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 Mitigated Negative Declaration for the following described project:

Dutch Brothers Corporate Way Project (P22-040) The proposed project consists of a request to construct a request to construct a 3,135 square foot building consisting of two commercial suites for a Dutch Bros. drive through coffee shop and quick service restaurant within the Greenhaven Executive Park PUD. This request requires a Council-level review of a Rezone from Office Building (OB-PUD) to General Commercial (C-2-PUD), PUD Amendments, Conditional Use Permit for a Drive Thru, and Site Plan and Design Review for building construction and site improvements.

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

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

By: Scott Johnson for Tom Buford

Date: December 4, 2023

City of SACRAMENTO

DUTCH BROS. ON CORPORATE WAY PROJECT
(P22-040)

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

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

ORGANIZATION OF THE INITIAL STUDY

This IS/MND is organized into the following sections:

SECTION I – BACKGROUND: Provides summary background information about the project name, location, sponsor, and the date this IS/MND was completed.

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

SECTION III – ENVIRONMENTAL CHECKLIST AND DISCUSSION: Reviews proposed project, including the required entitlements, and states whether the project would have additional significant environmental effects (project-specific effects) that were not identified 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 IS/MND.

APPENDICES: Appends technical information that was referenced as attached in the preparation of the IS/MND.

SECTION I – BACKGROUND

Project Name and File Number:	Dutch Bros. on Corporate Way Project (P22-040)
Project Location:	Corporate Way and Greenhaven Drive Sacramento, CA 95831 APNs: 031-0053-017, -028, and -30
Project Applicant:	PDF Development, Inc. 9381 E. Stockton Boulevard, Suite 212 Elk Grove, CA 95624
Project Planner:	Zach Dahla, Associate Planner (916) 808-5584 ZDahla@cityofsacramento.org
Environmental Planner:	Ron Bess, Associate Planner (916) 808-8272 Rbess@cityofsacramento.org
Date Initial Study Completed:	November 2023

This IS/MND was prepared in accordance with the California Environmental Quality Act (CEQA) (PRC Sections 1500 *et seq*.). 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 the proposed project is an anticipated subsequent project identified and described in the 2035 General Plan Master 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).

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:

https://www.cityofsacramento.org/-/media/Corporate/Files/CDD/Planning/Environmental-Impact-Reports/2035-GP-Update/Resolution-2015-0060.pdf?la=en.

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 30-day review period ending January 8, 2023.

Please send written responses to:

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

SECTION II - PROJECT DESCRIPTION

INTRODUCTION

The Project Description section of the IS/MND provides a description of the Dutch Bros. on Corporate Way Project (proposed project) location, existing conditions, surrounding land uses, and project components.

PROJECT LOCATION, EXISTING CONDITIONS, AND SURROUNDING LAND USES

The approximately 0.7-acre project site is located northeast of the intersection of Greenhaven Drive and Corporate Way in the City of Sacramento, California (see Figure 1 and Figure 2). The project site, identified by APNs 031-0053-017, -028, and -30, is currently undeveloped and covered in ruderal grasses. Corporate Way bounds the site's northern property line, and existing office buildings, commercial uses, and associated parking areas bound the site to the east, south, and west. The City of Sacramento 2035 General Plan designates the site as Employment Center Mid Rise and the site is zoned as Office Building/Planned Unit Development (OB-PUD). The project site is located in the Pocket Community Plan and the Greenhaven Executive Park Planned Unit Development (PUD) areas of the City.

Other existing land uses in the project vicinity include a shopping center to the north, across Corporate Way; an assisted living facility to the northeast, across Corporate Way; office businesses to the east, and a senior center further east; commercial uses to the south, and multi-family residential uses further to the south, across Greenhaven Drive; and a business park to the west, across Corporate Way.

PROJECT DESCRIPTION

The proposed project would include the development of a 2,830-sf building on-site, which would be separated into two suites: Suite A and Suite B. Suite A would total 909 sf and would be occupied by a Dutch Bros. drive-through coffee shop. A walk-up ordering/pick-up window would be located on the western side of the coffee shop building and one ordering/pick-up window serving drive-through customers would be located on the northern side of the building. An outdoor patio area with benches would be located west of the coffee shop building. Suite B would total 1,921 sf and would be occupied by a quick-serve (fast-food) restaurant. It should be noted that the quick-serve restaurant would not include a drive-through.

