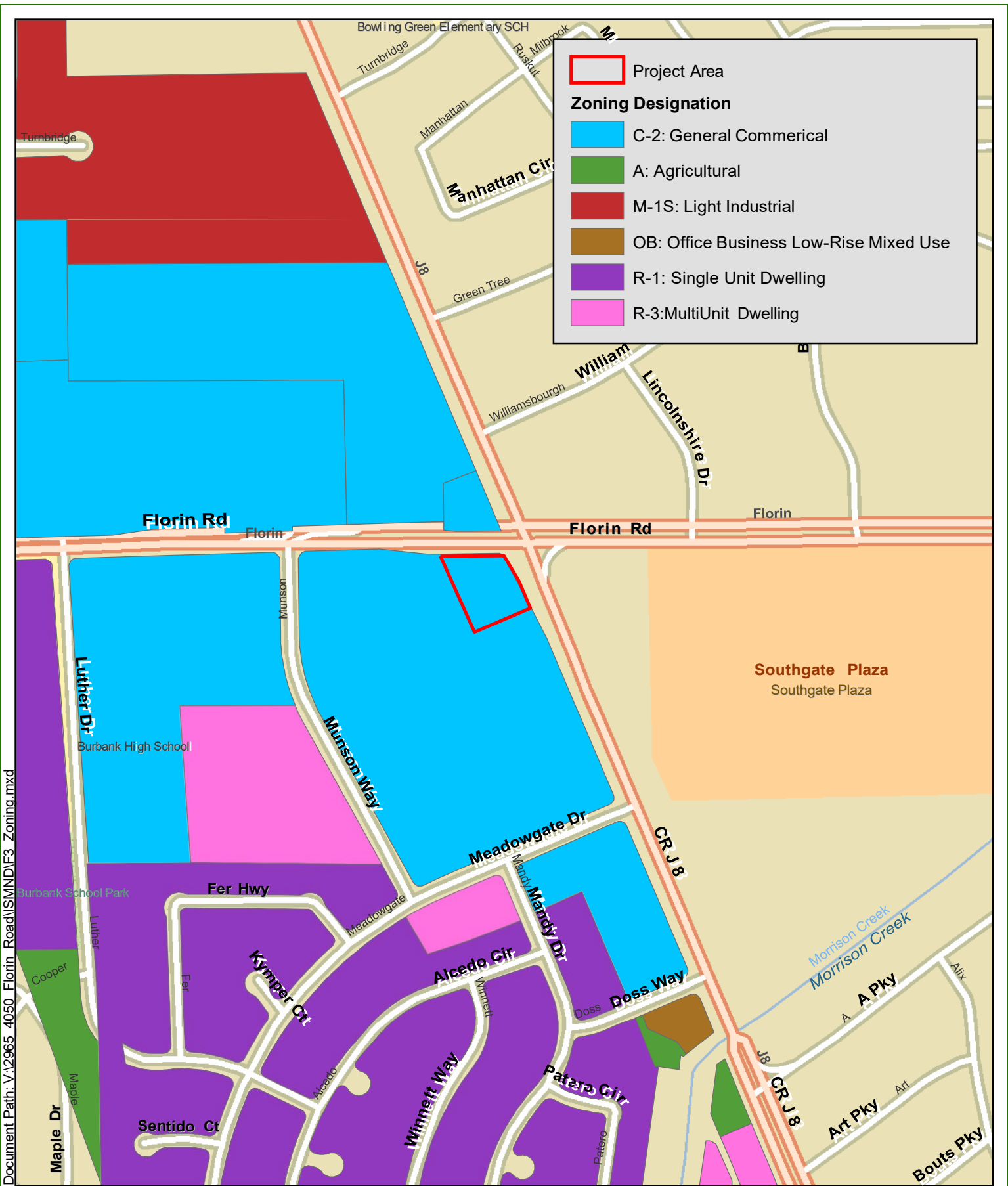
FIGURE 1

Project Vicinity

Retail and Hydrogen Station Addition Project
City of Sacramento, Sacramento County, California

0 5 10 15 Miles





Document Path: V:\2965_4050_Florin_Road\ISMNDIF3_Zoning.mxd

Source: ESRI World Street Maps Online; Dokken Engineering 10/26/2022; Created By: ahale

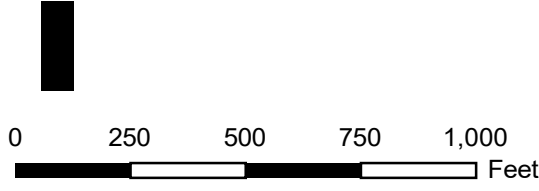
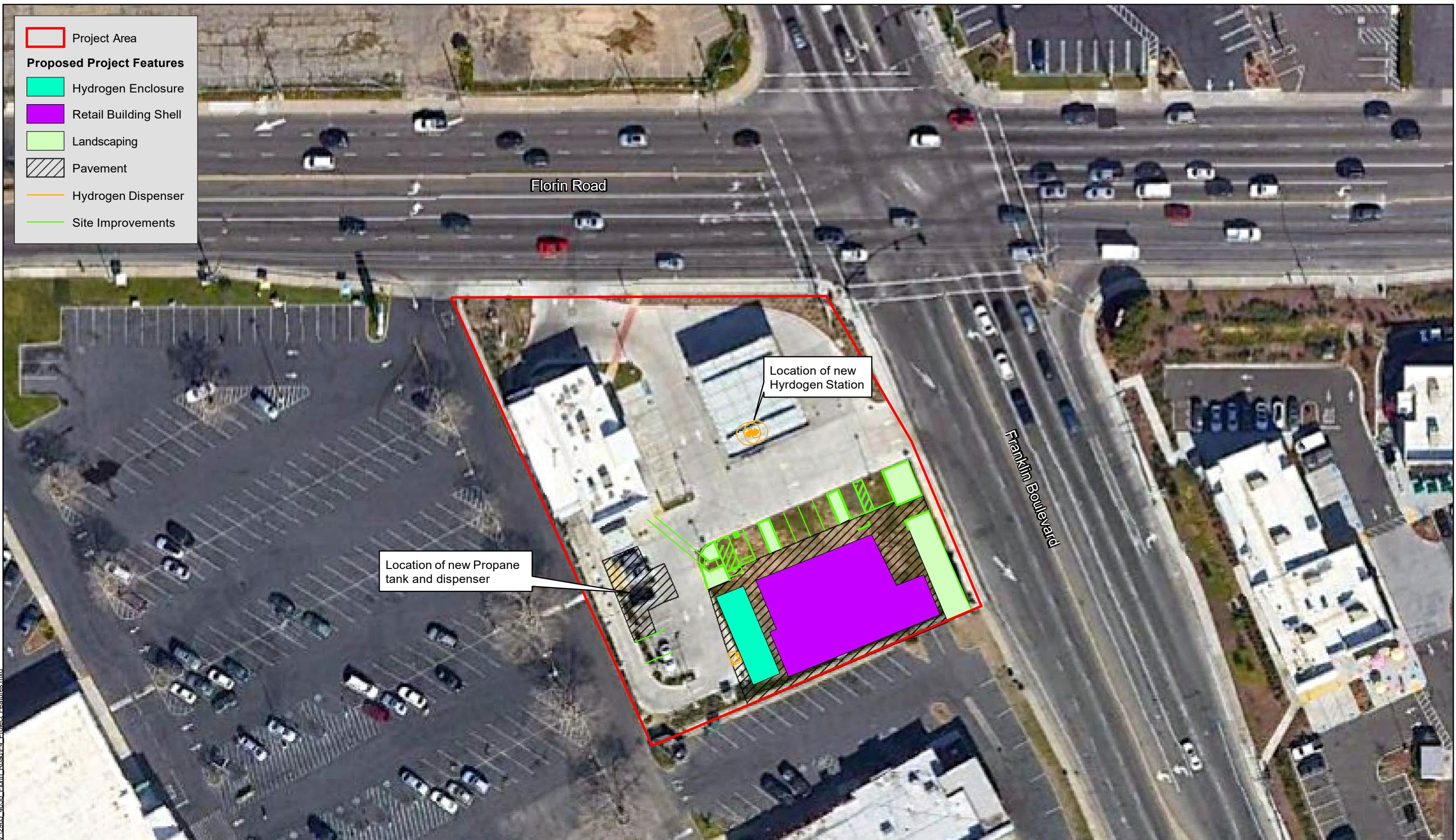


FIGURE 3
Zoning Designation

Retail and Hydrogen Station Addition Project
City of Sacramento, Sacramento County, California

- Project Area
- Proposed Project Features**
- Hydrogen Enclosure
- Retail Building Shell
- Landscaping
- Pavement
- Hydrogen Dispenser
- Site Improvements



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Source: ESRI Maps Online; Dokken Engineering 10/25/2022; Created By: ahale

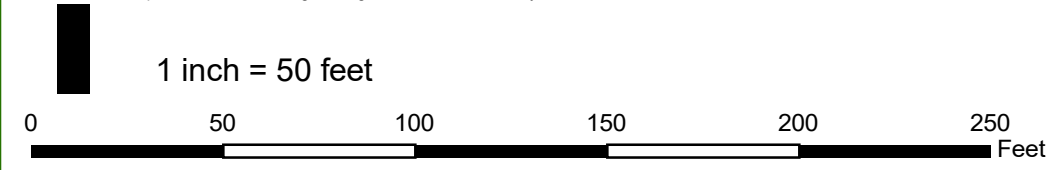


FIGURE 4
Project Features

Retail and Hydrogen Station Addition Project
City of Sacramento, Sacramento County, California

SECTION III – ENVIRONMENTAL CHECKLIST AND DISCUSSION

Land Use, Population and Housing, Agricultural Resources, and Wildfire

Introduction

The California Environmental Quality Act (CEQA) requires the Lead Agency to examine the effects of a project on the physical conditions that exist within the area that would be affected by the project. CEQA also requires a discussion of any inconsistency between the proposed project and applicable general plans and regional plans.

An inconsistency between the proposed project and an adopted plan for land use development in a community would not constitute a physical change in the environment. When a project diverges from an adopted plan, however, it may affect planning in the community regarding infrastructure and services, and the new demands generated by the project may result in later physical changes in response to the project.

In the same manner, the fact that a project brings new people or demand for housing to a community does not, by itself, change the physical conditions. An increase in population may, as an example, generate changes in retail demand or demand for governmental services, and the demand for housing may generate new activity in residential development. Physical environmental impacts that could result from implementing the proposed project are discussed in the appropriate technical sections.

This section of the initial study identifies the applicable land use designations, plans and policies, and permissible densities and intensities of use, and discusses any inconsistencies between these plans and the proposed project. This section also discusses agricultural resources and wildfire, and the effect of the project on these resources.

Discussion

Land Use

The project site is designated as Urban Center Low in the 2035 General Plan and is zoned as C-2 – General Commercial (Figure 2. Land Use Designation and Figure 3. Zoning). The surrounding land uses within the project vicinity are designated as Urban Center Low, Suburban Neighborhood Low and High Density and Employment Center Low Rise.

The project site is located in an urbanized portion of the community, within the South Area Community Plan Area. The project site is further included in two South Area Opportunity Areas, the Florin Subregional Center and Florin Road Corridor Area. The vision of the Florin Road Subregional Center is to locate new retail-focused mixed-use development along Florin Road and Franklin Boulevard to take advantage of convenient vehicle access and pass-by traffic, and potential synergies with future retail development along the Florin Road corridor. Although development of the site would alter the existing landscape, the project site has been designated for urban development in the 2035 General Plan and the Planning and Development Code, and the proposed development is consistent with these planning designations.

As outlined in the Sacramento City Code Title 17.216 of the Planning and Development Code Division II Zoning Districts and Land Use Regulations, C-2 Zone – General Commercial Zone is used to provide for the sale of goods, the performance of services, and limited processing and packaging. The project is consistent with C-2 zoning designation since the retail building and other amenities, such as the Hydrogen station, will be used for commercial purposes. The project does not impact the City's land use and planning objectives.

Population and Housing

The proposed project would include the construction of a retail building shell, a Hydrogen station and enclosure, a 500-gallon propane tank with a propane dispenser, and site improvements. The project site is located in a developed area and would not include the extension of major infrastructure. Given the nature and scale of the development proposed, the project would not be anticipated to create a large number of jobs or result in a large influx of new residents to the project area. Rather, the project is intended to serve the needs of the existing residences in the site vicinity. In addition, the proposed project site does not contain any existing residences. As such, the proposed project would not displace a substantial number of existing housing or people and would not necessitate the construction of replacement housing elsewhere. The proposed project would not result in impacts related to population and housing.

Agricultural Resources

The Master EIR discussed the potential impact of development under the 2035 General Plan on agricultural resources. See Master EIR, Chapter 4.1., the Master EIR noted that to the extent the 2035 General Plan accommodates future growth within the City limits, the conversion of farmland outside the City limits is minimized (Master EIR, page 4.1-3). The Master EIR concluded that the impact of the 2035 General Plan on agricultural resources within the City was less than significant.

According to the NRCS Soil Survey Report, soils within the project site contains are designated as Urban Land (NRCS 2022). The project does not contain soils designated as Important Farmland (i.e., Prime Farmland, Unique Farmland or Farmland of Statewide Importance). The site is not zoned for agricultural uses, and there are no Williamson Act contracts that affect the project site. No existing agricultural or timber-harvest uses are located on or in the vicinity of the project site. Development of the site would result in no impacts on agricultural resources.

Wildfire

The Master EIR does not identify any significant impacts related to wildfire risk. Per the CAL FIRE Fire and Resources Assessment Program (FRAP), the City is located within a Local Responsibility Area (LRA). The City is not located within or adjacent to a State Responsibility Area (SRA) or a designated Very High Fire Hazard Severity Zone (VHFHSZ). Furthermore, the project site is located within a developed area where a substantial wildland-urban interface does not exist. Thus, the risk of wildfire at the project site is minimal. Based on the above, the proposed project would not create a substantial fire risk for existing development in the project vicinity.

Issues:	Effect will be studied in the EIR	Effect can be mitigated to less than significant	No additional significant environmental effect
1. AESTHETICS Would the proposal:			
A) Create a source of glare that would cause a public hazard or annoyance?			X
B) Create a new source of light that would be cast onto oncoming traffic or residential uses?			X
C) Substantially degrade the existing visual character of the site or its surroundings?			X

ENVIRONMENTAL SETTING

The project is located at 4050 Florin Road, at the intersection of Florin Road and Franklin Boulevard, both arterial roadways (Figure 1). Land use in the vicinity is characterized as Urban Center Low, Suburban Neighborhood Low and High Density and Employment Center Low Rise (Figure 2). Local topography is relatively flat.

Existing conditions include roads, sidewalks, streetlamps, and the presence of various retail stores. There is very little existing vegetation within the project vicinity. Public views of the project site include views from motorists, bicyclists, and pedestrians travelling on Florin Road and Franklin Boulevard and customers visiting retail stores throughout the area.

The project site does not contain any scenic resources and is not contained within an area designated as a scenic resource or vista. Additionally, no scenic roadways are within or adjacent to the project site.

STANDARDS OF SIGNIFICANCE

The significance criteria used to evaluate the project impacts to aesthetics are based on Appendix G of CEQA Guidelines, thresholds of significance adopted by the City in applicable general plans and previous environmental documents, and professional judgment. A significant impact related to aesthetics would occur if the project would:

- substantially interfere with an important scenic resource or substantially degrade the view of an existing scenic resource; or
- create a new source of substantial light or glare that is substantially greater than typical urban sources and could cause sustained annoyance or hazard for nearby sensitive receptors.

SUMMARY OF ANALYSIS UNDER THE 2035 GENERAL PLAN MASTER EIR AND APPLICABLE GENERAL PLAN POLICIES

The Master EIR described the existing visual conditions in the City, and the potential changes to those conditions that could result from development consistent with the 2035 General Plan. See Master EIR, Chapter 4.13, Visual Resources.

The Master EIR identified potential impacts for light and glare (Impact 4.13-1) and concluded that impacts would be less than significant.

ANSWERS TO CHECKLIST QUESTIONS

- A. Would the project create a source of glare that would cause a public hazard or annoyance?

No additional significant environmental effect. The project is located in a highly urbanized area and is adjacent to an existing Shell station that is open 24 hours a day, therefore, lighting already exists throughout the area. The project proposes new site lighting but would be designed to not provide glare or excessive light spillage onto adjacent properties or the public right-of-way. As such, the project would not create a source of glare that would cause a public hazard or annoyance.

- B. Would the project create a new source of light that would be cast onto oncoming traffic or residential uses?

No additional significant environmental effect. As mentioned above, lighting already exists throughout the project vicinity since it's located in a highly urbanized area and is adjacent to an existing Shell station open 24 hours a day. Therefore, the project would not create a new source of light.

- C. Would the project substantially degrade the existing visual character of the site or its surroundings?

No additional significant environmental effect. Visually sensitive public locations include vantage points where a change affecting a scenic resource or the visibility of a scenic resource would affect the general public. Visually sensitive public locations within the City include major natural open space features such as the American River and Sacramento River, as well as important scenic resources including the State Capitol and historic landmarks such as the Old Sacramento Waterfront.

The proposed project consists of the construction of a new retail building shell and a Hydrogen station and enclosure, along with various site improvements. The project area is in a highly urbanized area located on a small plot of undeveloped land that contains little vegetation and is not located near any significant visual resources. Additionally, the project is consistent with the 2035 General Plan land use designation and existing zoning. Because the proposed project is consistent with the General Plan, impacts related to aesthetics have been evaluated within the General Plan EIR. With adherence to General Plan policies, the development of the project is not anticipated to substantially alter the existing visual character of the landscape.

MITIGATION MEASURES

None.

FINDINGS

The project would have no additional project-specific environmental effects relating to Aesthetics.

Issues:	Effect will be studied in the EIR	Effect can be mitigated to less than significant	No additional significant environmental effect
2. AIR QUALITY			
<i>Would the proposal:</i>			
A) Result in construction emissions of NO _x above 85 pounds per day?			X
B) Result in operational emissions of NO _x or ROG above 65 pounds per day?			X
C) Violate any air quality standard or have a cumulatively considerable contribution to an existing or projected air quality violation?			X
D) Result in PM ₁₀ and PM _{2.5} concentrations that exceed SAMQMD requirements?		X	
E) Result in CO concentrations that exceed the 1-hour state ambient air quality standard (i.e., 20.0 ppm) or the 8-hour state ambient standard (i.e., 9.0 ppm)?			X
F) Result in exposure of sensitive receptors to substantial pollutant concentrations?			X
G) Result in TAC exposures create a risk of 10 in 1 million for stationary sources, or substantially increase the risk of exposure to TACs from mobile sources?			X

ENVIRONMENTAL SETTING

The City is located within the Sacramento Valley Air Basin (SVAB), which is a valley bounded by the North Coast Mountain Ranges to the west and the Northern Sierra Nevada Mountains to the east. The terrain in the valley is flat and approximately 25 feet above sea level.

Hot, dry summers and mild, rainy winters characterize the Mediterranean climate of the Sacramento Valley. Throughout the year, daily temperatures may range by 20 degrees Fahrenheit with summer highs often exceeding 100 degrees and winter lows occasionally below freezing. Average annual rainfall is about 20 inches and snowfall is very rare. Summertime temperatures are normally moderated by the presence of the "Delta breeze" that arrives through the Carquinez Strait in the evening hours.

The mountains surrounding the SVAB create a barrier to airflow, which can trap air pollutants in the valley. The highest frequency of air stagnation occurs in the autumn and early winter when large high-pressure cells lie over the valley. The lack of surface wind during these periods and the reduced vertical flow caused by less surface heating reduces the influx of outside air and allows air pollutants to become concentrated in a stable volume of air. The surface concentrations of pollutants are highest when these conditions are combined with temperature inversions that trap cooler air and pollutants near the ground.

The warmer months in the SVAB (May through October) are characterized by stagnant morning air or light winds, and the Delta breeze that arrives in the evening out of the southwest. Usually, the evening breeze transports a portion of airborne pollutants to the north and out of the Sacramento Valley during about half of the day from July to September, however, a phenomenon called the “Schultz Eddy” prevents this from occurring. Instead of allowing the prevailing wind patterns to move north carrying the pollutants out of the valley, the Schultz Eddy causes the wind pattern to circle back south. This phenomenon exacerbates the pollution levels in the area and increases the likelihood of violating Federal or State standards. The Schultz Eddy normally dissipates around noon when the Delta breeze begins.

Criteria Air Pollutants

Concentrations of emissions from criteria air pollutants (the most prevalent air pollutants known to be harmful to human health) are used to indicate the quality of the ambient air. Criteria air pollutants include ozone, carbon monoxide (CO), nitrogen dioxide (NO₂), sulfur dioxide (SO₂), respirable and fine particulate matter (PM₁₀ and PM_{2.5}), and lead. The sources of criteria air pollutants and their respective acute and chronic health impacts are described in Table 1.