The proposed project would require the approval of a Rezone, a PUD Amendment, a Conditional Use Permit (CUP), and a Site Plan and Design Review. Further details of the project, along with all required entitlements and approvals, are described in the following sections.

Access, Circulation, and Parking

Access to the project site would be provided by Corporate Way through an existing 30-foot-wide, two-way point of entry/exit along the site's western boundary, which currently provides access to the commercial uses immediately to the south (see Figure 3). The proposed project would not include improvements to the existing driveway. The existing driveway off of Corporate Way would allow for vehicle access to the drive-through queue entrance located in the southeast portion of the site. Two drive-through queuing lanes are proposed, which would merge into a single lane as vehicles approach the ordering/pick-up window. The queuing lane would be separated by a concrete median island with two double-sided menu boards. The drive-through queue would flow along the eastern boundary of the project site and would exit out onto Corporate Way through the same existing driveway. A bypass lane is also proposed to allow vehicles to maneuver around vehicles stopped at the ordering/pick-up window. The proposed drive-through would be approximately 370 feet long and allow for at least 17 cars in the queue.

Figure 1
Regional Vicinity Location

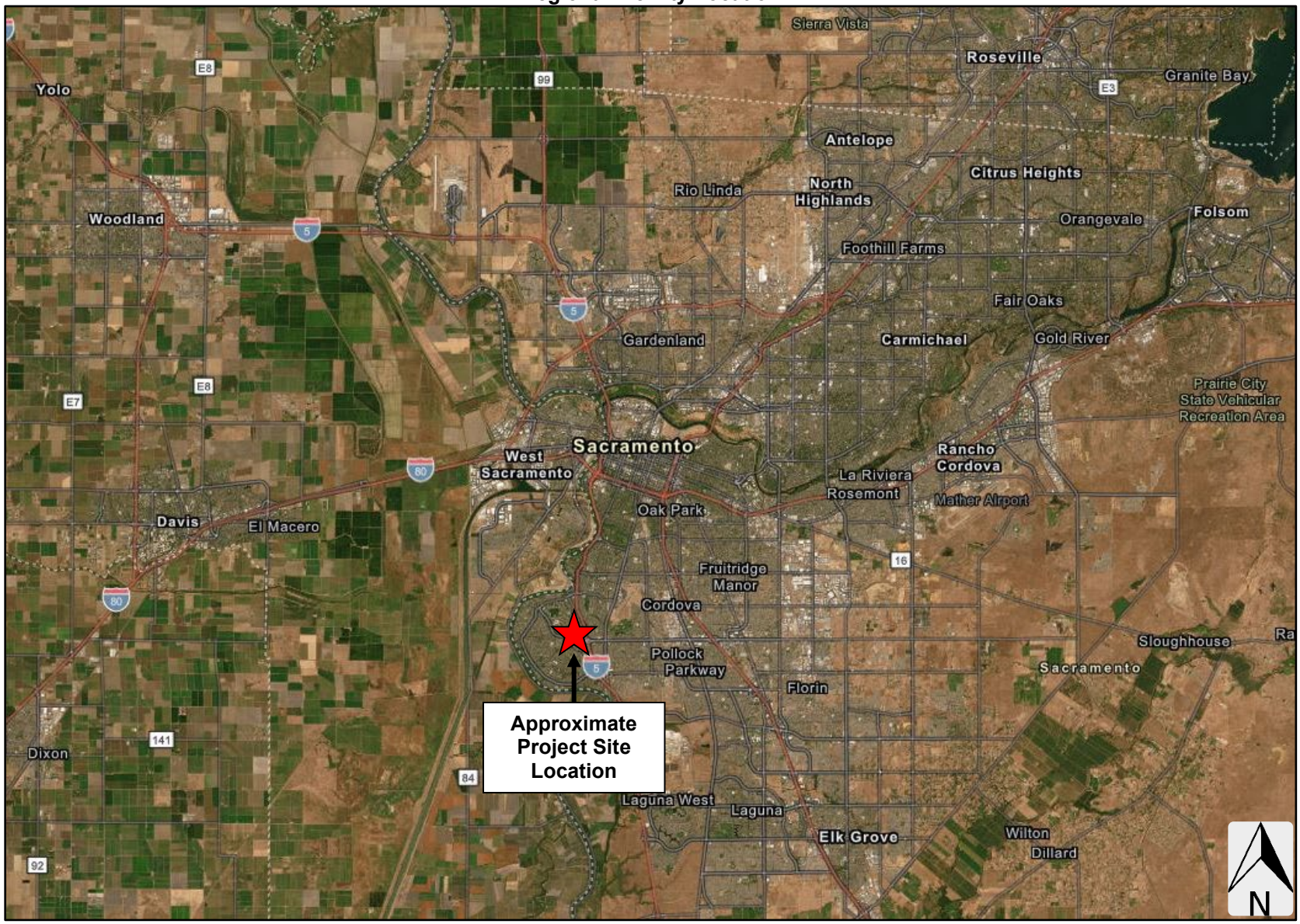

Figure 2
Project Site Boundaries

Figure 3
Site Plan

PROJECT INFORMATION

BUILDING DATA:

APN:	031-0053-017,028,030
STREET ADDRESS:	CORPORATE WAY, SACRAMENTO 95831
TOTAL PARCEL SIZE:	37,766 S.F.
LANDSCAPE COVERAGE:	10,077 S.F. (26.7% COVERAGE)
ZONING:	OB-PUD - OFFICE/PLANNED UNIT DEVELOPMENT
CODES:	2022 CALIFORNIA BUILDING CODE 2022 CALIFORNIA MECHANICAL CODE 2022 CALIFORNIA PLUMBING CODE 2022 CALIFORNIA ELECTRICAL CODE 2022 CALIFORNIA ENERGY CODE 2022 CALIFORNIA FIRE CODE 2022 CALGREEN CODE
CONSTRUCTION TYPE:	V-B
OCCUPANCY:	B/A2
BUILDING SF:	±2,630 SF.

PARKING DATA:

PARKING PROVIDED