Table 1. Sources and Health Effects of Criteria Air Pollutants

Pollutant	Sources	Acute ¹ Health Effects	Chronic ² Health Effects
Ozone	Secondary pollutant resulting from reaction of ROG and NO _x in presence of sunlight. ROG emissions result from incomplete combustion and evaporation of chemical solvents and fuels; NO _x results from the combustion of fuels	Increased respiration and pulmonary resistance; cough, pain, shortness of breath, lung inflammation	Permeability of respiratory epithelia, possibility of permanent lung impairment
CO	Incomplete combustion of fuels; motor vehicle exhaust	Headache, dizziness, fatigue, nausea, vomiting, death	Permanent heart and brain damage
NO ₂	Combustion devices; e.g., boilers, gas turbines, and mobile and stationary reciprocating internal combustion engines	Coughing, difficulty breathing, vomiting, headache, eye irritation, chemical pneumonitis or pulmonary edema; breathing abnormalities, cough, cyanosis, chest pain, rapid heartbeat, death	Chronic bronchitis, decreased lung function
SO ₂	Coal and oil combustion, steel mills, refineries, and pulp and paper mills	Irritation of upper respiratory tract, increased asthma symptoms	Insufficient evidence linking SO ₂ exposure to chronic health impacts
PM ₁₀ , PM _{2.5}	Fugitive dust, soot, smoke, mobile and stationary sources, construction, fires and natural windblown dust, and formation in the Atmosphere by condensation and/or transformation of SO ₂ and ROG	Breathing and respiratory symptoms, aggravation of existing respiratory and cardiovascular diseases, Premature death	Alterations to the immune system, carcinogenesis
Lead	Metal processing	Reproductive/developmental effects (fetuses and children)	Numerous effects including neurological, endocrine, and cardiovascular effects

Notes: NO_x = oxides of nitrogen; ROG = reactive organic gases.

1. “Acute” refers to effects of short-term exposures to criteria air pollutants, usually at fairly high concentrations.

2. “Chronic” refers to effects of long-term exposures to criteria air pollutants, usually at lower, ambient concentrations.

Source: EPA 2018

Existing Air Quality

The U.S. Environmental Protection Agency (EPA) has been charged with implementing national air quality programs. EPA’s air quality mandates are drawn primarily from the federal Clean Air Act (CAA),

which was enacted in 1970 and most recently amended by Congress in 1990. The CAA required EPA to establish the National Ambient Air Quality Standards (NAAQS) for the following criteria air pollutants: ozone, CO, NO₂, SO₂, PM₁₀, PM_{2.5}, and lead. CAA also requires each State to prepare a State implementation plan (SIP) for attaining and maintaining the NAAQS. The federal Clean Air Act Amendments of 1990 (CAAA) added requirements for states with nonattainment areas to revise their SIPs to incorporate additional control measures to reduce air pollution. Individual SIPs are modified periodically to reflect the latest emissions inventories, planning documents, and rules and regulations of the air basins as reported by their jurisdictional agencies.

The California Air Resources Board (CARB) is the agency responsible for coordination and oversight of State and local air pollution control programs in California and for implementing the California Clean Air Act (CCAA). The CCAA, which was adopted in 1988, required CARB to establish its own California Ambient Air Quality Standards (CAAQS). CARB has established CAAQS for sulfates, hydrogen sulfide, vinyl chloride, visibility-reducing particulate matter, and the above-mentioned criteria air pollutants. In most cases the CAAQS are more stringent than the NAAQS.

The SVAB is currently designated as nonattainment for the NAAQS 8-hour ozone standard and the CAAQS for both 1-hour and 8-hour O₃ standard. The SVAB is also currently designated as nonattainment for both NAAQS and CAAQS 24-hour PM₁₀ standards. In addition, the SVAB is currently designated as nonattainment for the NAAQS 24-hour PM_{2.5} standard. The air basin is designated as unclassified or in attainment for the remaining criteria air pollutants (SMAQMD 2019).

Toxic Air Contaminants

According to the California Almanac of Emissions and Air Quality (CARB 2013), the majority of the estimated health risks from toxic air contaminants (TACs) can be attributed to relatively few compounds, the most important being diesel particulate matter (diesel PM). Diesel PM differs from other TACs in that it is not a single substance, but rather a complex mixture of hundreds of substances. Although diesel PM is emitted by diesel-fueled internal combustion engines, the composition of the emissions varies depending on engine type, operating conditions, fuel composition, lubricating oil, and whether an emissions control system is being used. In addition to diesel PM, the TACs for which data are available that pose the greatest existing ambient risk in California are benzene, 1,3-butadiene, acetaldehyde, carbon tetrachloride, hexavalent chromium, para-dichlorobenzene, formaldehyde, methylene chloride, and perchloroethylene.

Sensitive Receptors

Sensitive receptors are generally considered to include those land uses where exposure to pollutants could result in health-related risks to sensitive individuals, such as children or the elderly. Residential dwellings, schools, hospitals, playgrounds, and similar facilities are of primary concern because of the presence of individuals particularly sensitive to pollutants and/or the potential for increased and prolonged exposure of individuals to pollutants. The closest sensitive receptors to the project site include residential dwellings and a high school.

STANDARDS OF SIGNIFICANCE

For purposes of this Initial Study, air quality impacts may be considered significant if construction and/or implementation of the proposed project would result in the following impacts that remain significant after implementation of 2035 General Plan policies:

- Construction emissions of NO_x above 85 pounds per day;
- Operational emissions of NO_x or ROG above 65 pounds per day;

- Violation of any air quality standard or contribute substantially to an existing or projected air quality violation;
- Any increase in PM10 concentrations, unless all feasible Best Available Control Technology (BACT) and Best Management Practices (BMPs) have been applied, then increases above 80 pounds per day or 14.6 tons per year;
- CO concentrations that exceed the 1-hour State ambient air quality standard (i.e., 20.0 ppm) or the 8-hour State ambient standard (i.e., 9.0 ppm); or
- Exposure of sensitive receptors to substantial pollutant concentrations.

Ambient air quality standards have not been established for TAC. TAC exposure is deemed to be significant if:

- TAC exposures create a risk of 10 in 1 million for stationary sources, or substantially increase the risk of exposure to TACs from mobile sources.

SUMMARY OF ANALYSIS UNDER THE 2035 GENERAL PLAN MASTER EIR AND APPLICABLE GENERAL PLAN POLICIES

The Master EIR addressed the potential effects of the 2035 General Plan on ambient air quality and the potential for exposure of people, especially sensitive receptors such as children or the elderly, to unhealthy pollutant concentrations. See Master EIR, Chapter 4.2.

Policies in the 2035 General Plan in Environmental Resources were identified as mitigating potential effects of development that could occur under the 2035 General Plan. For example, Policy ER 6.1.1 calls for the City to work with the California Air Resources Board and the Sacramento Metropolitan Air Quality Management District (SMAQMD) to meet state and federal air quality standards; Policy ER 6.1.2 requires the City to review proposed development projects to ensure that the projects incorporate feasible measures that reduce construction and operational emissions; Policy ER 6.1.4 and ER 6.1.11 calls for coordination of City efforts with SMAQMD; and Policy ER 6.1.15 requires the City to give preference to contractors using reduced-emission equipment.

The Master EIR identified exposure to sources of TAC as a potential effect. Policies in the 2035 General Plan would reduce the effect to a less-than-significant level. The policies include ER 6.1.4, requiring coordination with SMAQMD in evaluating exposure of sensitive receptors to TACs, and impose appropriate conditions on projects to protect public health and safety; as well as Policy LU 2.7.5 requiring extensive landscaping and trees along freeways fronting elevation and design elements that provide proper filtering, ventilation, and exhaust of vehicle air emissions from buildings.

ANSWERS TO CHECKLIST QUESTIONS

- A. Result in construction emissions of NO_x above 85 pounds per day?

No significant additional environmental effect. Construction emissions for the proposed project were estimated using CalEEMod version 2022.1, soft release. The modelling assumptions, inputs, and output file can be found in Appendix A of this document. The results of the modelling show that construction of the project would result in up to 0.33 tons of NO_x annually (or 1.78 pounds of NO_x per day on average). Therefore, construction of the proposed project would not result in excess of 85 pounds of NO_x per day. The project would have no additional significant effects that were not evaluated in the Master EIR.

- B. Result in operational emissions of NO_x or ROG above 65 pounds per day?

No significant additional environmental effect. Operational emissions for the proposed project were estimated using CalEEMod version 2022.1, soft release. The modelling assumptions, inputs, and output file can be found in Appendix A. The results of the modelling show that operational emissions resulting from the project would result in up to 0.25 tons of NO_x annually (1.39 pounds per day on average), and 0.44 tons of ROG annually (2.41 pounds per day on average). Therefore, operational emissions as a result of the proposed project would not result in excess of 65 pounds per day. The project would have no additional significant effects that were not evaluated in the Master EIR.

- C. Violate any air quality standard or have a cumulatively considerable contribution to an existing or projected air quality violation?

No significant additional environmental effect. The proposed project's daily and annual emissions of criteria air pollutants during construction and operation are shown in Appendix A. All of these projected emissions are within the SMAQMD thresholds of significance. Accordingly, the proposed project would not violate any air quality standard or contribute substantially to an existing or projected air quality violation, and the project would have no additional significant effects that were not evaluated in the Master EIR.

- D. Result in PM₁₀ and PM_{2.5} concentrations that exceed SMAQMD requirements?

Effect can be mitigated to less than significant. The SMAQMD thresholds of significance for PM includes the following and apply to both construction and operational emissions:

- PM₁₀: Zero (0). IF all feasible BACT/BMPs are implemented, then 80 lbs/day and 14.6 tons/year
- PM_{2.5}: Zero (0). IF all feasible BACT/BMPs are implemented, then 82 lbs/day and 15 tons/year

Construction emissions for the proposed project were estimated using CalEEMod version 2022.1, soft release. The modelling assumptions, inputs, and output file can be found in Appendix A. The results of the modelling show that construction of the proposed project would result in 0.02 tons annually (0.12 pounds per day on average) of PM₁₀ emissions and 0.02 tons annually (0.09 pounds per day on average) of PM_{2.5} emissions. Operational emissions of the proposed project would result in 0.08 tons annually (0.46 pounds per day on average) of PM₁₀ emissions and 0.02 tons annually (0.09 pounds per day on average) of PM_{2.5} emissions. With adherence to standard BMPs required with SMAQMD, as described in measure **AQ-1**, the proposed project would not result in PM₁₀ or PM_{2.5} concentrations that exceed SMAQMD requirements.

- E. Result in CO concentrations that exceed the 1-hour state ambient air quality standard (i.e., 20.0 ppm) or the 8-hour state ambient standard (i.e., 9.0 ppm)?

No significant additional environmental effect. Localized concentrations of CO, or "hot spots," are primarily of concern for heavily congested roadways with stop-and-go traffic, particularly in areas with limited vertical mixing such as tunnels, long underpasses, or below-grade roadways. While the proposed project would result in the construction of a retail building shell, a Hydrogen station and enclosure, and a propane tank and dispenser on a developed parcel in an urban area that may generate additional traffic on adjacent roadways, the impact would not be to a significant degree such that roadways would congest and cause an exceedance of the state's 1-hour state ambient air quality standard for CO concentrations. The project would have no additional significant effects that were not evaluated in the Master EIR.

- F. Result in exposure of sensitive receptors to substantial pollutant concentrations?

No significant additional environmental effect. Although construction of the project would result in associated air pollutants, these increases are not concentrated and are well below significance thresholds as shown in the discussion above. Construction activities would be short-term and intermittent in nature and would not expose sensitive receptors to substantial pollutant concentrations. In addition, adherence to standard dust control and construction BMPs would be required as part of the project's Construction Management Plan.

The structures and amenities built by this project will be consistent with current safety code and would not result in operational emissions that would expose sensitive receptors to long-term substantial pollutant concentrations as shown in the discussion above. The project would have no additional significant effects that were not evaluated in the Master EIR.

- G. Result in TAC exposures create a risk of 10 in 1 million for stationary sources, or substantially increase the risk of exposure to TACs from mobile sources?

No significant additional environmental effect. The primary source for TACs typically result from diesel particulate matter (DPM) emitted from off-road equipment and on-road trucks. The project would result in the construction of a new retail building shell, a Hydrogen pump and enclosure, and a 500-gallon propane tank with propane dispenser, which would not facilitate an increase in off-road equipment use or truck traffic. Therefore, the proposed project would not substantially increase the risk of exposure to TACs from mobile sources. The project would have no additional significant effects that were not evaluated in the Master EIR.

MITIGATION MEASURES

AQ-1: Implement SMAQMD Basic and Enhanced Construction Emission Control Practices to Reduce Fugitive Dust.

The implementing agency will require, as a standard or specification of their contract, the construction contractor(s) to implement basic and enhanced control measures to reduce construction-related fugitive dust. Although the following measures are outlined in the SMAQMD's CEQA guidelines, they are required for the entirety of the construction area. The implementing agency will ensure through contract provisions and specifications that the contractor adheres to the mitigation measures before and during construction and documents compliance with the adopted mitigation measures.

- Water all exposed surfaces two times daily. Exposed surfaces include (but are not limited to) soil piles, graded areas, unpaved parking areas, staging areas, and access roads.
- Cover or maintain at least 2 feet of freeboard space on haul trucks transporting soil, sand, or other loose material on the site. Any haul trucks that would be traveling along freeways or major roadways should be covered.
- Use wet power vacuum street sweepers to remove any visible trackout mud or dirt onto adjacent public roads at least once a day. Use of dry power sweeping is prohibited.
- Limit vehicle speeds on unpaved roads to 15 miles per hour.
- All roadway, driveway, sidewalk, and parking lot paving should be completed as soon as possible. In addition, building pads should be laid as soon as possible after grading unless seeding or soil binders are used.

AQ-2: In accordance with the SMAQMD's CEQA Guidance, all projects undergoing environmental review should implement the Tier 1 BMPs – even if they do not exceed the operational screening table in Chapter 4 of the CEQA guide.

- BMP 1 – Projects shall be designed and constructed without natural gas infrastructure. For the area of the building with cooking equipment, the building official shall grant the exemption only for fuel gas piping, fixtures, or infrastructure necessary for cooking equipment within the designated food service area.

If project greenhouse gas emissions are over the 1,100 metric tons CO₂e/year after the project applied Tier 1 BMPs, Tier 2 BMPs should be implemented.

- BMP 2 – Projects shall meet the current CalGreen Tier 2 standards, except all electric vehicle capable spaces shall instead be electric vehicle nearby.

FINDINGS

All additional significant environmental effects of the project relating to Air Quality can be mitigated to a less-than-significant level.

Issues:	Effect will be studied in the EIR	Effect can be mitigated to less than significant	No additional significant environmental effect
3. <u>BIOLOGICAL RESOURCES</u> Would the proposal:			
A) Create a potential health hazard, or use, production or disposal of materials that would pose a hazard to plant or animal populations in the area affected?		X	
B) Result in substantial degradation of the quality of the environment, reduction of the habitat, reduction of population below self-sustaining levels of threatened or endangered species of plant or animal species?			X
C) Affect other species of special concern to agencies or natural resource organizations (such as regulatory waters and wetlands)?			X

ENVIRONMENTAL SETTING

Prior to human development, the natural habitats within the region included perennial grasslands, riparian woodlands, oak woodlands, and a variety of wetlands including vernal pools, seasonal wetlands, freshwater marshes, ponds, streams, and rivers. Over the last 150 years, agriculture, irrigation, flood control, and urbanization have resulted in the loss or alteration of much of the natural habitat within the City limits. Non-native annual grasses have replaced the native perennial grasslands, many of the natural streams have been channelized, much of the riparian and oak woodlands have been cleared, and most of the marshes have been drained and converted to agricultural or urban uses.

Though the majority of the City is developed with residential, commercial, and other urban development, valuable plant and wildlife habitat still exists. These natural habitats are located primarily outside the city boundaries in the northern, southern and eastern portions of the City, but also occur along river and stream corridors and on a number of undeveloped parcels. Habitats that are present in the City include annual grasslands, riparian woodlands, oak woodlands, riverine, ponds, freshwater marshes, seasonal wetlands, and vernal pools

The project site is a developed parcel that consists of paved concrete, barren land, and ruderal vegetation. Decorative plants occur in thin margins adjacent to the roadway along the north and east edges of the project area, including six ornamental shade trees that are scattered throughout the site. The proposed project is surrounded by existing commercial development, paved parking areas, and other built landscapes. None of the habitat types listed above are found on-site. In addition, the site does not contain any jurisdictional waters. The project is located within the Sacramento Valley floristic region and USFS ecological subsection 262Ag (Hardpan Terraces), which is geologically characterized by low hills and alluvial plains.

Literature research was conducted through the U.S. Fish and Wildlife Service (USFWS) Information for Planning and Consultation (IPaC), California Department of Fish and Wildlife's (CDFW) California Natural Diversity Database (CNDDDB), the California Native Plant Society (CNPS) Electronic Inventory of Rare

and Endangered Plants, and the National Marine Fisheries Service (NMFS) to identify habitats and special-status species having the potential to occur within the project area. A shapefile of the project area was used to generate an official species list through the IPaC operated by USFWS. A four-quadrangle search of the USGS 7.5-minute quadrangles Sacramento East (3812154), Sacramento West (3812155), Clarksburg (3812143), and Florin (3812144) was used to obtain lists from the CNDDDB and CNPS. A search of the USGS 7.5-minute quadrangle Florin (3812144) was used to obtain a list from NMFS. CNDDDB, USFWS, CNPS, and NMFS database results can be found in Appendix B.

Sensitive Habitats

Sensitive habitats include sensitive natural plant communities and other habitats designated and/or regulated by CDFW, USFWS, and U.S. Army Corps of Engineers (USACE). Under Section 404 of the Clean Water Act (CWA), wetlands and other waters of the U.S. are subject to the jurisdiction of USACE. Aquatic habitats may also receive protection under California statutes including Section 1602 of the California Fish and Wildlife Code and the California Porter-Cologne Water Quality Control Act.

Special-status Species

Special-status species are plants and animals in the following categories:

- Species that are listed under the federal Endangered Species Act (ESA) and/or California Endangered Species Act (CESA) as rare, threatened, or endangered;
- Species considered as candidates and proposed for state or federal listing
- Wildlife designated by CDFW as species of special concern; and
- Plants ranked by CDFW as “rare, threatened, or endangered” in California.
- The California Natural Diversity Database (CNDDDB), maintained by the CDFW, is considered as the most current and reliable tool for tracking occurrences of special-status species in California.

Special Status Species Evaluation

The special status species evaluation considers those species identified as having relative scarcity and/or declining populations by the USFWS or CDFW. Special status species include those formally listed as threatened or endangered, those proposed for formal listing, candidates for federal listing, and those classified as Species of Concern by USFWS or Species of Special Concern by CDFW. Species considered to be “special animals” or “fully protected” by the CDFW or rare, threatened, or endangered in California by the CNPS were also included in the evaluation.

Regulatory Setting

The following City, State, and federal statutes pertain to the proposed project:

- National Environmental Policy Act (42 USC 4321 et seq.)
- Federal Endangered Species Act (16 USC 1531-1543)
- Fish and Wildlife Coordination Act (16 USC 661-6660)
- Migratory Bird Treaty Act of 1918 (USC 703-711)
- California Environmental Quality Act (PRC 21000 et seq.)
- California Endangered Species Act (CDFW Code 2050 et seq.)

- Native Plant Protection Act (CDFW Code 1900-1913)
- City of Sacramento Heritage Tree Ordinance (SCC Section 12.64.10-12.64.70)
- City of Sacramento Street Tree Ordinance (SCC Section 12.56.10-12.56.170)

Federal Endangered Species Act

The Federal Endangered Species Act defines ‘take’ (Section 9) and prohibits ‘taking’ of a listed endangered or threatened species (16 USC 1532, 50 CFR 17.30. If a federally listed species could be harmed by a project, Section 7 or 10 consultations must be initiated, and an Incidental Take Permit must be obtained (16 USC 1539, 50 CFR 13).

Federal Migratory Bird Treaty Act

Migratory birds are protected under the federal Migratory Bird Treaty Act (MBTA) of 1918 (16 USC 703-711). The MBTA makes it unlawful to take, possess, buy, sell, purchase, or barter any migratory bird listed in 50 CFR Part 10 including feathers or other parts, nests, eggs, or products, except as allowed by implementing regulations (50 CFR 21). All migratory bird species are protected by the MBTA. Any removal of active nests during the breeding season or any disturbance that results in the abandonment of nestlings is considered a ‘take’ of the species under federal law.

Setting and Methods

Queries of the USFWS IPaC, the CNDDDB, the CNPS Electronic Inventory of Rare and Endangered Plants, and NMFS species database identified a list of regional special status wildlife species with potential to occur within the project vicinity. The potential for each species to occur within the BSA was determined by analyzing the habitat requirements of each species and comparing the habitat requirements to available habitat within the project area (Table 2. Special Status Species Potential Table). In addition, a desktop review of the project area was conducted to identify the presence of sensitive and/or jurisdictional habitat features within the project area.