DISABLED ACCESSIBLE PARKING:	1 SPACE
EV PARKING	1 SPACES
CLEAN AIR/VANPOOL/EV PARKING	1 SPACES
STANDARD PARKING STALLS:	11 SPACES
TOTAL PROVIDED PARKING:	14 SPACES

DRAWING INDEX:

A0.0	OVERALL SITE PLAN
A1.0	ENLARGED SITE PLAN
A1.1	SITE DETAILS
A1.2	SITE SECTION
A1.3	TRELLIS PLANS
A2.0	FLOOR PLAN
A2.1	ROOF PLAN
A2.2	REZONE EXHIBIT
A2.3	SCHEMATIC LAND USE PLAN
A3.0	ELEVATIONS
A3.1	3D VIEWS
A4.0	CONTEXT PHOTOS
A5.0	LIGHTING PLAN & PHOTOMETRIC LAYOUT
LA	LANDSCAPE

ARCHITECT
PERKINS, WILLIAMS & COTTERILL ARCHITECTS
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RANCHO CORDOVA, CALIFORNIA 95670
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LANDSCAPE
GARTH RUFFNER LANDSCAPE ARCHITECT
4160 DOUGLAS BOULEVARD
ROSEVILLE, CALIFORNIA 95746
PHONE: (916) 797-2576

OWNER REP.
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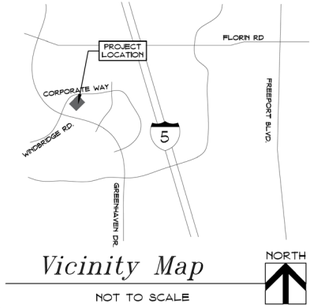
(916) 714- 8012



Vicinity Map
NOT TO SCALE

PERKINS, WILLIAMS & COTTERILL ARCHITECTS
3320 Data Drive, Suite 200 · Rancho Cordova, California 95670
T (916) 851-1400 F (916) 851-1408 E pwcarch@pwcarchitects.com

Overall Site Plan

Project:	CORPORATE WAY		
Job No.	21-319	*Date:*	3-30-23
Scale:	AS NOTED		

A0.0

Corporate Way
Sacramento, CA

Overall Site Plan
SCALE: 1/32" = 1'-0"
NORTH

A total of 14 parking spaces, including 11 standard parking spaces, one accessible parking space, one electric vehicle (EV) parking space, and one clean air/vanpool/EV parking space would be provided within the project site on the opposite side of the building from the drive-through. All parking spaces would be located on the west side of the building, or on the northern edge of the project site adjacent to Corporate Way. Short- and long-term bicycle racks would also be provided. Pedestrian access would be provided by an accessible path connecting the project site to the existing public sidewalk on Corporate Way.

Utility Infrastructure

The following discussions detail the water, wastewater, and stormwater drainage infrastructure improvements that would be installed as part of the proposed project.