Table 2. Special Status Species Potential Table

Common Name	Scientific Name	Status	General Habitat Description	Potential for Occurrence and Rationale
Amphibian Species				
California tiger salamander	<i>Ambystoma californiense</i>	Fed: T State: T CDFW: WL	Inhabits annual grasslands, oak savanna, mixed woodland edges, and lower elevation coniferous forest. Requires underground refuges, especially ground squirrel burrows, vernal pools, or other seasonal water sources for breeding.	Presumed Absent: The Project area lacks suitable vernal pool or annual grassland habitat. The species is presumed absent.
Western pond turtle	<i>Emys marmorata</i>	Fed: -- State: -- CDFW: SSC	A fully aquatic turtle of ponds, lakes, rivers, streams, creeks, marshes, and irrigation ditches with aquatic vegetation. Suitable habitat includes woodland, forests, and grasslands. Requires logs, rocks, cattail mats, and exposed banks for basking. Suitable upland habitat (sandy banks or grassy open field) is required for reproduction.	Presumed Absent: The Project area does not contain upland or aquatic habitat suitable for this species. The species is presumed absent.
Birds				

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Common Name	Scientific Name	Status	General Habitat Description	Potential for Occurrence and Rationale
Bank swallow	<i>Riparia riparia</i>	Fed: -- State: T CDFW: --	A migratory colonial nester inhabiting lowland and riparian habitats west of the deserts during spring through fall. Majority of current breeding populations occur along the Sacramento and Feather Rivers in the north Central Valley. Forages in grassland, brushland, wetlands, and cropland during migration. Requires vertical banks or cliffs with fine textured/sandy soils for nesting (tunnel and burrow excavations). Nests exclusively near streams, rivers, lakes, or the ocean. Breeds from May through July.	Presumed Absent: The Project area lacks vertical banks or cliffs for nesting and is not near a river, lake, or stream. Due to the lack of potentially suitable habitat features, the species is presumed to be absent from the Project area.
Burrowing owl	<i>Athene cunicularia</i>	Fed: -- State: -- CDFW: SSC	The species inhabits arid, open areas with sparse vegetation cover such as deserts, abandoned agricultural areas, grasslands, and disturbed open habitats. Can be associated with open shrub stages of pinyon-juniper and ponderosa pine habitats. Nests in old small mammal burrows but may dig own burrow in soft soil. Nests are lined with excrement, pellets, debris, grass, and feathers. The species may use pipes, culverts, and nest boxes, and even buildings where burrows are scarce.	Presumed Absent: There is a 2007 CNDDB occurrence of this species located approximately 0.5 miles west of the Project area, adjacent to the Luther Burbank High School. The Project area is well developed and does not contain suitable open habitat for this species. In addition, the Project area is frequently disturbed by adjacent human activity. Despite the local occurrence, the species is presumed to be absent from the Project area.
California black rail	<i>Laterallus jamaicensis coturniculus</i>	Fed: -- State: T CDFW: FP	A rare, yearlong California resident of brackish and freshwater emergent wetlands in delta and coastal locations including the San Francisco Bay area, Sacramento-San Joaquin Delta, Morro Bay, the Salton Sea, and lower Colorado River. Occurs in tidal emergent wetlands dominated by pickleweed, in brackish marshes dominated by bulrushes with pickleweed, and in freshwater wetlands dominated by bulrushes, cattails, and saltgrass. Species prefers high wetland areas, away from areas experiencing fluctuating water levels. Requires vegetation providing adequate overhead cover for nesting.	Presumed Absent: The Project area is not located in the delta or along the coast and lacks emergent wetland vegetation suitable for this species. Due to the species' pattern of occurrence as well as the lack of potentially suitable habitat features, the species is presumed to be absent from the Project area.

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Common Name	Scientific Name	Status		General Habitat Description	Potential for Occurrence and Rationale
Cooper's hawk	<i>Accipiter cooperii</i>	Fed: -- State: -- CDFW: WL		Species most often occurs in open, interrupted or marginal woodlands throughout California. Nests in forest habitats, usually near open water in conifer or deciduous riparian areas. Most frequently uses dense stands of live oak, riparian deciduous, and other forest habitats. Breeds from March through August. Occurs from elevations near sea level to 9,000 feet.	Presumed Absent: The Project area lacks woodland or riparian habitat that would support this species. In addition, the Project area is situated in a highly developed urban area. Due to the lack of potentially suitable habitat features, the species is presumed to be absent from the Project area.
Double-crested cormorant	<i>Nannopterum auritum</i>	Fed: -- State: -- CDFW: WL		This adaptable species inhabits coasts, bays, lakes, and rivers. Found in almost any aquatic habitat such as rocky northern coasts, mangrove swamps, large reservoirs, and small inland ponds. Nests in trees nearby or over water, on sea cliffs, or on ground on islands. Forms colonies of stick nests high in trees on islands or in patches of flooded timber. Feeds on a variety of fish.	Presumed Absent: The Project area does not include aquatic habitat necessary to support this species. The species is presumed to be absent due to a lack of potentially suitable habitat.
Ferruginous hawk	<i>Buteo regalis</i>	Fed: -- State: -- CDFW: WL		Inhabit open areas such as grasslands, sagebrush, saltbush-greasewood shrublands, and edges of pinyon-juniper forests. Prefer to forage in grasslands with abundant small mammal populations. The species nests on lone trees, cliffs, utility structures, outcrops, boulders, shrubs, knolls, or haystacks. If they do ground nest, it will be on a slope or hill crest.	Presumed Absent: The Project area lacks open space for foraging and does not include woodland habitat that would support nesting individuals of this species. Due to a lack of potentially suitable habitat features, the species is presumed to be absent from the Project area.
Least Bell's vireo	<i>Vireo bellii pusillus</i>	Fed: E State: E CDFW: --		Summer resident of southern California inhabiting low elevation riparian habitats in the vicinity of water and dry river bottoms. Prefers willows, baccharis, mesquite and other low, dense vegetation as nesting site. Forages in dense brush and occasionally tree tops. The species is known to occur in all four southern California national forests, with the largest population in the Los Padres National Forest (below 2,000 feet).	Presumed Absent: The Project area is situated in a highly developed urban area that lacks the riparian habitat necessary to support this species. Due to the lack of potentially suitable habitat features, the species is presumed to be absent from the Project area.

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Common Name	Scientific Name	Status	General Habitat Description	Potential for Occurrence and Rationale
Merlin	<i>Falco columbarius</i>	Fed: -- State: -- CDFW: WL	The boreal subspecies inhabits areas near forests, rivers, lakes, and bogs. The prairie subspecies inhabits riparian habitats and deciduous trees. The species occurs in grasslands, open forests, and coastal areas during migratory seasons. They nest in confiders and deciduous trees, typically in abandoned nests of crows and hawks. Rarely do they nest in tree cavities, cliffs, or the ground. Breeds in semi-open areas with trees.	Presumed Absent: The Project area lacks woodland habitat that would support this species. In addition, the Project area is situated in a highly developed urban area that lacks the open space required for this species. The species is presumed to be absent due to a lack of potentially suitable habitat.
Purple martin	<i>Progne subis</i>	Fed: -- State: -- CDFW: SSC	Present in California as a summer migrant, arriving in March and departing by late September. Inhabits valley foothill and montane hardwood/hardwood-conifer, coniferous habitats, and riparian habitats. Associated with closed-cone pine-cypress, ponderosa pine, Douglas-fir, and redwood. Nests in tall, old, isolated trees or snags in open forest or woodland and in proximity to a body of water. Frequently nests within former woodpecker cavities; may nest in human-made structures such as nesting boxes, under bridges and in culverts.	Presumed Absent: The Project area lacks woodland or riparian habitat that would support this species. In addition, the Project area is situated in a highly developed urban area that is not located near a body of water. Due to the lack of potentially suitable habitat features, the species is presumed to be absent from the Project area.
Song sparrow ("Modesto" pop.)	<i>Melospiza melodia</i> pop. 1	Fed: -- State: -- CDFW: --	An endemic bird found exclusively in the north-central portion of the Central Valley, with highest densities in the Butte Sink and Sacramento-San Joaquin River Delta. The species is usually found in open brushy habitats, along the borders of ponds or streams, abandoned pastures, desert washes, thickets, or woodland edges. In addition, there is a strong affinity for emergent freshwater marshes dominated by tules and cattails, riparian willow thickets, and valley oak forests with a blackberry understory. Nests found in base of shrubs or clumps of grass, requiring low, dense vegetation for cover, usually near water. Breeds from March through August.	Presumed Absent: The Project area lacks open, brushy habitat and is not situated near a pond or stream. In addition, the Project area does not include emergent wetland vegetation that would provide nesting habitat for this species. The species is presumed to be absent due to a lack of potentially suitable habitat.

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Common Name	Scientific Name	Status	General Habitat Description	Potential for Occurrence and Rationale
Swainson's hawk	<i>Buteo swainsoni</i>	Fed: -- State: T CDFW: --	Inhabits grasslands with scattered trees, juniper-sage flats, riparian areas, savannahs, and agricultural or ranch lands with groves or lines of trees. Requires adjacent suitable foraging areas such as grasslands, alfalfa or grain fields that support a stable rodent prey base. Breeds March to late August.	Presumed Absent: There are two recent (2010, 2015) CNDDDB occurrences of this species within 2 miles of the Project area. The Project area lacks annual grassland habitat that could support foraging individuals of this species. In addition, the Project area lacks any potentially suitable nesting trees. Despite the local CNDDDB occurrences, the species is presumed to be absent from the Project area due to a lack of suitable habitat.
Tricolored blackbird	<i>Agelaius tricolor</i>	Fed: -- State: T CDFW: SSC	Inhabits freshwater marsh, swamp and wetland communities, but may utilize agricultural or upland habitats that can support large colonies, often in the Central Valley area. Requires dense nesting habitat that is protected from predators, is within 3-5 miles from a suitable foraging area containing insect prey and is within 0.3 miles of open water. Suitable foraging includes wetland, pastureland, rangeland, at dairy farms, and some irrigated croplands (silage, alfalfa, etc.). Nests in dense cattails, tules, willow, blackberry, wild rose, or tall herbs.	Presumed Absent: The Project area does not include wetland or marsh habitat with dense emergent wetland vegetation that could support a colony of this species. In addition, the Project area lacks suitable foraging habitat for this species. The species is presumed to be absent due to a lack of potentially suitable habitat.
Western yellow-billed cuckoo	<i>Coccyzus americanus occidentalis</i>	Fed: T State: E CDFW: --	Species inhabits riparian forests, along broad, lower flood bottoms of larger river systems. Nests in large blocks of riparian jungles often mixed with cottonwoods. Nesting appears to be preferred in riparian forest habitats with a dense understory; requires water near nesting site. Breeds June to August.	Presumed Absent: The Project area does not include riparian habitat with suitable nesting vegetation and is not situated near aquatic habitat. Due to the lack of potentially suitable habitat features, the species is presumed to be absent from the Project area.
White-tailed kite	<i>Elanus leucurus</i>	Fed: -- State: -- CDFW: FP	Inhabits rolling foothills and valley margins with scattered oaks and river bottomlands or marshes next to deciduous woodland. Prefers open grasslands, meadows or marshes for foraging close to isolated, dense-topped trees for nesting and perching. In	Presumed Absent: The Project area lacks open grassland, meadow, or marsh habitat and does not encompass suitable nesting habitat. In addition, the Project area is situated in a dense urban area, away from

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Common Name	Scientific Name	Status		General Habitat Description	Potential for Occurrence and Rationale
				southern California, will roost in saltgrass and Bermuda grass. Often found near agricultural lands. Nests are placed near the tops of dense oak, willow, or other tree stands. Breeds February through October.	agricultural lands. The species is presumed to be absent due to a lack of potentially suitable habitat.
Yellow-headed blackbird	<i>Xanthocephalus xanthocephalus</i>	Fed: -- State: -- CDFW: SSC		The species occurs primarily as a migrant and summer resident from April to early October. The species almost exclusively nests in marshes with tall emergent vegetation such as tules (<i>Scirpus</i> sp.) or cattails (<i>Typha</i> sp.), in open areas and edges over water at depths typically ranging from 1-4 feet deep. Frequently breeds within marshes edges of lakes, reservoirs, or larger ponds. Nesting colonies occur where large insects, such as Odonata, are present and emerging. Breeds from April-July.	Presumed Absent: The Project area does not include wetland or marsh habitat with emergent wetland vegetation and lacks aquatic habitat. The species is presumed to be absent due to a lack of potentially suitable habitat.
Fish Species					
Chinook salmon – Central Valley spring-run ESU	<i>Oncorhynchus tshawytscha</i> pop. 11	Fed: T State: T CDFW: --		Spring-run Chinook enter the Sacramento-San Joaquin River system to spawn, requiring larger gravel particle size and more water flow through their redds than other salmonids. Remaining runs occur in Butte, Mill, Deer, Antelope, and Beegum Creeks, tributaries to the Sacramento River. Known to occur in Siskiyou and Trinity counties.	Presumed Absent: The Project area does not contain aquatic habitat that would serve as potentially suitable habitat for this species. The species is presumed absent.
Chinook salmon – Sacramento River winter-run ESU	<i>Oncorhynchus tshawytscha</i> pop. 7	Fed: E State: E CDFW: --		Winter-run Chinook are currently restricted within the Sacramento River below Keswick dam; species does not spawn in tributaries. Species requires cold water over gravel beds to spawn.	Presumed Absent: The Project area does not contain aquatic habitat that would serve as potentially suitable habitat for this species. The species is presumed absent.
Delta smelt	<i>Hypomesus transpacificus</i>	Fed: T State: E CDFW: --		This species is endemic to California and can tolerate a wide range of salinity and temperatures but is most commonly found in brackish waters. Juveniles require shallow waters with food rich sources. Adults require adequate flow and suitable water quality for spawning in winter and spring. Occurs	Presumed Absent: The Project area does not contain aquatic habitat that would serve as potentially suitable habitat for this species. The species is presumed absent.

Common Name	Scientific Name	Status		General Habitat Description	Potential for Occurrence and Rationale
				within the Sacramento-San Joaquin Delta and seasonally within the Suisun Bay, Carquinez Strait and San Pablo Bay. Most often occurs in partially saline waters.	
Green sturgeon – southern DPS	<i>Acipenser medirostris pop. 1</i>	Fed: T State: -- CDFW: --		Most marine of the sturgeon species. Predominately spawns in the upper Sacramento River, with some recorded in the Rogue River, Klamath and Trinity Rivers (Klamath River basin). In the Sacramento River, green sturgeon spawn above Hamilton City up to Keswick Dam. Known to occupy other river bodies including the lower Feather River; spawning not recorded; no green sturgeon has ever been documented in the San Joaquin River or its tributaries. Large cobbles preferred for spawning, but may utilize a range of substrates from bedrock to sand. Spawning occurs March-July.	Presumed Absent: The Project area does not contain aquatic habitat that would serve as potentially suitable habitat for this species. The species is presumed absent.
Longfin smelt	<i>Spirinchus thaleichthys</i>	Fed: C State: T CDFW: --		Within California, occurs slightly upstream from Rio Vista (on the Sacramento River in the Delta) including the Cache Slough region and Medford Island (on the San Joaquin River in the Delta) through Suisun Bay and Suisun Marsh, the San Pablo Bay, the main San Francisco Bay, South San Francisco Bay, the Gulf of the Farallones, Humboldt Bay, and the Eel river estuary & local coastal areas. Resides in California and are primarily an anadromous estuarine species that can tolerate salinities ranging from freshwater to nearly pure seawater.	Presumed Absent: The Project area does not contain aquatic habitat that would serve as potentially suitable habitat for this species. The species is presumed absent.
Sacramento perch	<i>Archoplites interruptus</i>	Fed: -- State: -- CDFW: SSC		Inhabits sloughs, lakes, and slow moving rivers of the Central Valley. Prefers turbid lakes, reservoirs and ponds warmed by summer heat and absent of plants; may occasionally occur in clear water among beds of aquatic vegetation. Species tolerates high temperatures, high salinities, high turbidity, and	Presumed Absent: The Project area does not contain aquatic habitat that would serve as potentially suitable habitat for this species. The species is presumed absent.

Common Name	Scientific Name	Status	General Habitat Description	Potential for Occurrence and Rationale
			low water clarity. Young require aquatic and overhanging vegetation for cover. Spawns March-August in water temperatures between 64-84°F	
Sacramento splittail	<i>Pogonichthys macrolepidotus</i>	Fed: -- State: -- CDFW: SSC	Historically inhabited low moving rivers, sloughs, and alkaline lakes of the Central Valley; now restricted to the Delta, Suisun Bay and associated marshes. Species is adapted to fluctuating environments with tolerance to water salinities from 10-18 ppt., low oxygen levels (< 1.0 mg/L) and temperatures of 41-75°F. Spawns late February-early July, with a peak in March-April; requires flooded vegetation for spawning activity and protective cover for young.	Presumed Absent: The Project area does not contain aquatic habitat that would serve as potentially suitable habitat for this species. The species is presumed absent.
Steelhead – Central Valley DPS	<i>Oncorhynchus mykiss irideus pop. 11</i>	Fed: T State: -- CDFW: --	This species is known to occur along most of the California coastline and inhabits freshwater streams and tributaries in northern and central California. The preferred habitat consists of estuaries, freshwater streams and near shore habitat with productive coastal oceans. Spawning occurs in small freshwater streams and tributaries occurs from January through March and could extend into spring.	Presumed Absent: The Project area does not contain aquatic habitat that would serve as potentially suitable habitat for this species. The species is presumed absent.
Invertebrate Species				
Monarch butterfly	<i>Danaus plexippus</i>	Fed: C State: -- CDFW: --	Winter roosts along the coast from northern Mendocino to Baja California. Utilizes wind protected tree groves in proximity to nectar and water sources. Host plants include milkweed species such as <i>Asclepias syriaca</i> , <i>A. incarnata</i> , and <i>A. speciosa</i> . Suitable habitat includes fields, meadows, weedy areas, marshes, and roadsides. Mass adult migrations occur from August to October.	Presumed Absent: The Project area lacks wind-protected groves. Furthermore, the Project is located within a highly developed urban area that lacks suitable foraging habitat for this species. The species is presumed absent due to the lack of potentially suitable habitat.
Valley elderberry longhorn beetle	<i>Desmocerus californicus dimorphus</i>	Fed: T State: -- CDFW: --	Species requires red or blue elderberry (<i>Sambucus</i> sp.) as host plants. Typically occurs in moist valley oak woodlands associated with riparian corridors in the lower	Presumed Absent: The Project area does not contain riparian or oak woodland vegetation and no elderberry shrubs were observed on-site. The

4050 FLORIN ROAD RETAIL AND HYDROGEN STATION ADDITION PROJECT
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 INITIAL STUDY

Common Name	Scientific Name	Status		General Habitat Description	Potential for Occurrence and Rationale
				Sacramento River and upper San Joaquin River drainages. Adults are active, feeding, and breeding from March until June (sea level-3,000 feet).	species is presumed absent due to the lack of potentially suitable habitat.
Vernal pool fairy shrimp	<i>Branchinecta lynchi</i>	Fed: T State: -- CDFW: --		Species is associated with smaller and shallower cool-water vernal pools approximately 6 inches deep and short periods of inundation. In the southernmost extremes of the range, the species occurs in large, deep cool-water pools. Inhabited pools have low to moderate levels of alkalinity and total dissolved solids. The shrimp are temperature sensitive, requiring pools below 50 F to hatch and dying within pools reaching 75 F. Young emerge during cold-weather winter storms.	Presumed Absent: The Project area lacks vernal pool habitat. The species is presumed absent due to the lack of potentially suitable habitat.
Vernal pool tadpole shrimp	<i>Lepidurus packardii</i>	Fed: E State: -- CDFW: --		Inhabits vernal pools and swales containing clear to highly turbid waters such as pools located in grass bottomed swales of unplowed grasslands, old alluvial soils underlain by hardpan, and mud-bottomed pools with highly turbid water.	Presumed Absent: The Project area lacks vernal pool habitat. The species is presumed absent due to the lack of potentially suitable habitat.
Mammal Species					
American badger	<i>Taxidea taxus</i>	Fed: -- State: -- CDFW: SSC		Prefers treeless, dry, open stages of most shrub and herbaceous habitats with friable soils and a supply of rodent prey. Species also inhabits forest glades, meadows, marshes, brushy areas, hot deserts, and mountain meadows. Species maintains burrows within home ranges estimated between 338-1,700 acres, dependent on seasonal activity. Burrows are frequently re-used, but new burrows may be created nightly. Species is somewhat tolerant of human activity, but is sensitive to automobile mortality, trapping, and persistent poisons (up to 12,000 feet).	Presumed Absent: The Project area is mostly paved and is located within a highly developed urban area. The species is presumed to be absent due to a lack of potentially suitable habitat features.
Reptile Species					
Giant gartersnake	<i>Thamnophis gigas</i>	Fed: T State: T CDFW: --		A highly aquatic species that inhabits marsh, swamp, wetland (including agricultural wetlands), sloughs, ponds, rice	Presumed Absent: The Project area does not contain upland or aquatic habitat suitable for this