Water

Municipal water for the project area is currently supplied by the City of Sacramento Department of Utilities (DOU). The City uses surface water from the American and Sacramento rivers, as well as groundwater north of the American River to meet the City's demands. Existing water mains in the immediate project vicinity include an eight-inch water main within Corporate Way (see Figure 4). From the point of connection at the existing water main, a proposed water service line would extend into the project site. A proposed irrigation line would connect to the existing water main within Corporate Way and extend into the project site.

Wastewater

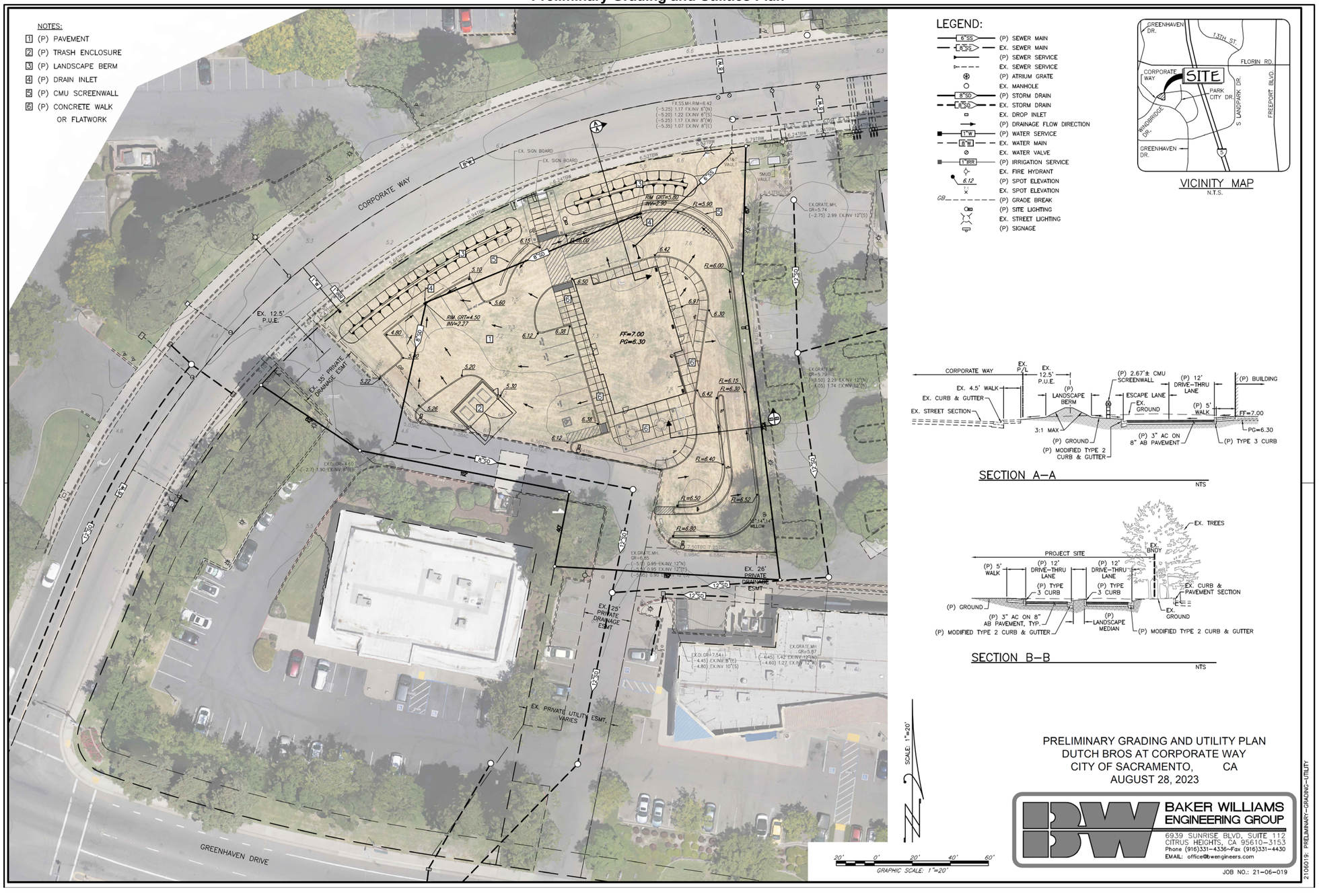
Wastewater treatment for the project area is currently provided by the Cit's DOU, and the Regional County Sanitation District (Regional San). Wastewater generated in the project area is collected in the City's separated sewer system through a series of sewer pipes and flows into the Regional San interceptor system, where the sewage is conveyed to the Sacramento Regional Wastewater Treatment Plant (SRWWTP). The SRWWTP is owned and operated by the Regional San and provides sewage treatment for the entire City. The proposed project would connect to the existing public sewer manhole number MH407SS12 in the northwest corner of the project site. (see Figure 4).