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(DR 21 -244)**

INITIAL STUDY

Common Name	Scientific Name	Status	General Habitat Description	Potential for Occurrence and Rationale
			fields, low gradient streams and irrigation/drainage canals adjacent to uplands. Ideal habitat contains both shallow and deep water with variations in topography. Species requires adequate water during the active season (April-November), emergent, herbaceous wetland vegetation, such as cattails and bulrushes, for escape cover and foraging habitat and mammal burrows estivation. Requires grassy banks and openings in waterside vegetation for basking and higher elevation uplands for cover and refuge from flood waters during dormant season.	species. The species is presumed absent due to the lack of potentially suitable habitat.
Plant Species				
Alkali-sink goldfields	<i>Lasthenia chrysantha</i>	Fed: -- State: -- CDFW: 1B.1	An annual herb native to California. Generally found in alkali sinks, valley grassland, vernal pools, saline flats, and wetland-riparian areas. Blooms February to June (<300 ft).	Presumed Absent: The Project area does not include alkali sinks, vernal pools, saline flats, or wetland-riparian areas. The species is presumed absent due to the lack of potentially suitable habitat.
Bristly sedge	<i>Carex comosa</i>	Fed: -- State: -- CDFW: 2B.1	A perennial grasslike herb native to California, inhabiting lake-margins and edges in freshwater wetlands, coastal prairie, valley grassland, foothill grassland, and wetland-riparian communities. Blooms May-September (0-2,050 feet).	Presumed Absent: The Project area does not include any lakes, ponds, wetlands, or riparian habitat. The species is presumed absent due to the lack of potentially suitable habitat.
Dwarf downingia	<i>Downingia pusilla</i>	Fed: -- State: -- CDFW: 2B.2	An annual herb inhabiting vernal pools and mesic soils in valley and foothill grassland communities. Flowers March-May (0-1,500 feet).	Presumed Absent: The Project area does not include vernal pools or grassland habitat. The species is presumed absent due to the lack of potentially suitable habitat.
Ferris' milk-vetch	<i>Astragalus tener</i> <i>var. ferrisiae</i>	Fed: -- State: -- CDFW: 1B.1	An annual herb inhabiting vernal mesic meadows and seeps and subalkaline flats within valley and foothill grassland communities. Known only from six extant occurrences. Flowers April-May (0-250 feet).	Presumed Absent: The Project area does not include meadows, seeps, or subalkaline flats. The species is presumed absent due to the lack of potentially suitable habitat.
Heckard's pepper-grass	<i>Lepidium latipes</i> <i>var. heckardii</i>	Fed: -- State: -- CDFW: 1B.2	An annual herb found in alkaline flats within valley or foothill grasslands. Flowers March-May (0-660 feet).	Presumed Absent: The Project area does not include alkaline flats. The species is presumed absent due to the lack of potentially suitable habitat.
Legenere	<i>Legenere limosa</i>	Fed: --	An annual herb inhabiting wet	Presumed Absent: The

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INITIAL STUDY

Common Name	Scientific Name	Status	General Habitat Description	Potential for Occurrence and Rationale
		State: -- CDFW: 1B.1	areas, vernal pools, and ponds. Flowers April-June (0-2,900 feet).	Project area does not include vernal pools or ponds. The species is presumed absent due to the lack of potentially suitable habitat.
Mason's lilaeopsis	<i>Lilaeopsis masonii</i>	Fed: -- State: R CDFW: 1B.1	A perennial rhizomatous herb found exclusively in the Sacramento-San Joaquin River Delta and San Francisco Bay. Found in low elevation freshwater and brackish marshes adjacent to surface water. Flowers June-August (0-100 feet).	Presumed Absent: The Project area does not include marsh habitat. The species is presumed absent due to the lack of potentially suitable habitat.
Pappose tarplant	<i>Centromadia parryi ssp. parryi</i>	Fed: -- State: -- CDFW: 1B.2	An annual herb inhabiting chaparral, coastal scrub, meadows, seeps, marshes, swamps (coastal salt), and valley foothill grasslands often with alkaline soils. Flowers May-November (0-1,375 feet).	Presumed Absent: The Project area lacks alkaline soils and does not include meadow, seep, marsh, or swamp habitat. The species is presumed absent due to the lack of potentially suitable habitat.
Peruvian dodder	<i>Cuscuta obtusiflora var. glandulosa</i>	Fed: -- State: -- CDFW: 2B.2	An annual parasitic vine inhabiting freshwater marsh communities on herbs such as Alternanthera sp., Dalea sp., Lythrum sp., Polygonum sp., and Xanthium sp. Flowers July-October (50-1,640 feet).	Presumed Absent: The Project area does not include marsh habitat. The species is presumed absent due to the lack of potentially suitable habitat.
Saline clover	<i>Trifolium hydrophilum</i>	Fed: -- State: -- CDFW: 1B.2	An annual herb inhabiting mesic, alkaline soils of salt marsh, marshes and swamps, vernal pools, and valley and foothill grasslands. Flowers April-June (0 - 1,000 feet).	Presumed Absent: The Project area does not include alkaline soils or wetland habitats. The species is presumed absent due to the lack of potentially suitable habitat.
Sanford's arrowhead	<i>Sagittaria sanfordii</i>	Fed: -- State: -- CDFW: 1B.2	A perennial rhizomatous herb inhabiting freshwater marshes, swamps, ponds, and ditches. Flowers May-October (0-2,130 feet).	Presumed Absent: The Project area does not include wetland, marsh, swamp, or pond habitat. The species is presumed absent due to the lack of potentially suitable habitat.
Suisun marsh aster	<i>Symphotrichum lentum</i>	Fed: -- State: -- CDFW: 1B.2	A perennial rhizomatous herb inhabiting wetlands, freshwater marsh, and brackish-marsh communities. Flowers May-November (0-10 feet).	Presumed Absent: The Project area does not include wetland or marsh habitat. The species is presumed absent due to the lack of potentially suitable habitat.
Woolly rose-mallow	<i>Hibiscus lasiocarpus var. occidentalis</i>	Fed: -- State: -- CDFW: 1B.2	A perennial rhizomatous herb inhabiting freshwater wetlands, wet banks, and marsh communities. Often found in-between riprap on levees. Flowers June-September (0-400 feet).	Presumed Absent: The Project area does not include wetland or marsh habitat. The species is presumed absent due to the lack of potentially suitable habitat.

<p>Federal Designations (Fed): (FESA, USFWS) E: Federally listed, endangered T: Federally listed, threatened DL: Federally listed, delisted</p>	<p>State Designations (CA): (CESA, CDFW) E: State-listed, endangered T: State-listed, threatened R: Rare</p>
<p>Other Designations CDFW_SSC: CDFW Species of Special Concern CDFW_FP: CDFW Fully Protected</p>	
<p>California Native Plant Society (CNPS) Designations: <i>*Note: according to CNPS (Skinner and Pavlik 1994), plants on Lists 1B and 2 meet definitions for listing as threatened or endangered under Section 1901, Chapter 10 of the California Fish and Game Code. This interpretation is inconsistent with other definitions.</i> 1A: Plants presumed extinct in California. 1B: Plants rare and endangered in California and throughout their range. 2: Plants rare, threatened, or endangered in California but more common elsewhere in their range. 3: Plants about which need more information; a review list.</p>	
<p>Plants 1B, 2, and 4 extension meanings: _1 Seriously endangered in California (over 80% of occurrences threatened / high degree and immediacy of threat) _2 Fairly endangered in California (20-80% occurrences threatened) _3 Not very endangered in California (<20% of occurrences threatened or no current threats known)</p>	
<p>Habitat Potential Absent [A] - No habitat present and no further work needed. Habitat Present [HP] - Habitat is or may be present. The species may be present. Critical Habitat [CH] – Project is within designated Critical Habitat.</p>	
<p>Potential for Occurrence Criteria: Present: Species was observed on site during a site visit or focused survey. High: Habitat (including soils and elevation factors) for the species occurs on site and a known occurrence has been recorded within 5 miles of the site. Low-Moderate: Either low quality habitat (including soils and elevation factors) for the species occurs on site and a known occurrence exists within 5 miles of the site; or suitable habitat strongly associated with the species occurs on site, but no records were found within the database search. Presumed Absent: Focused surveys were conducted, and the species was not found, or species was found within the database search but habitat (including soils and elevation factors) do not exist on site, or the known geographic range of the species does not include the survey area.</p>	
<p>Source: (CDFW 2022b), (CNPS 2022), (Calflora 2022), (Jepson 2022), (USFWS 2022).</p>	

STANDARDS OF SIGNIFICANCE

For purposes of this environmental document, an impact would be significant if any of the following conditions or potential thereof, would result with implementation of the proposed project:

- Creation of a potential health hazard, or use, production or disposal of materials that would pose a hazard to plant or animal populations in the area affected;
- Substantial degradation of the quality of the environment, reduction of the habitat, reduction of population below self-sustaining levels of threatened or endangered species of plant or animal; or
- Affect other species of special concern to agencies or natural resource organizations (such as regulatory waters and wetlands).

For the purposes of this document, “special-status” has been defined to include those species, which are:

- Listed as endangered or threatened under the federal Endangered Species Act (or formally proposed for, or candidates for, listing);
- Listed as endangered or threatened under the California Endangered Species Act (or proposed for listing);
- Designated as endangered or rare, pursuant to California Fish and Game Code (Section 1901);
- Designated as fully protected, pursuant to California Fish and Game Code (Section 3511, 4700, or 5050);
- Designated as species of concern by U.S. Fish and Wildlife Service (USFWS), or as species of special concern to California Department of Fish and Game (CDFG);
- Plants or animals that meet the definition of rare or endangered under CEQA.

SUMMARY OF ANALYSIS UNDER THE 2035 GENERAL PLAN MASTER EIR AND APPLICABLE GENERAL PLAN POLICIES

Chapter 4.3 of the Master EIR evaluated the effects of the 2035 General Plan on biological resources within the City. The Master EIR identified potential impacts in terms of degradation of the quality of the environment or reduction of habitat or population below self-sustaining levels of special-status birds, through the loss of both nesting and foraging habitat.

Policies in the 2035 General Plan were identified as mitigating the effects of development that could occur under the provisions of the 2035 General Plan. Policy ER 2.1.5 calls for the City to preserve the ecological integrity of creek corridors and other riparian resources; Policy ER 2.1.10 requires the City to consider the potential impact on sensitive plants for each project and to require pre-construction surveys when appropriate; and Policy ER 2.1.11 requires the City to coordinate its actions with those of the California Department Fish and Wildlife, U.S. Fish and Wildlife Service, and other agencies in the protection of resources.

The Master EIR discussed biological resources in Chapter 4.3. The Master EIR concluded that policies in the general plan, combined with compliance with the California Endangered Species Act, Natomas Basin HCP (when applicable) and CEQA would minimize the impacts on special-status species to a less-than-significant level (see Impact 4.3-1), and that the general plan policies, along with similar compliance with local, state and federal regulation would reduce impacts to a less-than-significant level for habitat for special-status invertebrates, birds, amphibians and reptiles, mammals and fish (Impacts 4.3-3-6).

Given the prevalence of rivers and streams in the incorporated area, impacts to riparian habitat is a common concern. Riparian habitats are known to exist throughout the City, especially along the Sacramento and American rivers and their tributaries. The Master EIR discussed impacts of development adjacent to riparian habitat that could disturb wildlife species that rely on these areas for shelter and food, and could also result in the degradation of these areas through the introduction of feral animals and contaminants that are typical of urban uses. The California Department of Fish and Wildlife (CDFW) regulates potential impacts on lakes, streams, and associated riparian (streamside or lakeside) vegetation through the issuance of Lake or Streambed Alteration Agreements (SAA) (per Fish and Game Code Section 1602), and provides guidance to the City as a resource agency. While there are no federal regulations that specifically mandate the protection of riparian vegetation, federal regulations set forth in Section 404 of the Clean Water Act address areas that potentially contain riparian-type vegetation, such as wetlands.

The general plan calls for the City to preserve the ecological integrity of creek corridors, canals and drainage ditches that support riparian resources (Policy ER 2.1.5) and wetlands (Policy ER 2.1.6) and requires habitat assessments and impact compensation for projects (Policy ER 2.1.10). has adopted a standard that

requires coordination with state and federal agencies if a project has the potential to affect other species of special concern or habitats (including regulatory waters and wetlands) protected by agencies or natural resource organizations (Policy 2.1.11).

Implementation of 2035 General Plan Policy ER 2.1.5 would reduce the magnitude of potential impacts by requiring a 1:1 replacement of riparian habitat lost to development. Given the extent of urban development designated in the General Plan, the preservation and/or restoration of riparian habitat would likely occur outside of the City limits. The Master EIR concluded that the permanent loss of riparian habitat would be a less-than-significant impact (Impact 4.3-7).

ANSWERS TO CHECKLIST QUESTIONS

- A) Result a potential health hazard, or use, production or disposal of materials that would pose a hazard to plant or animal populations in the area affected?

Effect can be mitigated to less than significant. Development of the project area would result in a hydrogen station and retail building shell that would not result in the use, production, or disposal of hazardous materials on-site. Furthermore, the project is not anticipated to result in a potential health hazard that would pose a hazard to local plant or animal populations. Standard BMPs **BIO-1** through **BIO-4** would be implemented to avoid potential impacts to plants and animals.

- B) Result in substantial degradation of the quality of the environment, reduction of the habitat, reduction of population below self-sustaining levels of threatened or endangered species of plant or animal species?

No significant additional environmental effect. A list of regional special status wildlife species with potential to occur within the project vicinity was compiled from database searches of the USFWS IPaC, the CNDDDB, the CNPS Electronic Inventory of Rare and Endangered Plants, and the NMFS species database. The potential for each species to occur within the project area was determined by analyzing the habitat requirements of each species and comparing the habitat requirements to available habitat within the project area. After a careful comparison between habitat requirements and the habitat available within the project area, no special status species were determined to have the potential to occur within the project area. As such, the project is not anticipated to result in the substantial degradation of the quality of the environment, reduction of the habitat, or reduction of population below self-sustaining levels of threatened or endangered species. For more information, refer to Table 2. Special Status Species Potential Table.

- C) Affect other species of special concern to agencies or natural resource organizations (such as regulatory waters and wetlands)?

No significant additional environmental effect. The project site is a developed parcel that consists of paved concrete, barren land, and ruderal vegetation. In addition, the proposed project is surrounded by existing commercial development, paved parking areas, and other built landscapes. No jurisdictional habitat occurs within the project area; as such, the project is not anticipated to affect regulatory waters or wetlands. Furthermore, no species of special concern are anticipated to occur within the project area.

MITIGATION MEASURES

- BIO-1:** Prior to arrival at the project site and prior to leaving the project site, construction equipment that may contain invasive plants and/or seeds will be cleaned to reduce the spreading of noxious weeds.

BIO-2: The contractor must dispose of all food-related trash in closed containers and must remove it from the project Area each day during construction. Construction personnel must not feed or attract wildlife to the project Area.

BIO-3: The contractor must not apply rodenticide or herbicide within the project Area during construction.

BIO-4: If any wildlife is encountered during construction, said wildlife shall be allowed to leave the construction area unharmed.

FINDINGS

All additional significant environmental effects of the project relating to Biological Resources can be mitigated to a less-than-significant level.

Issues:	Effect will be studied in the EIR	Effect can be mitigated to less than significant	No additional significant environmental effect
4. CULTURAL RESOURCES			
Would the project:			
A) Cause a substantial adverse change in the significance of a historical or archaeological resource as defined in § 15064.5?		X	
B) Directly or indirectly destroy a unique paleontological resource?			X
C) Disturb any human remains?		X	

ENVIRONMENTAL SETTING

The City and the surrounding area are known to have been occupied by Native American groups for thousands of years prior to settlement by non-Native peoples. Archaeological materials, including human burials, have been found throughout the City. Human burials outside of formal cemeteries often occur in prehistoric contexts. Areas of high sensitivity for archaeological resources, as identified in the 2035 General Plan Background Report, are located within close proximity to the Sacramento and American Rivers and other watercourses.

The 2035 General Plan land use diagram designates a wide swath of land along the American River as Parks, which limits development and impacts on sensitive prehistoric resources. High sensitivity areas may be found in other areas related to the ancient flows of the rivers, with differing meanders than found today. Recent discoveries during infill construction in downtown Sacramento have shown that the downtown area is highly sensitive for both historic- and prehistoric-period archaeological resources. Native American burials and artifacts were found in 2005 during construction of the New City Hall and historic period archaeological resources are abundant downtown due to the evolving development of the area and, in part, to the raising of the surface street level in the 1860s and 1870s, which created basements out of the first floors of many buildings.

STANDARDS OF SIGNIFICANCE

For purposes of this Initial Study, cultural resource impacts may be considered significant if construction and/or implementation of the proposed project would result in one or more of the following:

- Cause a substantial change in the significance of a historical or archaeological resource as defined in CEQA Guidelines Section 15064.5; or
- Directly or indirectly destroy a unique paleontological resource; or
- A substantial adverse change in the significance of such resources.

SUMMARY OF ANALYSIS UNDER THE 2035 GENERAL PLAN MASTER EIR AND APPLICABLE GENERAL PLAN POLICIES

The Master EIR evaluated the potential effects of development under the 2035 General Plan on prehistoric and historic resources. See Chapter 4.4.

General plan policies identified as reducing such effects call for identification of resources on project sites (Policy HCR 2.1.1), implementation of applicable laws and regulations (Policy HCR 2.1.2), early consultation with owners and land developers to minimize effects (Policy HCR 2.1.10) and encouragement of adaptive reuse of historic resources (Policy HCR 2.1.14). Demolition of historic resources is deemed a last resort. (Policy HCR 2.1.15)

The Master EIR concluded that implementation of the 2035 General Plan would have a significant and unavoidable effect on historic resources and archaeological resources. (Impacts 4.4-1, 2)

ANSWERS TO CHECKLIST QUESTIONS

- A) Cause a substantial adverse change in the significance of a historical or archaeological resource as defined in § 15064.5?

Effects can be mitigated to less than significant. To identify any known cultural resources, a records search of project area was conducted via the North Central Information Center (NCIC). Additional research included searches of the National Register of Historic Places, the California Register of Historical Resources (California Register), the Directory of Properties in the Historic Property Data File, California Historic Landmarks (1996), the California Inventory of Historic Resources (1976), and the California Points of Historical Interest listing (May 1992 and updates). Map research included a review of historic USGS topographic maps and aerial photography. Using this data, previously recorded sites and previous surveys within a one-mile radius of the project area were reviewed.

The NCIC did not identify previous cultural resources or cultural resource investigations conducted within the project area. The proposed project site is currently occupied by a gas station, is partially undeveloped, and is surrounded by paved and developed area within a highly urbanized area. According to historic aerials, urban development began encroaching on the project area in the 1950s and the project site has consisted primarily of paved surfaces since the 1980s. The project site does not contain structures that could possibly yield important prehistoric or historic information. In addition, the project site is not located adjacent to a waterway, which suggests that the project site has a lower potential for containing prehistoric sites. Given the heavily disturbed nature of the site, previously undiscovered cultural resources are not likely to occur onsite. Considering the geological history of the project area and due to deep sedimentation during the Holocene in the region, however, unknown resources below the surface could be encountered during grading and excavation. Therefore, the proposed project could result in additional significant environmental effects related to damaging or destroying prehistoric cultural resources beyond what was analyzed in the Master EIR. Implementation of Mitigation Measure **CR-1** would mitigate the impact to a less-than significant level.

- B) Directly or indirectly destroy a unique paleontological resource?

No additional significant environmental effect. Paleontological resources are not known or suspected on-site due to the geological age of the project area soils, and unique geologic features are not known to exist on the project site or in the immediate vicinity. Due to the disturbed nature of the project site, the potential for encountering paleontological resources is low, however, it remains possible that earth-disturbing activities could affect the integrity of a paleontological site.

- C) Disturb any human remains?

Effects can be mitigated to less than significant. Given the disturbed nature of the project site, intact cultural resources are not likely to be found on-site during grading and construction activities. However, due to the continuous occupation of the region as a whole, which includes thousands of years of occupation by Native American groups prior to non-Native peoples settling in the region, the possibility exists that previously unknown resources could be encountered during ground-disturbing activities associated with development of the project. If human remains are discovered during the construction of the project, the implementation of measure **CR-2** will ensure the appropriate procedures are followed to determine the nature of the remains.

MITIGATION MEASURES

CR-1: In the Event that Cultural Resources Are Discovered During Construction, Implement Avoidance and Minimization Measures to Avoid Significant Impacts and Procedures to Evaluate Resources.

If cultural resources (such as structural features, unusual amounts of bone or shell, artifacts, or human remains) are encountered at the project site during construction, work shall be suspended within 100 feet of the find (based on the apparent distribution of cultural materials), and the construction contractor shall immediately notify the project's City representative. Avoidance and preservation in place is the preferred manner of mitigating impacts to cultural resources. This will be accomplished, if feasible, by several alternative means, including:

- Planning construction to avoid archaeological sites and/or other cultural resources; incorporating cultural resources within parks, green-space or other open space; covering archaeological resources; deeding a cultural resource to a permanent conservation easement; or other preservation and protection methods agreeable to consulting parties and regulatory authorities with jurisdiction over the activity.
- Recommendations for avoidance of cultural resources will be reviewed by the City representative and other appropriate agencies, in light of factors such as costs, logistics, feasibility, design, technology and social, cultural and environmental considerations, and the extent to which avoidance is consistent with project objectives. Avoidance and design alternatives may include realignment within the project site to avoid cultural resources, modification of the design to eliminate or reduce impacts to cultural resources or modification or realignment to avoid highly significant features within a cultural resource.
- If the discovered cultural resource can be avoided, the construction contractor(s), will install protective fencing outside the site boundary, including a 100-foot buffer area, before construction restarts. Use of temporary and permanent forms of protective fencing will be determined in consultation with Native American representatives from interested culturally affiliated Native American tribes.
- The construction contractor(s) will maintain the protective fencing throughout construction to avoid the site during all remaining phases of construction. The area will be demarcated as an "Environmentally Sensitive Area".