Stormwater Drainage

The City's DOU provides storm drainage service throughout the City by using drain inlets, pumps, and canals. The City provides stormwater drainage through either the City's Combined Sewer System (CSS) or into individual drainage sumps located throughout the City. Stormwater collected by the CSS is transported to the Regional San's SRWWTP, where runoff is then treated prior to discharge into the Sacramento River. The project site is located within the City's Separated Sewer System, and, therefore, stormwater drainage at the project site is collected by individual drainage sumps.

Existing stormwater drainage infrastructure in the project vicinity includes a 12-inch storm drain line along the drive aisles associated with the offices to the east of the project site and an eight-inch storm drain line within the existing drive aisle immediately to the south of the project site (see Figure 4). Both storm drain lines connect to an existing 12-inch line that connects to an existing line within Greenhaven Drive. The proposed project would include approximately 0.64 gross acre of new impervious surfaces as part of development of the building and associated parking lot. Stormwater runoff from the new impervious surfaces would be directed to two new inlets located in the northwest and northeast portions of the site, which would convey flows to a new eight-inch storm drain line that would extend south and connect to the existing storm drain lines located within the drive aisles to the south of the site. Source control measures would be included, consistent with the *Stormwater Quality Design Manual for the Sacramento Region* such as full capture trash devices.

Figure 4
Preliminary Grading and Utilities Plan



Landscaping

New landscaping would be provided throughout the project site primarily along the northern and eastern boundaries, consistent with the requirements established by Sacramento City Code Section 17.612.040 (see Figure 5). The new landscaping would include street, shade, and accent trees such as Oklahoma Redbud (*Cercis canadensis*), Chinese Pistache (Pistacia chinensis), Valley oak *(Quercus lobata)*, and cork oak *(Quercus suber)*, as well as various shrubs and groundcover species. Additionally, the proposed project would include a landscaped berm along the northern boundary of the project site along Corporate Way, which would screen views of the project site from the roadway. The proposed project would also include a concrete masonry screen wall in the northeastern portion of the project site, which would screen views of the project site from the roadway.

Rezone and PUD Amendment

The proposed project would require approval of a Rezone to change the zoning designation of the project site from OB-PUD to General Commercial (C-2)-PUD. Permitted uses in the C-2-PUD zone include, but are not limited to, office support uses, restaurants (excluding drive-in or fast-food), private club-social centers, banks (excluding drive-throughs) and hotels. As the C-2-PUD Zone in the Greenhaven Executive Park PUD does not allow drive-through or fast-food restaurants, approval of an Amendment to the Greenhaven Executive Park PUD is required for the proposed project to update the permitted uses to include drive-through coffee shops and quick-serve restaurants. In addition, the proposed project would include an Amendment to the C-2-PUD to allow the maximum area of a monument sign to be 55 sf, as opposed to the existing maximum of 48 sf, as well as to allow each tenant of the proposed building the opportunity to install signage on all elevations of the building.

Conditional Use Permit

The proposed project would require approval of a CUP to allow a drive-through restaurant in the C-2-PUD zone. A CUP provides flexibility within a zoning ordinance and would allow the City to consider a special use through a public hearing process.

Site Plan and Design Review

The proposed project would require approval of a Site Plan and Design Review for the construction of the commercial building, drive-through lanes, and site improvements. As detailed in Sacramento City Code Section 17.808.100, the purpose of the Site Plan and Design Review is to ensure that the physical aspects of development projects are consistent with the 2035 General Plan and applicable Specific Plans and/or Transit Village Plans, as well as with applicable design guidelines. Additionally, the purpose of the permit is to ensure a development is of high quality and is compatible with and complementary to surrounding development; to ensure streets and other public access ways and facilities, parking facilities, and utility and other infrastructure, both on-site and off-site, are adequate and available to support a development and conform to City development standards; to promote energy efficiency and water conservation; and to avoid or minimize, to the extent feasible, adverse environmental effects of development.