If a cultural resource cannot be avoided, the following performance standard shall be met prior to continuance of construction and associated activities that may result in damage to or destruction of cultural resources:

- Each resource will be evaluated for California Register of Historical Resources- (CRHR) eligibility through application of established eligibility criteria (California Code of Regulations 15064.636), in consultation with consulting Native American Tribes, as applicable.

If a cultural resource is determined to be eligible for listing in the CRHR, the City will avoid damaging effects to the resource in accordance with California PRC Section 21084.3, if feasible. The City shall coordinate the investigation of the find with a qualified archaeologist (meeting the Secretary of the Interior's Professional Qualifications Standards for Archeology) approved by the City. As part of the site investigation and resource assessment, the City and the archaeologist shall assess the significance of the find, make recommendations for further evaluation and treatment as necessary and provide proper management recommendations should potential impacts to the resources be determined by the City to be significant. A written report detailing the site assessment, coordination activities, and management recommendations shall be provided to the City representative by the qualified archaeologist. These recommendations will be documented in the project record.

CR-2: Implement Procedures in the Event of the Inadvertent Discovery of Human Remains.

If an inadvertent discovery of human remains is made at any time during project-related construction activities or project planning, the City the following performance standards shall be met prior to implementing or continuing actions such as construction, which may result in damage to or destruction of human remains. In accordance with the California Health and Safety Code (HSC), if human remains are encountered during ground-disturbing activities, the City shall immediately halt potentially damaging excavation in the area of the remains and notify the Sacramento County Coroner and a professional archaeologist to determine the nature of the remains. The Coroner is required to examine all discoveries of human remains within 48 hours of receiving notice of a discovery on private or State lands (HSC Section 7050.5[b]).

If the human remains are of historic age and are determined to be not of Native American origin, the City will follow the provisions of the HSC Section 7000 (et seq.) regarding the disinterment and removal of non-Native American human remains.

If the Coroner determines that the remains are those of a Native American, he or she must contact the Native American Heritage Commission (NAHC) by phone within 24 hours of making that determination (HSC Section 7050[c]). After the Coroner's findings have been made, the archaeologist and the NAHC-designated Most Likely Descendant (MLD), in consultation with the landowner, shall determine the ultimate treatment and disposition of the remains. The responsibilities of the City for acting upon notification of a discovery of Native American human remains are identified in California PRC Section 5097.9 et seq.

FINDINGS

All additional significant environmental effects of the project relating to Cultural Resources can be mitigated to a less-than-significant level.

Issues:	Effect will be studied in the EIR	Effect can be mitigated to less than significant	No additional significant environmental effect
5. ENERGY			
Would the project:			
A) Result in a potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy, or wasteful use of energy resources, during project construction or operation?			X
B) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?			X

Energy

Structures built would be subject to Titles 20 and 24 of the California Code of Regulations, which reduce demand for electrical energy by implementing energy-efficient standards for residential and non-residential buildings. The 2035 General Plan includes policies (see 2035 General Plan Energy Resources Goal U 6.1.1) and related policies to encourage energy-efficient technology by offering rebates and other incentives to commercial and residential developers, coordination with local utility providers and recruitment of businesses that research and promote energy conservation and efficiency.

The Master EIR discussed energy conservation and relevant general plan policies in section 6.3 (page 6-3). The discussion concluded that with implementation of the general plan policies and energy regulation (e.g., Title 24) development allowed in the general plan would not result in the inefficient, wasteful or unnecessary consumption of energy.

The Master EIR concluded that implementation of state regulation, coordination with energy providers and implementation of general plan policies would reduce the potential impacts from construction of new energy production or transmission facilities to a less-than-significant level.

ENVIRONMENTAL SETTING

Sacramento Municipal Utility District (SMUD) is a community-owned and not-for-profit utility that provides electric services to 900 square miles, including most of Sacramento County (SMUD 2020). Pacific Gas and Electric (PG&E) is an inventory-owned utility that provides electric and natural gas services to approximately 16 million people within a 70,000-square-mile service area in both northern and central California (PG&E 2020). SMUD is the primary electricity supplier, and PG&E is the primary natural gas supplier for the City and the project area.

Energy demand related to the proposed project would include energy directly consumed for space heating and cooling and proposed electric facilities and lighting. Indirect energy consumption would be associated with the generation of electricity at power plants. Transportation-related energy consumption includes the use of fuels and electricity to power cars, trucks, and public transportation. Energy would

also be consumed by equipment and vehicles used during project construction and routine maintenance activities.

Energy Policy and Conservation Act, and CAFE Standards

The Energy Policy and Conservation Act of 1975 established nationwide fuel economy standards to conserve oil. Under this act, the National Highway Traffic and Safety Administration, is responsible for revising existing fuel economy standards and establishing new vehicle economy standards. The Corporate Average Fuel Economy program was established to determine vehicle manufacturer compliance with the government's fuel economy standards. Three Energy Policy Acts have been passed, in 1992, 2005, and 2007, to reduce dependence on foreign petroleum, provide tax incentives for alternative fuels, and support energy conservation.

Energy Policy Act of 1992 and 2005

The Energy Policy Act of 1992 (EPAAct) was passed to reduce the country's dependence on foreign petroleum and improve air quality. EPAAct includes several parts intended to build an inventory of alternative fuel vehicles (AFVs) in large, centrally fueled fleets in metropolitan areas. EPAAct requires certain federal, state, and local government and private fleets to purchase a percentage of light-duty AFVs capable of running on alternative fuels each year. In addition, financial incentives are also included in EPAAct. Federal tax deductions are allowed for businesses and individuals to cover the incremental cost of AFVs. States are also required by the act to consider a variety of incentive programs to help promote AFVs. The Energy Policy Act of 2005 provides renewed and expanded tax credits for electricity generated by qualified energy sources, such as landfill gas; provides bond financing, tax incentives, grants, and loan guarantees for clean renewable energy and rural community electrification; and establishes a federal purchase requirement for renewable energy.

State of California Energy Efficiency Action Plan

The 2019 California Energy Efficiency Action Plan has three primary goals for the state: double energy efficiency savings by 2030 relative to a 2015 base year (per SB 350), expand energy efficiency in low-income and disadvantaged communities, and reduce greenhouse gas emissions from buildings. This plan provides guiding principles and recommendations on how the state would achieve those goals. These recommendations include:

- identifying funding sources that support energy efficiency programs,
- identifying opportunities to improve energy efficiency through data analysis,
- using program designs as a way to encourage increased energy efficiency on the consumer end,
- improving energy efficiency through workforce education and training, and
- supporting rulemaking and programs that incorporate energy demand flexibility and building decarbonization. (CEC 2019)

California Green Building Standards

The energy consumption of new residential and nonresidential buildings in California is regulated by the state's Title 24, Part 6, Building Energy Efficiency Standards (California Energy Code). The California Energy Code was established by CEC in 1978 in response to a legislative mandate to create uniform building codes to reduce California's energy consumption and provide energy efficiency standards for residential and non-residential buildings. CEC updates the California Energy Code every 3 years with more stringent design requirements for reduced energy consumption, which results in the generation of fewer greenhouse gas (GHG) emissions.

The 2019 California Energy Code was adopted by CEC on May 9, 2018 and applies to projects constructed after January 1, 2020. The 2019 California Energy Code is designed to move the State closer to its zero-net energy goals for new residential development. It does so by requiring all new residences to install enough renewable energy to offset all the electricity needs of each residential unit (California Code of Regulations (CCR), Title 24, Part 6, Section 150.1(c)4). CEC estimates that the combination of mandatory on-site renewable energy and prescriptively required energy efficiency standards will result in a 53 percent reduction in new residential construction as compared to the 2016 California Energy Code. Non-residential buildings are anticipated to reduce energy consumption by 30 percent as compared to the 2016 California Energy Code primarily through prescriptive requirements for high-efficiency lighting (CEC 2018). The Energy Code is enforced through the local plan check and building permit process. Local government agencies may adopt and enforce additional energy standards for new buildings as reasonably necessary due to local climatologic, geologic, or topographic conditions, provided that these standards exceed those provided in the California Energy Code.

Transportation-Related Regulations

Various regulatory and planning efforts are aimed at reducing dependency on fossil fuels, increasing the use of alternative fuels, and improving California's vehicle fleet. Senate Bill (SB) 375 aligns regional transportation planning efforts, regional GHG emission reduction targets, and land use and housing allocation. CARB, in consultation with the metropolitan planning organizations, provides each affected region with reduction targets for GHGs emitted by passenger cars and light trucks in their respective regions for 2020 and 2035.

Pursuant to Assembly Bill (AB) 2076 (Chapter 936, Statutes of 2000), CEC and the CARB prepared and adopted a joint agency report in 2003, Reducing California's Petroleum Dependence. Included in this report are recommendations to increase the use of alternative fuels to 20 percent of on-road transportation fuel use by 2020 and 30 percent by 2030, significantly increase the efficiency of motor vehicles, and reduce per capita VMT (CEC and CARB 2003).

AB 1007 (Chapter 371, Statutes of 2005) required CEC to prepare the State Alternative Fuels Plan to increase the use of alternative fuels in California.

In January 2012, CARB approved the Advanced Clean Cars program which combines the control of GHG emissions and criteria air pollutants, as well as requirements for greater numbers of zero-emission vehicles, into a single package of standards for vehicle model years 2017 through 2025. The program's zero-emission vehicle regulation requires battery, fuel cell, and/or plug-in hybrid electric vehicles to account for up to 15 percent of California's new vehicle sales by 2025.

On August 2, 2018, the National Highway Traffic Safety Administration (NHTSA and EPA proposed the Safer Affordable Fuel-Efficient Vehicles Rule (SAFE Rule). Part One of the SAFE Rule revokes a waiver granted by EPA to the State of California under Section 209 of the CAA to enforce more stringent emission standards for motor vehicles than those required by EPA for the explicit purpose of GHG emission reduction, and indirectly, criteria air pollutant and ozone precursor emission reduction. On March 31, 2020, Part Two of the SAFE Rule was published and would amend existing CAFE and tailpipe CO₂ emissions standards for passenger cars and light trucks and establish new standards covering model years 2021 through 2026.

GHG Reduction Regulations

Several regulatory measures such as AB 32 and the Climate Change Scoping Plan, EO B-30-15, SB 32, and AB 197 were enacted to reduce GHGs and have the co-benefit of reducing California's dependency on fossil fuels and making land use development and transportation systems more energy efficient.

Renewable Energy Regulations

SB X1-2 of 2011 requires all California utilities to generate 33 percent of their electricity from renewables by 2020. SB X1-2 also requires the renewable electricity standard to be met increasingly with renewable energy that is supplied to the California grid from sources within, or directly proximate to, California. SB X1-2 mandates that renewables from these sources make up at least 50 percent of the total renewable energy for the 2011-2013 compliance period, at least 65 percent for the 2014-2016 compliance period, and at least 75 percent for 2016 and beyond.

SB 100, signed in September 2018, requires that all California utilities, including independently-owned utilities, energy service providers, and community choice aggregators, supply 44 percent of retail sales from renewable resources by December 31, 2024, 50 percent of all electricity sold by December 31, 2026, 52 percent by December 31, 2027, and 60 percent by December 31, 2030. The law also requires that eligible renewable energy resources and zero-carbon resources supply 100 percent of retail sales of electricity to California end-use customers and 100 percent of electricity procured to serve all State agencies by December 31, 2045.

Energy Independence and Security Act of 2007

The Energy Independence and Security Act of 2007 is designed to improve vehicle fuel economy and help reduce U.S. dependence on oil. It represents a major step forward in expanding the production of renewable fuels, reducing dependence on oil, and confronting global climate change. The Energy Independence and Security Act of 2007 increases the supply of alternative fuel sources by setting a mandatory Renewable Fuel Standard requiring fuel producers to use at least 36 billion gallons of biofuel in 2022, which represents a nearly five-fold increase over current levels; and reduces U.S. demand for oil by setting a national fuel economy standard of 35 miles per gallon by 2020—an increase in fuel economy standards of 40 percent.

By addressing renewable fuels and the CAFE standards, the Energy Independence and Security Act of 2007 builds upon progress made by the Energy Policy Act of 2005 in setting out a comprehensive national energy strategy for the 21st century.

SUMMARY OF ANALYSIS UNDER THE 2035 GENERAL PLAN MASTER EIR AND APPLICABLE GENERAL PLAN POLICIES

Structures built would be subject to Titles 20 and 24 of the California Code of Regulations, which reduce demand for electrical energy by implementing energy-efficient standards for residential and non-residential buildings. The 2035 General Plan includes policies (see 2035 General Plan Energy Resources Goal U 6.1.1) and related policies to encourage energy-efficient technology by offering rebates and other incentives to commercial and residential developers, coordination with local utility providers and recruitment of businesses that research and promote energy conservation and efficiency.

The Master EIR discussed energy conservation and relevant General Plan policies in section 6.3 (page 6-3). The discussion concluded that with implementation of the General Plan policies and energy regulation (e.g., Title 24) development allowed in the General Plan would not result in the inefficient, wasteful or unnecessary consumption of energy.

See also Section 12, below, discussing impacts related to energy. The Master EIR concluded that implementation of state regulation, coordination with energy providers and implementation of General Plan policies would reduce the potential impacts from construction of new energy production or transmission facilities to a less-than-significant level.

Sacramento Climate Action Plan

The Sacramento CAP was adopted on February 14, 2012 by the Sacramento City Council and was incorporated into the 2035 General Plan. The Sacramento CAP includes GHG emission reduction targets, strategies, and implementation measures developed to help the City reach these targets. Reduction strategies address GHG emissions associated with transportation and land use, energy, water, waste management and recycling, agriculture, and open space. It should be noted that the City is currently undertaking an update to the City's General Plan, 2040 General Plan Update, as well as a stand-alone Climate Action and Adaptation Plan (CAAP).

STANDARDS OF SIGNIFICANCE

For the purposes of this Initial Study, an impact is considered significant if the proposed project would:

- result in a potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy, or wasteful use of energy resources, during project construction or operation; and/or
- conflict with or obstruct a state or local plan for renewable energy or energy efficiency.

ANSWERS TO CHECKLIST QUESTIONS

- A. Result in a potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy, or wasteful use of energy resources, during project construction or operation?

No additional significant environmental effect. Neither federal or State law nor the State CEQA Guidelines establish thresholds that define when energy consumption is considered wasteful, inefficient and unnecessary. Compliance with CCR Title 24 Energy Efficiency Standards would result in energy-efficient buildings. However, compliance with building codes does not adequately address all potential energy impacts during construction and operation. For example, energy would be required to transport people and goods to and from the project site. Energy use is discussed by anticipated use type below.

Construction

Construction of the proposed project would involve the consumption of energy in the form of gasoline and diesel fuel in order to power construction worker vehicle trips, hauling and materials delivery truck trips, and operation of construction equipment. In addition, portable generators may be used on-site in order to produce additional electricity for temporary on-site lighting, welding, and the supply of energy where hookups to the existing electricity grid are not readily available.

Due to the necessity for different stages of construction (e.g. site preparation, grading, and building construction), the operation of construction equipment would occur at different locations and at different times within the project site. Additionally, the use of construction equipment is regulated under the CARB In-Use Off-Road Diesel Vehicle Regulation. The In-Use Off-Road Diesel Vehicle Regulation aims to reduce emissions from in-use off-road, heavy duty vehicles in California by imposing limits on idling, requiring all vehicles to be reported to CARB, restricting the addition of older vehicles to existing fleets, and requiring fleets to reduce emissions by replacing, retrofitting, or retiring older engines. The use of In-Use Off-Road Diesel Vehicle Regulation would therefore assist in improving vehicle fuel efficiency and reducing GHG emissions.

The 2017 Climate Change Scoping Plan Update, prepared by CARB, outlines examples of local actions that would support the State's climate goals, including municipal code changes, zoning changes, policy directions, and mitigation measures. The CARB Diesel Vehicle Regulation described

above, with which the project must comply, would maintain the project's consistency with the intention and recommendations of the 2017 Scoping Plan.

Despite the temporary increase in energy use occurring during construction of the proposed project, the project would not result in a significant increase in peak or base demands or require additional capacity from local or regional energy facilities. In addition, construction would be subject to all applicable regulations related to energy conservation and fuel efficiency, which would serve to reduce the temporary increase in energy demand.

Operation

The proposed project would be required to comply with all the relevant provisions outlined in the most recent update of the California Building Standards Commission (CBSC), including the Building Energy Efficiency Standards. Adherence to all applicable regulations included in the City's Climate Action Plan (CAP) would ensure that the buildings resulting from this project would consume energy efficiently through the incorporation of features such as insulated walls and high efficacy lighting. Mandatory compliance with the CBSC ensures that building energy use resulting from the completion of this project would not be wasteful, inefficient, or unnecessary. Additionally, SMUD is required to comply with the State's Renewables Portfolio Standard, mandating that investor-owned utilities, electric service providers, and community choice aggregators must meet a 33 percent total procurement of eligible renewable energy resources by 2020 and 60 percent total procurement by 2030. This ensures that a portion of the electricity consumed during project operations would be generated from renewable resources.

See Section 13, Transportation, for discussion surrounding transportation energy use and the VMT associated with the development of the proposed project. Based on the above, construction and operation of the proposed project would not result in wasteful, inefficient, or unnecessary consumption of energy resources or conflict with or obstruct a State or local plan for renewable energy or energy efficiency. Thus, implementation of the proposed project would have no additional significant environmental effect related to energy beyond what was previously evaluated in the Master EIR.

B. Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?

No additional significant environmental effect. Structures built as part of the project would be subject to Titles 20 and 24 of the California Code of Regulations, which serve to reduce demand for electrical energy by implementing energy-efficient standards for residential and non-residential buildings. The 2030 General Plan includes policies (see Policies 6.1.10 through 6.1.13) to encourage the spread of energy-efficient technology by offering rebates and other incentives to commercial and residential developers, and recruiting businesses that research and promote energy conservation and efficiency. Policies 6.1.6 through 6.1.8 focus on promoting the use of renewable resources, which would reduce the cumulative impacts associated with use of non-renewable energy sources. In addition, Policies 6.1.5 and 6.1.12 call for the City to work with utility providers and industries to promote new conservation technologies.

The Master EIR evaluated the potential impacts on energy and concluded that the effects would be less than significant (See Impacts 6.11-9 and 6.11-10). The proposed project would not result in any impacts not identified and evaluated in the Master EIR.

MITIGATION MEASURES

None.

FINDINGS

The project would have no additional project-specific environmental effects relating to Energy.

	Effect will be studied in the EIR	Effect can be mitigated to less than significant	No additional significant environmental effect
Issues:			
6. <u>GEOLOGY AND SOILS</u> Would the project allow a project to be built that will either introduce geologic or seismic hazards by allowing the construction of the project on such a site without protection against those hazards?			X

ENVIRONMENTAL SETTING

Geological formations of the project vicinity include marine and nonmarine (continental) sedimentary rocks (Pleistocene-Holocene) - Alluvium, lake, playa, and terrace deposits; unconsolidated and semi-consolidated (Q) (Geologic Map of California, 2022).

Surface faulting or ground rupture tends to occur along lines of previous faulting. The nearest fault is the Foothill Fault System, located approximately 30 miles north east of the project area. Since previously identified fault lines are not within or near the project area, the possibility of fault rupture is negligible within the site, but in the event of an earthquake on a nearby fault, the project site could experience ground shaking. The California Geological Survey (CGS) probabilistic seismic hazards maps shows that the seismic ground-shaking hazard for the city is relatively low, and is among the lowest in the State.

STANDARDS OF SIGNIFICANCE

For the purposes of this Initial Study, an impact is considered significant if it allows a project to be built that will either introduce geologic or seismic hazards by allowing the construction of the project on such a site without protection against those hazards.

SUMMARY OF ANALYSIS UNDER THE 2035 GENERAL PLAN MASTER EIR AND APPLICABLE GENERAL PLAN POLICIES

Chapter 4.5 of the Master EIR evaluated the potential effects related to seismic hazards, underlying soil characteristics, slope stability, erosion, existing mineral resources and paleontological resources in the City. Implementation of identified policies in the 2035 General Plan reduced all effects to a less-than-significant level. Policy EC 1.1.1 requires regular review of the City's seismic and geologic safety standards, and Policy EC 1.1.2 requires geotechnical investigations for project sites to identify and respond to geologic hazards, when present.

ANSWERS TO CHECKLIST QUESTIONS

- A) Would the project allow a project to be built that will either introduce geologic or seismic hazards by allowing the construction of the project on such a site without protection against those hazards?

No additional significant environmental effect. The project area is located approximately 30 miles northeast of the nearest active fault and is not within an Alquist-Priolo Earthquake Fault Zone.

Therefore, the chance of fault rupture within the project area is very low. Since previously identified fault lines are not within or near the project site, the possibility of fault rupture is negligible within the project site, but in the event of an earthquake on a nearby fault, the project site could experience ground shaking.

General Plan Goal EC 1.1 and Policies 1.1.1 to 1.1.3 would ensure that lives and property within the project area protected from seismic hazards. These policies include regular review and enforcement of seismic and geologic safety standards, and geotechnical investigations to determine potential for hazards such as ground rupture, ground shaking, and liquefaction due to seismic events, as well as expansive soils and subsidence problems on sites where these hazards may be present. This impact is within the scope of the General Plan and was analyzed in the Master EIR. By complying with the General Plan policies and City Code, the proposed project would have a less-than-significant impact on exposing life and property to seismic hazards. The project site is relatively level, so there would be no impacts related to the possibility of landslides.

MITIGATION MEASURES

None.

FINDINGS

The project would have no additional project-specific environmental effects relating to Geology and Soils.

Issues:	Effect will be studied in the EIR	Effect can be mitigated to less than significant	No additional significant environmental effect
7. <u>GREENHOUSE GAS EMISSIONS</u>			
Would the project:			
A) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?		X	
B) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?		X	

ENVIRONMENTAL SETTING

The City is located within the SVAB, which is a valley bounded by the North Coast Mountain Ranges to the west and the Northern Sierra Nevada Mountains to the east. The terrain in the valley is flat and approximately 25 feet above sea level.

Hot, dry summers and mild, rainy winters characterize the Mediterranean climate of the Sacramento Valley. Throughout the year, daily temperatures may range by 20 degrees Fahrenheit with summer highs often exceeding 100 degrees and winter lows occasionally below freezing. Average annual rainfall is about 20 inches and snowfall is very rare. Summertime temperatures are normally moderated by the presence of the “Delta breeze” that arrives through the Carquinez Strait in the evening hours.

The mountains surrounding the SVAB create a barrier to airflow, which can trap air pollutants in the valley. The highest frequency of air stagnation occurs in the autumn and early winter when large high-pressure cells lie over the valley. The lack of surface wind during these periods and the reduced vertical flow caused by less surface heating reduces the influx of outside air and allows air pollutants to become concentrated in a stable volume of air. The surface concentrations of pollutants are highest when these conditions are combined with temperature inversions that trap cooler air and pollutants near the ground.

The warmer months in the SVAB (May through October) are characterized by stagnant morning air or light winds, and the Delta breeze that arrives in the evening out of the southwest. Usually, the evening breeze transports a portion of airborne pollutants to the north and out of the Sacramento Valley. During about half of the day from July to September, however, a phenomenon called the “Schultz Eddy” prevents this from occurring. Instead of allowing the prevailing wind patterns to move north carrying the pollutants out of the valley, the Schultz Eddy causes the wind pattern to circle back south. This phenomenon exacerbates the pollution levels in the area and increases the likelihood of violating Federal or State standards. The Schultz Eddy normally dissipates around noon when the Delta breeze begins.

Greenhouse Gases

Certain gases in the earth’s atmosphere, classified as GHGs, play a critical role in determining the earth’s surface temperature. GHGs are responsible for “trapping” solar radiation in the earth’s atmosphere, a phenomenon known as the greenhouse effect. Prominent GHGs contributing to the greenhouse effect are

carbon dioxide (CO₂), methane, nitrous oxide, hydrofluorocarbons, perfluorocarbons, and sulfur hexafluoride. Human-caused emissions of these GHGs in excess of natural ambient concentrations are believed responsible for intensifying the greenhouse effect and leading to a trend of unnatural warming of the earth's climate, known as global climate change or global warming. Emissions of GHGs contributing to global climate change are attributable, in large part, to human activities associated with on-road and off-road transportation, industrial/manufacturing, electricity generation by utilities and consumption by end users, residential and commercial on-site fuel usage, and agriculture and forestry. Emissions of CO₂ are, largely, byproducts of fossil fuel combustion.

The quantity of GHGs in the atmosphere responsible for climate change is not precisely known, but it is enormous. No single project alone would measurably contribute to an incremental change in the global average temperature or to global or local climates or microclimates. From the standpoint of CEQA, GHG impacts relative to global climate change are inherently cumulative.

Several regulations currently exist related to GHG emissions, predominantly AB 32, Executive Order S-3-05, and Senate Bill (SB) 32. AB 32 requires that Statewide GHG emissions be reduced to 1990 levels by 2020. Executive Order S-3-05 established the GHG emission reduction target for the State to reduce to the 2000 level by 2010, the 1990 level by 2020 (AB 32), 40 percent below the 1990 level by 2030, and to 80 percent below the 1990 level by 2050 (SB 32).

To meet the statewide GHG emission targets, the City adopted the City of Sacramento CAP on February 14, 2012 to comply with AB 32. The CAP identified how the City and the broader community could reduce Sacramento's GHG emissions and included reduction targets, strategies, and specific actions. In 2015, the City adopted the 2035 General Plan Update. The update incorporated measures and actions from the CAP into Appendix B, General Plan CAP Policies and Programs, which includes citywide policies and programs that are supportive of reducing GHG emissions

STANDARDS OF SIGNIFICANCE

A project is considered to have a significant effect relating to greenhouse gas emissions if it fails to satisfy the requirements of the City's Climate Action Plan.

SUMMARY OF ANALYSIS UNDER THE 2035 GENERAL PLAN MASTER EIR AND APPLICABLE GENERAL PLAN POLICIES

The Master EIR found that greenhouse gas emissions that would be generated by development consistent with the 2035 General Plan would contribute to climate change on a cumulative basis. Policies of the General Plan identified in the Master EIR that would reduce construction related GHG emissions include: ER 6.1.2, ER 6.1.11 requiring coordination with SMAQMD to ensure feasible mitigation measures are incorporated to reduce GHG emissions, and ER 6.1.15. The 2035 General Plan incorporates the GHG reduction strategy of the 2012 CAP, which demonstrates compliance mechanism for achieving the City's adopted GHG reduction target of 15 percent below 2005 emissions by 2020. Policy ER 6.1.8 commits the City to assess and monitor performance of GHG emission reduction efforts beyond 2020, and progress toward meeting long-term GHG emission reduction goals, ER 6.1.9 also commits the City to evaluate the feasibility and effectiveness of new GHG emissions reduction measures in view of the City's longer-term GHG emission reductions goal. The discussion of greenhouse gas emissions and climate change in the 2035 General Plan Master EIR are incorporated by reference in this Initial Study. (CEQA Guidelines Section 15150)

The Master EIR identified numerous policies included in the 2035 General Plan that addressed greenhouse gas emissions and climate change. See Draft Master EIR, Chapter 4.14, and pages 4.14-1 et seq. The Master EIR is available for review online at <http://www.cityofsacramento.org/Community-Development/Planning/Environmental/Impact-Reports>

ANSWERS TO CHECKLIST QUESTIONS

- A) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?

Effect can be mitigated to less than significant. Construction emissions for the proposed project were estimated using CalEEMod version 2022.1, soft release. The modelling assumptions, inputs, and output file can be found in Appendix A. The results of the modelling show that construction of the proposed project would result in 65.3 tons of CO₂e annually (395 pounds per day on average). This is below the SMAQMD GHG construction phase threshold for land development projects (1,100 tons/year), which is used to attain improved air quality and reduce GHG's in the 2035 General Plan.

Per the SMAQMD thresholds, operational emissions for land development projects need to demonstrate consistency with the City's CAP by implementing BMP's. Further discussion on the project's consistency with the City's CAP is discussed below, however, the project will implement measure **AQ-2** to demonstrate compliance.

The proposed project would not generate GHG emissions that may have a significant impact on the environment since construction emissions are below the SMAQMD GHG thresholds and operational emissions are consistent with the City's CAP- with implementation of measure **AQ-2**. The proposed project would not result in any impacts not identified and evaluated in the Master EIR.

- B) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?

Effect can be mitigated to less than significant. To comply with AB 32 and meet the statewide GHG emission targets, the City adopted the City of Sacramento CAP on February 14, 2012. The CAP identified how the City and the broader community could reduce Sacramento's GHG emissions and included reduction targets, strategies, and specific actions. In 2015, the City adopted the 2035 General Plan Update. The update incorporated measures and actions from the CAP into Appendix B, General Plan CAP Policies and Programs, which includes citywide policies and programs that are supportive of reducing GHG emissions. Upon adoption of the 2035 General Plan, the 2012 CAP was rescinded, and the 2035 General Plan became the City's CAP. In updating the 2035 General Plan the City has met the State standards as a qualified plan for the reduction of greenhouse gas emissions under Section 15183.5 of the State CEQA Guidelines. It should be noted that the City is currently undertaking an update to the City's General Plan, 2040 General Plan Update, as well as a stand-alone CAAP.

The Preliminary Draft CAAP, which was released for a 30-day early review on July 1, 2022, is a critical component of the larger Sacramento 2040 effort that involves a comprehensive update of the General Plan, the complete CAAP, and a Master EIR. The Preliminary Draft CAAP sets new and ambitious targets for the City and identifies key decarbonization strategies and implementable actions that form the foundation of Sacramento's goal for achieving carbon neutrality by 2045. By implementing measure **AQ-2**, per the SMAQMD thresholds of significance table, the project is consistent with the Preliminary Draft CAAP. Additionally, the project is within the Florin Road Corridor area and would support existing retail and employment opportunities in this area, this is consistent with measure E-5 which is used as a measure to reduce GHG in the Preliminary Draft CAAP (City of Sacramento, 2022).

With adherence to standard BMPs required with SMAQMD, as described in measures **AQ-1** and **AQ-2**, the proposed project would not conflict with existing CAP policies and programs that intend to reduce emissions of GHGs.

MITIGATION MEASURES

See Section 2 – Air Quality for air quality specific measures.

FINDINGS

The project would have no additional project-specific environmental effects relating to Greenhouse Gas Emissions.

Issues:	Effect will be studied in the EIR	Effect can be mitigated to less than significant	No additional significant environmental effect
8. <u>HAZARDS</u> Would the project:			
A) Expose people (e.g., residents, pedestrians, construction workers) to existing contaminated soil during construction activities?		X	
B) Expose people (e.g., residents, pedestrians, construction workers) to asbestos-containing materials or other hazardous materials?			X
C) Expose people (e.g., residents, pedestrians, construction workers) to existing contaminated groundwater during dewatering activities?			X

ENVIRONMENTAL AND REGULATORY SETTING

Federal regulations and regulations adopted by the SMAQMD apply to the identification and treatment of hazardous materials during demolition and construction activities. Failure to comply with these regulations respecting asbestos may result in a Notice of Violation being issued by the AQMD and civil penalties under state and/or federal law, in addition to possible action by U.S. EPA under federal law.

Federal law covers a number of different activities involving asbestos, including demolition and renovation of structures (40 CFR § 61.145).

SMAQMD Rule 902 and Commercial Structures

The work practices and administrative requirements of Rule 902 apply to all commercial renovations and demolitions where the amount of Regulated Asbestos-Containing Material (RACM) is greater than:

- 260 lineal feet of RACM on pipes, or
- 160 square feet of RACM on other facility components, or
- 35 cubic feet of RACM that could not be measured otherwise.

The administrative requirements of Rule 902 apply to any demolition of commercial structures, regardless of the amount of RACM. To determine the amount of RACM in a structure, Rule 902 requires that a survey be conducted prior to demolition or renovation unless:

- the structure is otherwise exempt from the rule, or
- any material that has a propensity to contain asbestos (so-called "suspect material") is treated as if it is RACM.

Surveys must be done by a licensed asbestos consultant and require laboratory analysis. Asbestos consultants are listed in the phone book under "Asbestos Consultants." Large industrial facilities may use

non-licensed employees if those employees are trained by the U.S. EPA. Questions regarding the use of non-licensed employees should be directed to the AQMD.

STANDARDS OF SIGNIFICANCE

For the purposes of this Initial Study, an impact is considered significant if the proposed project would:

- expose people (e.g., residents, pedestrians, construction workers) to existing contaminated soil during construction activities;
- expose people (e.g., residents, pedestrians, construction workers) to asbestos-containing materials or other hazardous materials; or
- expose people (e.g., residents, pedestrians, construction workers) to existing contaminated groundwater during dewatering activities.

SUMMARY OF ANALYSIS UNDER THE 2035 GENERAL PLAN MASTER EIR AND APPLICABLE GENERAL PLAN POLICIES

The Master EIR evaluated effects of development on hazardous materials, emergency response and aircraft crash hazards. See Chapter 4.6. Implementation of the General Plan may result in the exposure of people to hazards and hazardous materials during construction activities, and exposure of people to hazards and hazardous materials during the life of the general plan. Impacts identified related to construction activities and operations were found to be less than significant. Policies included in the 2035 general Plan, including PHS 3.1.1 (investigation of sites for contamination) and PHS 3.1.2 (preparation of hazardous materials actions plans when appropriate) were effective in reducing the identified impacts.

ANSWERS TO CHECKLIST QUESTIONS

- A) Expose people (e.g., residents, pedestrians, construction workers) to existing contaminated soil during construction activities?

Effect can be mitigated to less than significant. The existing Shell station, located adjacent to the proposed project, is the site of a Leaking Underground Storage Tank (LUST) Cleanup. Previous station upgrades resulted in investigations conducted during 2002 and 2003 which concluded that Methyl tert-butyl ether (MTBE), a gasoline additive, was present. Groundwater extraction was performed in 2006 and 2007. The site received environmental case closure on August 18, 2015.

LUST fueling system closure activities were completed during February and March 2019. These activities included the removal of the LUSTs, and associated UDCs and piping. The final results of LUST system removal regulatory compliance samples indicate that laboratory results are below comparison value Tier 1 Environmental Screening Levels (ESLs) published by the San Francisco Regional Water Quality Control Board (RWQCB), dated 2019 (MDM, 2019).

However unlikely, unknown hazardous waste/material could be encountered during project construction. Therefore, the proposed project could result in additional significant environmental effects related to hazardous waste/materials beyond what was analyzed in the Master EIR. With the incorporation of **HAZ-1** there would be a less-than-significant impact to people in regard to exposure of existing contaminated soil and lead during construction activities.

- B) Expose people (e.g., residents, pedestrians, construction workers) to asbestos-containing materials or other hazardous materials?

No additional significant environmental effect. Review of information available through the USGS and the CGS indicated that nearest ultramafic rock formation which may be associated with naturally occurring asbestos is approximately 20 miles east of the project area (USGS, 2011 and CGS, 2011).

Additionally, the project site is currently undeveloped; therefore, analysis for lead-containing structures within the project site prior to the removal of these structures is not warranted.

- C) Expose people (e.g., residents, pedestrians, construction workers) to existing contaminated groundwater during dewatering activities?

No additional significant environmental effect. The proposed project would not be expected to require any on-site dewatering activities. The proposed project would include construction activities within an approximately 1-acre project area, including the paving of the project site and construction of a Hydrogen enclosure and retail building shell, along with various other site improvements. Groundwater would not be anticipated to be encountered during construction of the site, as the site is already graded and vacant. Thus, the proposed project would have a less than significant impact related to the potential to expose construction workers and pedestrians to contaminated groundwater and implementation of the proposed project would result in no additional significant environmental effects beyond what has been previously analyzed in the Master EIR.

MITIGATION MEASURES

HAZ-1: For any previously unknown hazardous waste/ material encountered during construction, the procedures outline in Appendix B (Caltrans Unknown Hazard Procedures, Construction Manual, December 2006) shall be followed.

FINDINGS

All additional significant environmental effects of the project relating to Hazards can be mitigated to a less-than-significant level.

**4050 FLORIN ROAD RETAIL AND HYDROGEN STATION ADDITION PROJECT
(DR 21 -244)**

INITIAL STUDY

Issues:	Effect will be studied in the EIR	Effect can be mitigated to less than significant	No additional significant environmental effect
<p>9. <u>HYDROLOGY AND WATER QUALITY</u> Would the project:</p> <p>A) Substantially degrade water quality and violate any water quality objectives set by the State Water Resources Control Board, due to increases in sediments and other contaminants generated by construction and/or development of the project?</p>		X	
<p>B) Substantially increase the exposure of people and/or property to the risk of injury and damage in the event of a 100-year flood ?</p>			X

ENVIRONMENTAL SETTING

The project area is within the Valley-American hydrologic unit and the Lower Sacramento River Watershed. Creeks, streams, or rivers are not present on the project site.

The Sacramento River and its tributary channels beneficial uses are municipal and domestic supply, agriculture, industry, recreation, freshwater habitats (migration and spawning of fish), and wildlife habitat according to the Basin Plan for the Sacramento River and San Joaquin River Basins (California Regional Water Quality Control Board, 1998).

The proposed project is not located within one of California’s four sole source aquifers. The project is located in Sacramento County which does not have a sole source aquifer.

STANDARDS OF SIGNIFICANCE

For purposes of this Initial Study, impacts to hydrology and water quality may be considered significant if construction and/or implementation of the Proposed Project would result in the following impacts that remain significant after implementation of General Plan policies or mitigation from the General Plan MEIR:

- substantially degrade water quality and violate any water quality objectives set by the State Water Resources Control Board, due to increases in sediments and other contaminants generated by construction and/or development of the Specific Plan or
- substantially increase the exposure of people and/or property to the risk of injury and damage in the event of a 100-year flood.

SUMMARY OF ANALYSIS UNDER THE 2035 GENERAL PLAN MASTER EIR AND APPLICABLE GENERAL PLAN POLICIES

Chapter 4.7 of the Master EIR evaluates the potential effects of the 2035 General Plan as they relate to surface water, groundwater, flooding, stormwater and water quality. Potential effects include water quality degradation due to construction activities (Impacts 4.7-1, 4.7-2), and exposure of people to flood risks (Impacts 4.7-3). Policies included in the 2035 General Plan, including a directive for regional cooperation (Policies ER 1.1.2, EC 2.1.1), comprehensive flood management (Policy EC 2.1.23), and construction of adequate drainage facilities with new development (Policy ER 1.1.1 to ER 1.1.10) were identified that the Master EIR concluded would reduce all impacts to a less-than-significant level.

ANSWERS TO CHECKLIST QUESTIONS

- A) Substantially degrade water quality and violate any water quality objectives set by the State Water Resources Control Board, due to increases in sediments and other contaminants generated by construction and/or development of the project?

Effect can be mitigated to less than significant. There is potential for the proposed project to result in degradation of water quality during both the construction and operational phases. Polluted runoff from the project site during construction and operation could include sediment from soil disturbances, oil and grease from construction equipment and vehicles, and pesticides and fertilizers from landscaped areas. This degradation could result in violation of water quality standards. It is noted that no creeks, streams or rivers are present on the project site.

Although the proposed project would not be required to obtain coverage under the Construction General Permit, the City's Stormwater Quality Improvement Plan (SQIP) contains guidance for construction on small building sites (sites under 1 acre) to comply with the City's MS4 permit requirements. The following recommended BMPs will be implemented during construction: evaluate the site and protect natural features, schedule work to minimize problems, install perimeter controls, install stabilized construction access, protect storm drain inlets, use other pollution control practices as needed, maintain BMPs, and perform final steps (stabilize the site and remove all temporary construction BMPs). Conformance with City regulations and permit requirements along with implementation of BMPs would ensure that construction activities associated with the proposed project would result in a less-than significant impact related to water quality.

As a standard Condition of Approval for development projects in the City, the City's Department of Utilities requires preparation and submittal of project-specific drainage studies. With submittal of the required drainage study, the Department of Utilities would review the Improvement Plans for the proposed project prior to approval to ensure that adequate water quality control facilities are incorporated. It should be noted that the proposed project would comply with Section 13.08.145, Mitigation of drainage impacts; design and procedures manual for water, sanitary sewer, storm drainage, and water quality facilities, of the City of Sacramento Code.

Design of the proposed project and conformance with City and state regulations would ensure that a substantial degradation to water quality or violation of any water quality objectives due to increases in sediments and other contaminants generated by construction and/or development of the proposed project would not occur. The proposed project would not result in a project-specific impact related to the degradation of water quality during construction, the proposed project would result in no additional significant environmental effects beyond the effects analyzed in the Master EIR. Implementation of measures **WQ-1** would further minimize potential impacts to water quality.

- B) Substantially increase the exposure of people and/or property to the risk of injury and damage in the event of a 100-year flood?

No additional significant environmental effect. The project is located within the Federal Emergency Management Agency (FEMA) Zone X, area with reduced flood risk due to levee. As such, the proposed project would not place housing or structures within a 100-year flood hazard area and no additional significant environmental effect would occur relative to flooding impacts analyzed in the Master EIR.

MITIGATION MEASURES

WQ-1: Water Quality BMPs will be incorporated into project design and project management to minimize impacts on the environment including erosion and the release of pollutants (e.g. oils, fuels):

- Exposed soils and material stockpiles would be stabilized, through watering or other measures, to prevent the movement of dust at the project site caused by wind and construction activities such as traffic and grading activities;
- All construction roadway areas would be properly protected to prevent excess erosion, sedimentation, and water pollution;
- All vehicle and equipment fueling/maintenance would be conducted outside of any surface waters;
- Equipment used in and around jurisdictional waters must be in good working order and free of dripping or leaking contaminants;
- Raw cement, concrete or concrete washings, asphalt, paint or other coating material, oil or other petroleum products, or any other substances that could be hazardous to aquatic life shall be prevented from contaminating the soil or entering jurisdictional waters;
- All erosion control measures and storm water control measures would be properly maintained until the site has returned to a pre-construction state;
- All disturbed areas would be restored to pre-construction contours and revegetated, either through hydroseeding or other means, with native or approved non-invasive exotic species;
- All construction materials would be hauled off-site after completion of construction.

FINDINGS

All additional significant environmental effects of the project relating to Water Quality can be mitigated to a less-than-significant level.

Issues:	Effect will be studied in the EIR	Effect can be mitigated to less than significant	No additional significant environmental effect
<p>10. <u>NOISE</u></p> <p>Would the project:</p> <p>A) Result in exterior noise levels in the project area that are above the upper value of the normally acceptable category for various land uses due to the project's noise level increases?</p>			X
<p>B) Result in residential interior noise levels of 45 dBA L_{dn} or greater caused by noise level increases due to the project?</p>			X
<p>C) Result in construction noise levels that exceed the standards in the City of Sacramento general plan or Noise Ordinance?</p>			X
<p>D) Permit existing and/or planned residential and commercial areas to be exposed to vibration-peak-particle velocities greater than 0.5 inches per second due to project construction?</p>			X
<p>E) Permit adjacent residential and commercial areas to be exposed to vibration peak particle velocities greater than 0.5 inches per second due to highway traffic and rail operations?</p>			X
<p>F) Permit historic buildings and archaeological sites to be exposed to vibration-peak-particle velocities greater than 0.2 inches per second due to project construction and highway traffic?</p>			X

ENVIRONMENTAL SETTING

Land uses in the Project vicinity consist of Urban Center Low, Suburban Neighborhood High and Low Density, Public/Quasi Public, and Employment Center Low Rise. The noise environment near the project is dominated by traffic on Florin Road and Franklin Boulevard. The nearest sensitive receptor are apartment complexes that are approximately 630 feet southwest of the project site.

STANDARDS OF SIGNIFICANCE

For purposes of this Initial Study, impacts due to noise may be considered significant if construction and/or implementation of the Proposed Project would result in the following impacts that remain significant after implementation of general plan policies:

- result in exterior noise levels in the project area that are above the upper value of the normally acceptable category for various land uses due to the project's noise level increases;

- result in residential interior noise levels of 45 dBA L_{dn} or greater caused by noise level increases due to the project;
- result in construction noise levels that exceed the standards in the City of Sacramento Noise Ordinance;
- permit existing and/or planned residential and commercial areas to be exposed to vibration-peak-particle velocities greater than 0.5 inches per second due to project construction;
- permit adjacent residential and commercial areas to be exposed to vibration peak particle velocities greater than 0.5 inches per second due to highway traffic and rail operations; or
- permit historic buildings and archaeological sites to be exposed to vibration-peak-particle velocities greater than 0.2 inches per second due to project construction and highway traffic.

SUMMARY OF ANALYSIS UNDER THE 2035 GENERAL PLAN MASTER EIR AND APPLICABLE GENERAL PLAN POLICIES

The Master EIR evaluated the potential for development under the 2035 General Plan to increase noise levels in the community. New noise sources include vehicular traffic, aircraft, railways, light rail and stationary sources. The general plan policies establish exterior (Policy EC 3.1.1) and interior (Policy EC 3.1.3) noise standards. A variety of policies provide standards for the types of development envisioned in the general plan. See Policy EC 3.1.8, which requires new mixed-use, commercial and industrial development to mitigate the effects of noise from operations on adjoining sensitive land use, and Policy 3.1.9, which calls for the City to limit hours of operations for parks and active recreation areas to minimize disturbance to nearby residences. Notwithstanding application of the general plan policies, noise impacts for exterior noise levels (Impact 4.8-1) and interior noise levels (Impact 4.8-2), and vibration impacts (Impact 4.8-4) were found to be significant and unavoidable.

ANSWERS TO CHECKLIST QUESTIONS

- A) Result in exterior noise levels in the project area that are above the upper value of the normally acceptable category for various land uses due to the project's noise level increases?

No additional significant environmental effect. The proposed project would be constructed on a developed parcel designated for urban development within an existing urbanized area. Existing noise within the project site includes noise from the operations of the adjacent gas station, other retail operations surrounding the project, and traffic associated with Florin Road and Franklin Boulevard. The project would not change the land use or substantially change the location of shopping center activities. Thus, project operations would not increase exterior noise levels in the project area that are above the upper value of the normally acceptable category for various land uses.

- B) Result in residential interior noise levels of 45 dBA L_{dn} or greater caused by noise level increases due to the project?

No additional significant environmental effect. As discussed above, the project site is located in an urban area which contains existing commercial shopping centers and would not change the land use or substantially change the location of shopping center activities. The nearest sensitive receptor to the project site is an apartment complex approximately 630 feet southwest of the project site. Given the distance between the project site and the nearest sensitive receptor, and the current land use of the surrounding area, the proposed project would not result in residential interior noise levels of 45 dBA L_{dn} or greater caused by noise level increases due to the proposed project. Thus, the proposed project would have no additional significant environmental effect related to noise beyond what was previously evaluated in the Master EIR.

- C) Result in construction noise levels that exceed the standards in the City of Sacramento General Plan or Noise Ordinance?

No additional significant environmental effect. Noise from construction activities may intermittently dominate the immediate area of construction. Based on the table below, activities in typical construction would generate maximum noise levels up to 89 dB at a distance of 50 feet, however, since the site is already graded, the maximum noise levels will be up to 85 dB at a distance of 50 feet. Noise produced by construction equipment would be reduced over distance at a rate of about 6 dB per doubling of distance. Additionally, construction operations that occur between 7:00 AM and 6:00 PM, Monday through Saturday and between 9:00 AM and 6:00 PM on Sundays are exempt from noise standards under City Code Section 8.68.080. The contractor will be required to conduct work in accordance with the times listed. Thus, the proposed project would have no additional significant environmental effect related to noise beyond what was previously evaluated in the Master EIR.

Table 3. Construction Equipment Noise Emissions Levels

Equipment	Maximum Noise Level (dBA at 50 feet)
Scrapers	89
Bulldozers	85
Heavy Trucks	88
Backhoe	80
Pneumatic Tools	85
Concrete Pump	82

Source: Federal Transit Administration, 2006

- D) Permit existing and/or planned residential and commercial areas to be exposed to vibration-peak-particle velocities greater than 0.5 inches per second due to project construction?

No additional significant environmental effect. Construction of the proposed project would not perceptibly increase groundborne vibration or groundborne noise since construction would not involve vibration creating activities such as pile driving.

- E) Permit adjacent residential and commercial areas to be exposed to vibration peak particle velocities greater than 0.5 inches per second due to highway traffic and rail operations?

No additional significant environmental effect. There are no new highway or railway operations associated with the construction of the proposed project. The nearest highway is Highway 99 approximately 0.7 miles to the east, and the nearest railroad is approximately 0.56 miles to the west. There would be no impact.

- F) Permit historic buildings and archaeological sites to be exposed to vibration-peak-particle velocities greater than 0.2 inches per second due to project construction and highway traffic?

No additional significant environmental effect. No historic buildings or archaeological sites have been identified within the project area. The buildings in the project vicinity that would be impacted by construction are commercial structures, none of which are considered extremely fragile, fragile, or historic buildings. Therefore, no historic buildings or archaeological sites would be exposed to vibration-peak-particle velocities greater than 0.2 inches per second due to project construction and highway traffic. There would be no impact.

MITIGATION MEASURES

None.

Findings

All additional significant environmental effects of the project relating to Noise can be mitigated to a less-than-significant level.

Issues:	Effect will be studied in the EIR	Effect can be mitigated to less than significant	No additional significant environmental effect
<p>11. PUBLIC SERVICES</p> <p>Would the project result in the need for new or altered services related to fire protection, police protection, school facilities, or other governmental services beyond what was anticipated in the 2035 General Plan?</p>			X

ENVIRONMENTAL SETTING

Fire

The Sacramento Fire Department (SFD) provides fire protection services to the entire City and some small areas just outside the City boundaries within the County limits. Sacramento Fire Station 57 is the closest fire station to the project site and is located at 7927 East Pkwy, approximately 1 mile south east of the project site.

Police

Police protection services are provided by the Sacramento Police Department (SPD) for areas within the City. The proposed project site is within Police District 5 and the nearest police facility is the Joseph E. Rooney Police Facility, located at 5303 Franklin Boulevard. In addition to the SPD and Sheriff's Department, the California Highway Patrol and the Regional Transit Police Department provide police protection within the City of Sacramento.

School District

The proposed project site is within Sacramento City Unified School District. The proposed project site is located approximately 0.3 miles from Luther Burbank High School. Luther Burbank High School would remain open throughout construction; no detour would be implemented due to the proposed project.

STANDARDS OF SIGNIFICANCE

For the purposes of this Initial Study, an impact would be considered significant if the project resulted in the need for new or altered services related to fire protection, police protection, school facilities, or other governmental services beyond what was anticipated in the 2035 General Plan.

SUMMARY OF ANALYSIS UNDER THE 2035 GENERAL PLAN MASTER EIR AND APPLICABLE GENERAL PLAN POLICIES

The Master EIR evaluated the potential effects of the 2035 General Plan on various public services. These include police, fire protection, schools, libraries and emergency services (Chapter 4.10).

The general plan provides that adequate staffing levels for police and fire are important for the long-term health, safety and well-being of the community (Goal PHS 1.1, PHS 2.1). The Master EIR concluded that effects of development that could occur under the general plan would be less than significant.

General plan policies that call for the City to consider impacts of new development on schools (see, for example, Policy ERC 1.1.2 setting forth locational criteria, and Policy ERC 1.1.4 that encourages joint-use development of facilities) reduce impacts on schools to a less-than-significant level. (Impacts 4.10-3, 4) Impacts on library facilities were considered less than significant (Impact 4.10-5).

ANSWERS TO CHECKLIST QUESTIONS

A) Would the project result in the need for new or altered services related to fire protection, police protection, school facilities, or other governmental services beyond what was anticipated in the 2035 General Plan?

No additional significant environmental effect. The proposed project is consistent with 2035 General Plan land use designations and current zoning. The project would not provide additional housing to the area and would not result in an increase in population. The project would not require the need for public facilities or governmental service beyond what has been anticipated in the 2035 General Plan. The project would have no additional significant effects that were not evaluated in the Master EIR.

MITIGATION MEASURES

None.

FINDINGS

The project would have no additional project-specific environmental effects relating to Public Services.

Issues:	Effect will be studied in the EIR	Effect can be mitigated to less than significant	No additional significant environmental effect
12. RECREATION Would the project:			X
A) Cause or accelerate substantial physical deterioration of existing area parks or recreational facilities?			X
B) Create a need for construction or expansion of recreational facilities beyond what was anticipated in the 2035 General Plan?			X

ENVIRONMENTAL SETTING

The City Department of Youth, Parks and Community Enrichment maintains all parks and recreational facilities within the City. As noted in the City’s General Plan Background Report, the City currently contains 230 developed and undeveloped park sites, 88 miles of off-street bikeways and trails, 21 lakes/ponds or beaches, over 20 aquatic facilities, and extensive recreation facilities in the City parks. The developed park sites comprise 218 total parks with an area of 4,829 acres of parkland.

Residential and non-residential projects that are built in the City are required to pay a park development impact fee per Chapter 18.56 of the Sacramento City Code. The fees collected pursuant to Chapter 18.56 are primarily used to finance the construction of neighborhood and community park facilities.

STANDARDS OF SIGNIFICANCE

For purposes of this Initial Study, impacts to recreational resources are considered significant if the proposed project would do either of the following:

- cause or accelerate substantial physical deterioration of existing area parks or recreational facilities; or
- create a need for construction or expansion of recreational facilities beyond what was anticipated in the 2035 General Plan.

SUMMARY OF ANALYSIS UNDER THE 2035 GENERAL PLAN MASTER EIR AND APPLICABLE GENERAL PLAN POLICIES

Chapter 4.9 of the Master EIR considered the effects of the 2035 General Plan on the City’s existing parkland, urban forest, recreational facilities and recreational services. The general plan identified a goal of providing an integrated park and recreation system in the City (Goal ERC 2.1). New residential development will be required to dedicate land, pay in-lieu fees or otherwise contribute a fair share to the acquisition and development of parks and recreation facilities (Policy ERC 2.2.5). Impacts were considered less than significant after application of the applicable policies. (Impacts 4.9-1 and 4.9-2)

ANSWERS TO CHECKLIST QUESTIONS

A) Cause or accelerate substantial physical deterioration of existing area parks or recreational facilities?

No additional significant environmental effect. The proposed project would not increase the City's population and does not include a residential development; therefore, the project would not burden any parks in the surrounding area beyond capacity by generating additional recreational users. As such, the proposed project would not increase the use of park and recreational facilities resulting in substantial physical deterioration of the facility. The proposed project would result in no additional significant environmental effects beyond the effects analyzed in the Master EIR.

- B) Create a need for construction or expansion of recreational facilities beyond what was anticipated in the 2035 General Plan?

No additional significant environmental effect. The proposed project would not include residential development or increase population; therefore, the project would not create a need for construction or expansion of recreational facilities beyond what was anticipated in the 2035 General Plan.

MITIGATION MEASURES

None.

FINDINGS

The project would have no additional project-specific environmental effects relating to Recreation.

Issues:	Effect will be studied in the EIR	Effect can be mitigated to less than significant	No additional significant environmental effect
13. TRANSPORTATION AND CIRCULATION			
Would the project:			
A) Conflict with a program plan, ordinance or policy addressing the circulation system, including transit, roadways, bicycle, and pedestrian facilities?			X
B) Would the project conflict or be inconsistent with CEQA Guidelines Section 15064.3, subdivision (b)?			X
C) Substantially increase hazards due to a geometric design feature (e.g. sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?			X
D) Result in inadequate emergency access?			X

ENVIRONMENTAL SETTING

The existing roadway, transit systems, and bicycle and pedestrian facilities within the study area are described below.

Project Area Roadways

- Florin Road is an east-west arterial roadway bordering the northern edge of the project site. Florin Road connects the residential areas to the south and west of the site with State Route (SR) 99 and Franklin Boulevard.
- Franklin Boulevard is a north-south arterial roadway bordering the eastern edge of the project site. Franklin Boulevard connects the residential areas with the commercial and industrial uses north of the project site.
- SR 99 is a north-south freeway located east of the project site, with ramps located less than a mile from the site.

STANDARDS OF SIGNIFICANCE

For purposes of this initial study, transportation impacts may be considered significant if construction and/or operation of the proposed project would result in any of the following conditions or potential thereof, after implementation of 2035 General Plan policies:

- conflict with a program, plan, ordinance or policy addressing transit, bicycle, and pedestrian facilities; or
- conflict or be inconsistent with CEQA Guidelines Section 15064.3, subdivision (b).

SUMMARY OF ANALYSIS UNDER THE 2035 GENERAL PLAN MASTER EIR AND APPLICABLE GENERAL PLAN POLICIES

Transportation and circulation were discussed in the Master EIR in Chapter 4.12. Various modes of travel were included in the analysis, including vehicular, transit, bicycle, pedestrian and aviation components. Provisions of the 2035 General Plan that provide substantial guidance include Mobility Goal 1.1, calling for a transportation system that is effectively planned, managed, operated and maintained, promotion of multimodal choices (Policy M 1.2.1), support for state highway expansion and management consistent with the Sacramento Area Council of Governments Metropolitan Transportation Plan/Sustainable Communities Strategy (SACOG MTP/SCS) (Policy M 1.5.6) and development that encourages walking and biking (Policy LU 4.2.1).

While the general plan includes numerous policies that direct the development of the City's transportation system, the Master EIR concluded that the general plan development would result in significant and unavoidable effects. See Impacts 4.12-3 (roadway segments in adjacent communities, and Impact 4.12-4 (freeway segments).

ANSWERS TO CHECKLIST QUESTIONS

- A) Conflict with a program plan, ordinance or policy addressing the circulation system, including transit, roadways, bicycle, and pedestrian facilities?

No additional significant environmental effect. The proposed project does not include any uses that would potentially conflict with an existing City program, ordinance, or policy that addresses circulation. The proposed project is located at the intersection of Florin Road and Franklin Boulevard, which currently contains bicycle lanes and sidewalks. Existing bicycle and pedestrian facilities would be maintained.

- B) Would the project conflict or be inconsistent with CEQA Guidelines Section 15064.3, subdivision (b)?

No additional significant environmental effect. In December 2018, OPR published technical guidance recommending approaches to analyzing transportation and land use project. Since new retail development often redistributes trips rather than creating new travel demand, the OPR guidance recommends that lead agencies analyze the net change in VMT to indicate the transportation impact of retail projects. The potential for VMT impacts, according to this approach, hinges on whether the project can be considered local-serving or regional. By adding retail opportunities within existing neighborhoods, local serving retail projects can shorten trips and reduce overall VMT. In contrast, regional destination retail projects would draw customers from larger trade areas, potentially substituting for shorter trips and increasing VMT. The OPR guidance suggests that any retail projects, including stores larger than 50,000 sf, might be considered as regional serving retail and therefore require an analysis of net change in VMT. As this project is composed of a retail store totaling less than 50,000 sf, consistent with OPR Guidelines, it was determined that a quantitative analysis was not necessary. The project would not project conflict or be inconsistent with CEQA Guidelines Section 15064.3, subdivision (b).

- C) Substantially increase hazards due to a geometric design feature (e.g. sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?

No additional significant environmental effect. The proposed project will be built within an existing commercial center that includes a Shell gas station. The project has been designed to ensure existing ingress and egress and existing sight distances. The proposed project does not include any unusual features design features or introduce incompatible users that could create a potentially hazardous situation.

D) Result in inadequate emergency access?

No additional significant environmental effect. Access to the project site would be provided via Florin Road and Franklin Boulevard, which would provide adequate emergency access during construction and upon completion of the project.

MITIGATION MEASURES

None.

FINDINGS

The project would have no additional project-specific environmental effects relating to Transportation and Circulation.

Issues:	Effect will be studied in the EIR	Effect can be mitigated to less than significant	No additional significant environmental effect
<p>14. TRIBAL CULTURAL RESOURCES</p> <p>Would the project:</p> <p>A) Cause a substantial adverse change in the significance of a tribal cultural resource, as defined in Public Resources Code 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe and that is:</p> <p style="padding-left: 40px;">i. Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources code section 5020.1(k) or</p>		X	
<p>ii. A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resources Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.</p>		X	

ENVIRONMENTAL SETTING

Please reference the Cultural Resources Chapter for the Ethnohistory of the historic indigenous groups that occupied the region. This section focuses on the contemporary tribal communities and tribal cultural resources as they pertain to AB52.

This section analyzes and evaluates the potential impacts of the project on Tribal cultural resources, both identified and undiscovered. Tribal cultural resources, as defined by Assembly Bill (AB) 52, Statutes of 2014, in Public Resources Code (PRC) Section 21074, are sites, features, places, cultural landscapes, sacred places and objects, with cultural value to a Tribe. A Tribal cultural landscape is defined as a geographic area (including both cultural and natural resources and the wildlife therein), associated with a historic event, activity, or person or exhibiting other cultural or aesthetic values.

The unanticipated find of Native American human remains would also be considered a Tribal cultural resource, and are therefore analyzed in this section.

The proposed project area is situated within the lands traditionally occupied by the Valley Nisenan, or Southern Maidu. Many descendants of Valley Nisenan throughout the larger Sacramento region belong to the United Auburn Indian Community, Shingle Springs, Lone Band, Colfax-Todds Valley, and Wilton Rancheria Tribes. The Tribes actively participate in the identification, evaluation, preservation, and restoration of Tribal Cultural Resources.

Data Sources/Methodology

Under PRC section 21080.3.1 and 21082.3, the City must consult with tribes traditionally and culturally affiliated with the project area that have requested formal notification and responded with a request for consultation. The parties must consult in good faith. Consultation is deemed concluded when the parties agree to measures to mitigate or avoid a significant effect on a tribal cultural resource when one is present or when a party concludes that mutual agreement cannot be reached. Mitigation measures agreed on during the consultation process must be recommended for inclusion in the environmental document.

In response to the City's notification of the project to the UAIC, UAIC conducted a records search for the identification of Tribal Cultural Resources for this project which included a review of pertinent literature and historic maps, and a records search using UAIC's Tribal Historic Resources Information System (THRIS). UAIC's THRIS database is composed of UAIC's areas of oral history, ethnographic history, and places of cultural and religious significance, including UAIC Sacred Lands that are submitted to the NAHC. The THRIS resources shown in this region also include previously recorded indigenous resources identified through the California Historic Resources Information System Center (CHRIS) as well as historic resources and survey data.

Native American Consultation

On December 6, 2021 notifications were sent to the four tribes who've previously requested to receive notifications pursuant to Public Resources Code Section 21080.3.1 (AB 52).

UAIC: On December 22, 2021, UAIC responded requesting the addition of the standard unanticipated discoveries mitigation measures.

Buena Vista Band of Me-Wuk Indians: On December 16, 2021, the Buena Vista Band of Me-Wuk Indians responded declining consultation.

Wilton Rancheria, Shingle Springs Band of MiWok Indians: The Wilton Rancheria and Shingle Springs Band of MiWok Indians did not respond to the AB52 notification within the required 30 day period.

REGULATORY SETTING

Federal

There are no Federal plans, policies, or regulations related to Tribal Cultural Resources that are directly applicable to the proposed project, however Section 106 of the National Historic Preservation Act does require consultation with Native Americans to identify and consider certain types of cultural resources. Cultural resources of Native American origin identified as a result of the identification efforts conducted under Section 106 may also qualify as tribal cultural resources under CEQA.

State

California Environmental Quality Act — Statute and Guidelines

CEQA requires that public agencies that finance or approve public or private projects must assess the effects of the project on tribal cultural resources. Tribal cultural resources are defined in Public Resources Code (PRC) 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe that is (1) listed or determined eligible for listing on the California Register of Historical Resources (CRHR) or a local register, or (2) that are determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of PRC Section 5024.1. In applying the criteria set forth in subdivision (c) of PRC Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American Tribe.

California Public Resources Code Section 5024

PRC Section 5024.1 establishes the CRHR, which is the authoritative guide for identifying the State's historical resources to indicate what properties are to be protected, if feasible, from substantial adverse change. For a resource to be eligible for the CRHR, it must be more than 50 years old, retain its historic integrity, and satisfy one or more of the following criteria:

1. Is associated with events that have made a significant contribution to the broad patterns of California's history and cultural heritage.
2. Is associated with the lives of persons important in our past.
3. 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.
4. Has yielded, or may be likely to yield, information important in prehistory or history.

STANDARDS OF SIGNIFICANCE

For the purposes of this Initial Study, a tribal cultural resource is considered to be a significant resource if the resource is: 1) listed or eligible for listing in the California Register of Historical Resources or in a local register of historical resources; or 2) the resource has been determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. For purposes of this Initial Study, impacts on tribal cultural resources may be considered significant if construction and/or implementation of the proposed project would result in the following:

- cause a substantial change in the significance of a tribal cultural resource as defined in Public Resources Code 21074.

SUMMARY OF ANALYSIS UNDER THE 2035 GENERAL PLAN MASTER EIR AND APPLICABLE GENERAL PLAN POLICIES

The Master EIR evaluated the potential effects of development under the 2035 General Plan on prehistoric and historic resources (see Master EIR Chapter 4.4 and Appendix C – Background Report, B. Cultural Resources Appendix), but did not specifically address tribal cultural resources because that resource type had not yet been defined in CEQA at the time the Master EIR was adopted. The Master EIR identified significant and unavoidable effects on historic resources and archaeological resources, some of which could be tribal cultural resources as defined Public Resources Code 21074. Ground-disturbing activities resulting from implementation of development under the 2035 General Plan could affect the integrity of an archaeological site (which may be a tribal cultural resource), thereby causing a substantial change in the significance of the resource. General plan policies identified as reducing such effects on cultural resources that may also be tribal cultural resources include identification of resources on project sites (Policy HCR 2.1.1); implementation of applicable laws and regulations (Policy HCR 2.1.2); consultation with appropriate organizations and individuals including the Native American Heritage Commission and implementation of their consultation guidelines (Policy HCR 2.1.3); enforcement programs to promote the maintenance, rehabilitation, preservation, and interpretation of the City's historic

resources (Policy HCR 2.1.4); listing of qualified historic resources under appropriate national, State, and local registers (Policy HCR 2.1.5); consideration of historic and cultural resources in planning studies (Policy HCR 2.1.6); enforcement of compliance with local, State, and federal historic and cultural preservation requirements (Policy HCR 2.1.8); and early consultation with owners and land developers to minimize effects (Policy HCR 2.1.10).

Of particular relevance to this project are policies that ensure compliance with protocol that protect or mitigate impacts to archaeological resources (Policy HCR 2.1.16) and that encourage preservation and minimization of impacts on cultural resources (Policy HCR 2.1.17).

ANSWERS TO CHECKLIST QUESTIONS –

A) Cause a substantial adverse change in the significance of a tribal cultural resource, as defined in Public Resources Code 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe and that is:

- i) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources code section 5020.1(k)
- ii) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resources Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.

Effect can be mitigated to less than significant. As described in Section 4 – Cultural Resources, the existing record searches did not identify known archaeological resources that could be considered tribal cultural resources, listed or determined eligible for listing in the California Register, or included in a local register of historical resources as defined in PRC Section 5020.1(k), pursuant to PRC Section 21074(a)(1) in the project site.

As described above, according to the provision of PRC Section 21080.3, four Native American tribes have requested to receive notification of projects in the jurisdiction of the City of Sacramento. Two tribes responded, the Buena Vista Band of Me-Wuk Indians responded to decline consultation and the UAIC responded to request the addition of the standard unanticipated discoveries mitigation measure. With inclusion of Mitigation Measure **TCR-1a** through **TCR-1b**, the proposed project would have a less-than-significant impact on tribal cultural resources.

MITIGATION MEASURES

TCR-1a: In the Event that Tribal Cultural Resources Are Discovered During Construction, Implement Avoidance and Minimization Measures to Avoid Significant Impacts and Procedures to Evaluate Resources.

If tribal cultural resources (such as structural features, unusual amounts of bone or shell, artifacts, or human remains) are encountered at the project site during construction, work shall be suspended within 100 feet of the find (based on the apparent distribution of cultural materials), and the construction contractor shall immediately notify the project's City representative. Avoidance and preservation in place is the preferred manner of mitigating impacts to tribal cultural resources. This will be accomplished, if feasible, by several alternative means, including:

- Planning construction to avoid tribal cultural resources, archaeological sites and/or other cultural resources; incorporating cultural resources within parks, green-space or other

open space; covering archaeological resources; deeding a cultural resource to a permanent conservation easement; or other preservation and protection methods agreeable to consulting parties and regulatory authorities with jurisdiction over the activity.

- Recommendations for avoidance of tribal cultural resources will be reviewed by the City representative, interested culturally affiliated Native American tribes and other appropriate agencies, in light of factors such as costs, logistics, feasibility, design, technology and social, cultural and environmental considerations, and the extent to which avoidance is consistent with project objectives. Avoidance and design alternatives may include realignment within the project site to avoid tribal cultural resources, modification of the design to eliminate or reduce impacts to tribal cultural resources or modification or realignment to avoid highly significant features within a cultural resource or tribal cultural resource.
- Native American representatives from interested culturally affiliated Native American tribes will be notified to review and comment on these analyses and shall have the opportunity to meet with the City representative and its representatives who have technical expertise to identify and recommend feasible avoidance and design alternatives, so that appropriate and feasible avoidance and design alternatives can be identified.
- If the discovered tribal cultural resource can be avoided, the construction contractor(s), will install protective fencing outside the site boundary, including a 100-foot buffer area, before construction restarts. The boundary of a a tribal cultural resource will be determined in consultation with interested culturally affiliated Native American tribes and tribes will be notified to monitor the installation of fencing. Use of temporary and permanent forms of protective fencing will be determined in consultation with Native American representatives from interested culturally affiliated Native American tribes.
- The construction contractor(s) will maintain the protective fencing throughout construction to avoid the site during all remaining phases of construction. The area will be demarcated as an “Environmentally Sensitive Area”.
- If a tribal cultural resource cannot be avoided, the following performance standard shall be met prior to continuance of construction and associated activities that may result in damage to or destruction of tribal cultural resources:
 - Each resource will be evaluated for California Register of Historical Resources- (CRHR) eligibility through application of established eligibility criteria (California Code of Regulations 15064.636), in consultation with consulting Native American Tribes, as applicable.

If a tribal cultural resource is determined to be eligible for listing in the CRHR, the City will avoid damaging effects to the resource in accordance with California PRC Section 21084.3, if feasible. The City shall coordinate the investigation of the find with a qualified archaeologist (meeting the Secretary of the Interior’s Professional Qualifications Standards for Archeology) approved by the City and with interested culturally affiliated Native American tribes that respond to the City’s notification. As part of the site investigation and resource assessment, the City and the archaeologist shall consult with interested culturally affiliated Native American tribes to assess the significance of the find, make recommendations for further evaluation and treatment as necessary and provide proper management recommendations should potential impacts to the resources be determined by the City to be significant. A written report detailing the site assessment,

coordination activities, and management recommendations shall be provided to the City representative by the qualified archaeologist. These recommendations will be documented in the project record. For any recommendations made by interested culturally affiliated Native American tribes that are not implemented, a justification for why the recommendation was not followed will be provided in the project record.

Native American representatives from interested culturally affiliated Native American Tribes and the City representative will also consult to develop measures for long-term management of any discovered tribal cultural resources. Consultation will be limited to actions consistent with the jurisdiction of the City and taking into account ownership of the subject property. To the extent that the City has jurisdiction, routine operation and maintenance within tribal cultural resources retaining tribal cultural integrity shall be consistent with the avoidance and minimization standards identified in this mitigation measure.

If the City determines that the project may cause a significant impact to a tribal cultural resource, and measures are not otherwise identified in the consultation process, the following are examples of mitigation capable of avoiding or substantially lessening potential significant impacts to a tribal cultural resource or alternatives that would avoid significant impacts to the resource. These measures may be considered to avoid or minimize significant adverse impacts and constitute the standard by which an impact conclusion of less-than significant may be reached:

- Avoid and preserve resources in place, including, but not limited to, planning construction to avoid the resources and protect the cultural and natural context, or planning greenspace, parks, or other open space, to incorporate the resources with culturally appropriate protection and management criteria.
- Treat the resource with culturally appropriate dignity taking into account the Tribal cultural values and meaning of the resource, including, but not limited to, the following:
 - Protect the cultural character and integrity of the resource.
 - Protect the traditional use of the resource.
 - Protect the confidentiality of the resource.
 - Establish permanent conservation easements or other interests in real property, with culturally appropriate management criteria for the purposes of preserving or using the resources or places.
 - Protect the resource.

TCR-1b: Implement Procedures in the Event of the Inadvertent Discovery of Human Remains.

If an inadvertent discovery of human remains is made at any time during project-related construction activities or project planning, the City the following performance standards shall be met prior to implementing or continuing actions such as construction, which may result in damage to or destruction of human remains. In accordance with the California Health and Safety Code (HSC), if human remains are encountered during ground-disturbing activities, the City shall immediately halt potentially damaging excavation in the area of the remains and notify the Sacramento County Coroner and a professional archaeologist to determine the nature of the remains. The Coroner is required to examine all discoveries of human remains within 48 hours of receiving notice of a discovery on private or State lands (HSC Section 7050.5[b]).

If the human remains are of historic age and are determined to be not of Native American origin, the City will follow the provisions of the HSC Section 7000 (et seq.) regarding the disinterment and removal of non-Native American human remains.

If the Coroner determines that the remains are those of a Native American, he or she must contact the Native American Heritage Commission (NAHC) by phone within 24 hours of making that determination (HSC Section 7050[c]). After the Coroner's findings have been made, the archaeologist and the NAHC-designated Most Likely Descendant (MLD), in consultation with the landowner, shall determine the ultimate treatment and disposition of the remains. The responsibilities of the City for acting upon notification of a discovery of Native American human remains are identified in California PRC Section 5097.9 et seq.

FINDINGS

With the implementation of the mitigation measures listed above, impacts related to Tribal Cultural Resources would be less than significant.

Issues:	Effect will be studied in the EIR	Effect can be mitigated to less than significant	No additional significant environmental effect
15. UTILITIES AND SERVICE SYSTEMS			
Would the project:			X
A) Result in the determination that adequate capacity is not available to serve the project's demand in addition to existing commitments?			X
B) Require or result in either the construction of new utilities or the expansion of existing utilities, the construction of which could cause significant environmental impacts?			X

ENVIRONMENTAL SETTING

Wastewater Service

Wastewater collection and treatment services for the proposed project would be provided by the Sacramento Area Sewer District (SASD) and the Sacramento Regional County Sanitation District (SRCSD). Wastewater generated from the project area is collected in the SASD system through a series of sewer pipes and pump stations. Once collected in the SASD system, sewage flows into the SRCSD interceptor system, where the sewage is conveyed to the Sacramento Regional Wastewater Treatment Plant (SRWWTP) located near Elk Grove. The City's Department of Utilities is responsible for providing and maintain water, sewer collection, storm drainage, and flood control services for residents and businesses within city limits.

Water Supply Service

Water service for the proposed project would be provided by the City. The City uses surface water from the Sacramento and American rivers to meet the majority of its water demands. To meet the City's water demand, the City uses surface water from the Sacramento and American rivers, and groundwater pumped from the North American and South American Subbasins.

Solid Waste Service

The City does not provide commercial solid waste collection services. Rather, commercial garbage, recycling or yard waste services are provided by a franchised hauler authorized by the Sacramento Solid Waste Authority to collect commercial garbage and commingled recycling within the City. Kiefer Landfill, located at 12701 Kiefer Boulevard in Sloughouse, California, is the primary location for the disposal of waste by the City. According to the Master EIR, the landfill is permitted to accept up to 10,815 tons per day and the current peak and average daily disposal is much lower than the permitted amount. The landfill is anticipated to be capable of adequately serving the area, including the anticipated population growth, until the year 2065. Solid waste collected at commercial uses in the project area is currently disposed of at the Kiefer Landfill.

STANDARDS OF SIGNIFICANCE

For the purposes of this Initial Study, an impact would be considered significant if the project resulted in the need for new or altered services related to fire protection, police protection, or school facilities beyond what was anticipated in the 2035 General Plan:

- result in the determination that adequate capacity is not available to serve the project's demand in addition to existing commitments or
- require or result in either the construction of new utilities or the expansion of existing utilities, the construction of which could cause significant environmental impacts.

SUMMARY OF ANALYSIS UNDER THE 2035 GENERAL PLAN MASTER EIR AND APPLICABLE GENERAL PLAN POLICIES

The Master EIR evaluated the effects of development under the 2035 General Plan on water supply, sewer and storm drainage, solid waste, electricity, natural gas and telecommunications. See Chapter 4.11.

The Master EIR evaluated the impacts of increased demand for water that would occur with development under the 2035 General Plan. Policies in the general plan would reduce the impact generally to a less-than-significant level (see Impact 4.11-1) but the Master EIR concluded that the potential increase in demand for potable water in excess of the City's existing diversion and treatment capacity, and which could require construction of new water supply facilities, would result in a significant and unavoidable effect (Impact 4.11-2). The potential need for expansion of wastewater treatment facilities was identified as having a less-than-significant effect (Impact 4.11-4). Impacts on solid waste facilities were less than significant (Impact 4.11-5). Implementation of energy efficient standards as set forth in Titles 20 and 24 of the California Code of Regulations for residential and non-residential buildings, would reduce effects for energy to a less-than-significant level.

ANSWERS TO CHECKLIST QUESTIONS

- A) Result in the determination that adequate capacity is not available to serve the project's demand in addition to existing commitments?

No additional significant environmental effect. The project site includes existing on-site structures. Thus, all urban utilities and services are available to the project site.

Wastewater

The SASD is responsible for sewer collection in the project area. SASD has anticipated the need for wastewater services in the project area and requires development impact fees to support buildout demand of their service area (including the proposed project site). SASD's pipelines eventually flow to the SRCSD, where wastewater is treated. The SRCSD would be able to provide sufficient wastewater services and conveyance to serve full buildout of the City, including the project area, per the 2035 Master EIR. Therefore, adequate capacity exists to serve the wastewater demand associated with buildout of the project site with commercial uses.

Water Supply

The City is responsible for providing and maintaining water for the project site. The Urban Water Management Plan analyzes the water supply, water demand, and water shortage contingency planning for the City's service area, which would include the proposed project site. According to the

City's Urban Water Management Plan (UWMP), under all drought conditions, the City possesses sufficient water supply entitlements to meet the demands of the City's customers up to the year 2035.

Development of the proposed project would increase water demand associated with the project site. However, the project would be consistent with the site's existing General Plan land use and zoning designations. Therefore, such increases in water demand are within the capacities anticipated within the City's UWMP and analyzed in the Master EIR.

Solid Waste

Solid waste from existing development in the project area is transferred to Kiefer Landfill for disposal. The 2035 General Plan Master EIR concluded that adequate capacity at local landfills exists for full buildout of the general plan. The proposed project is consistent with what is anticipated for the site, and the associated increase in solid waste disposal needs was considered in the 2035 General Plan Master EIR analysis. The Hydrogen station and new retail building would not generate an increase in solid waste from what has been anticipated in the Master EIR. As such, adequate capacity would be expected to be available to serve the proposed project's solid waste disposal needs.

- B) Require or result in either the construction of new utilities or the expansion of existing utilities, the construction of which could cause significant environmental impacts?

No additional significant environmental effect. Because adequate capacity exists to serve the project's demands in addition to existing commitments, no construction of new utilities or expansion of existing facilities would be required. Implementation of the proposed project would result in no additional environmental effects beyond what was analyzed in the 2035 Master EIR.

MITIGATION MEASURES

None.

FINDINGS

The project would have no additional project-specific environmental effects relating to Utilities and Service Systems.

MANDATORY FINDINGS OF SIGNIFICANCE

Issues:	Effect remains significant with all identified mitigation	Effect can be mitigated to less than significant	No additional significant environmental effect
16. <u>MANDATORY FINDINGS OF SIGNIFICANCE</u>			
A.) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?		X	
B.) Does the project have impacts that are individually limited, but cumulatively considerable? (“Cumulatively considerable” means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.)			X
C.) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?		X	

ANSWERS TO CHECKLIST QUESTIONS

- A. Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?

Effect can be mitigated to less than significant. After a careful comparison between habitat requirements and the habitat available within the project area, no special status species were determined to have the potential to occur within the project area. As such, the project is not anticipated to result in the substantial degradation of the quality of the environment, reduction of the habitat, or reduction of population below self-sustaining levels of threatened or endangered species.

The proposed project does have the potential to impact previously undiscovered cultural and tribal cultural resources and/or human remains. With implementation of measures **CR-1**, **CR-2**, **TCR-1a**, and **TCR-1b**, impacts would be reduced to less than significant levels.

With implementation of the mitigation measures identified in this IS, compliance with City 2035 General Plan policies, and application of standard BMPs during construction, development of the proposed project would not result in any of the following: 1) degrade the quality of the environment; 2) substantially reduce or impact the habitat of fish or wildlife species; 3) cause fish or wildlife populations to drop below self-sustaining levels; 4) threaten to eliminate a plant or animal community; 5) reduce the number or restrict the range of a rare or endangered plant or animal; or 6) eliminate important examples of the major periods of California history or prehistory. Therefore, the proposed project's impact would be mitigated to a less than significant level.

- B. Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.)

No additional significant environmental effect. The proposed project is consistent with the General Plan and the findings in the Master EIR and would not result in individually limited but collectively significant impacts. Therefore, the project would not cause any additional environmental effects.

- C. Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?

Effect can be mitigated to less than significant. The project would not result in either direct or indirect substantial adverse effects on human beings. Air quality, water quality, hazards, and noise can be reduced to less-than-significant levels through implementation of the mitigation measures included in this study (**AQ-1**, **AQ-2**, **HAZ-1**, **WQ-1**, and **NOI-1**).

SECTION IV - ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED

The environmental factors checked below would potentially be affected by this project.

<input type="checkbox"/> Aesthetics	<input checked="" type="checkbox"/> Hydrology and Water Quality
<input checked="" type="checkbox"/> Air Quality	<input checked="" type="checkbox"/> Noise
<input checked="" type="checkbox"/> Biological Resources	<input type="checkbox"/> Public Services
<input checked="" type="checkbox"/> Cultural Resources	<input type="checkbox"/> Recreation
<input type="checkbox"/> Energy and Mineral Resources	<input type="checkbox"/> Transportation/Circulation
<input type="checkbox"/> Geology and Soils	<input checked="" type="checkbox"/> Tribal Cultural Resources
<input checked="" type="checkbox"/> Greenhouse Gas Emissions	<input type="checkbox"/> Utilities and Service Systems
<input checked="" type="checkbox"/> Hazards	<input type="checkbox"/> Population and Housing
<input type="checkbox"/> None Identified	

SECTION V - DETERMINATION

On the basis of the initial study:

I find that (a) the proposed project is an anticipated subsequent project identified and described in the 2035 General Plan Master EIR; (b) the proposed project is consistent with the 2035 General Plan land use designation and the permissible densities and intensities of use for the project site; (c) that the discussions of cumulative impacts, growth inducing impacts, and irreversible significant effects in the Master EIR are adequate for the proposed project; and (d) the proposed project will have additional significant environmental effects not previously examined in the Master EIR. A Mitigated Negative Declaration will be prepared. Mitigation measures from the Master EIR will be applied to the project as appropriate, and additional feasible mitigation measures and alternatives will be incorporated to revise the proposed project before the negative declaration is circulated for public review, to avoid or mitigate the identified effects to a level of insignificance. (CEQA Guidelines Section 15178(b))

Ron Bess

Signature

January 17, 2023

Date

Ron Bess

Printed Name

REFERENCES CITED

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California Department of Conservation, 2022: *Geologic Map of California*

City of Sacramento, 2015: *2035 General Plan*.

City of Sacramento, 2015: *Sacramento 2035 General Plan Master Environmental Impact Report*

City of Sacramento, 2022: *Preliminary Climate Action and Adaptation Plan*

City of Sacramento, 2022: *Sacramento City Code*

MDM, 2019: *Underground Storage Tank Closure Report*

NRCS, 2022: *Web Soil Survey*

Sacramento Metropolitan Air Quality Management District, 2020: *SMAQMD Thresholds of Significance Table*