Project Entitlements

The proposed project would require the following entitlements:

- Approval of the IS/MND and Mitigation Monitoring Plan;
- Approval of a Rezone from OB-PUD to C-2-PUD;
- Approval of a PUD Amendment to the Greenhaven Executive Park PUD to update permitted uses to allow drive-through coffee shops and quick-serve restaurants and update the signage criteria of the C-2-PUD zone;
- Approval of a CUP to allow a drive-through restaurant in the C-2-PUD zone; and
- Approval of Site Plan and Design Review for the construction of the commercial building, drive-through lanes, and site improvements.

Figure 5
Conceptual Landscape Plan

SECTION III – ENVIRONMENTAL CHECKLIST AND DISCUSSION

LAND USE, POPULATION AND HOUSING, AGRICULTURAL RESOURCES, WILDFIRE

Introduction

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, however, 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 IS 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 population and housing, agricultural resources, and wildfire, and the effect of the project on these resources.

Discussion

Land Use

The project site is designated Employment Center Mid-Rise by the 2035 General Plan, and is zoned OB-PUD. Allowable uses within the Employment Center Mid-Rise include office complexes, support retail and services uses, such as restaurants, dry-cleaners, gym/fitness centers, markets, hotels, office services, landscaped gathering places, some residential uses, and compatible public, quasi-public, and special uses. The maximum floor area ratio (FAR) for the Employment Center Mid-Rise designation is 2.00. The FAR for the project site is 0.09. The proposed project would include development of a 2,830-sf commercial building, which would include a Dutch Bros. drive-through coffee shop and a fast-food restaurant. Therefore, the proposed use is consistent with the General Plan designation of Employment Center Mid-Rise. The proposed project would require approval of a Rezone, an Amendment to the Greenhaven Executive Park PUD, and a CUP. Nonetheless, the project would be subject to applicable regulations and standards set forth in the City of Sacramento General Plan and the Greenhaven Executive Park PUD Guidelines related to development within the C-2-PUD zone, including requirements pertaining to height, density, lot coverage, FAR, and lot sizes. Consistency with the aforementioned regulations and standards would be ensured through the City's Site Plan and Design Review process, in accordance with Sacramento City Code Chapter 17.808 Article I.

Furthermore, the project site is located in an urbanized area of the City. The project site is surrounded on all sides by existing development, including offices and commercial uses immediately adjacent to the east and south, respectively. Given that the project site is undeveloped and surrounded by existing development, implementation of the project would not physically divide an established community.

Based on the above, the proposed project would not result in impacts related to land use.

Population and Housing

The project site does not contain any existing residential development, nor would the proposed project result in the development of residential uses. Thus, the proposed project would not result in an increase in population or displace any existing housing units or people, and the construction or replacement of housing would not be required. As such, the proposed project would not result in any 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). In addition to evaluating the effect of the General Plan on sites within the City, the Master EIR noted that to the extent the Sacramento 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 General Plan on agricultural resources within the City was less than significant.

According to the California Department of Conservation (DOC) California Important Farmland Map, the project site is designated entirely as "Urban and Built-up Land," which is defined by the DOC as land that is "used for residential, industrial, commercial, construction, institutional, public administration, railroad and other transportation yards, cemeteries, airports, golf courses, sanitary landfills, sewage treatment, water control structures, and other developed purposes."[1] As such, the project site does not contain soils designated as Important Farmland (i.e., Prime Farmland, Unique Farmland or Farmland of Sitewide Importance). The site is not zoned for agricultural uses and is not under a Williamson Act contract. In addition, the project site is not used for agricultural or timber-harvest operations. Therefore, the proposed project would not result in impacts related to agricultural resources.

Wildfire

The Master EIR does not identify any significant impacts related to wildfire risk. According to the California Department of Forestry and Fire Protection (CAL FIRE) Fire and Resources Assessment Program (FRAP), the City of Sacramento 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 not located within an area where a substantial wildland-urban interface (WUI) exists. 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.

[1] California Department of Conservation. *California Important Farmland Finder*. Available at: https://maps.conservation.ca.gov/DLRP/CIFF/. Accessed July 2023.

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 new 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 approximately 0.7-acre project site is currently undeveloped and covered in ruderal grasses. Corporate Way bounds the site's northern perimeter, and existing commercial and office uses and associated parking lots bound the site's southern, western, and eastern perimeter. Surrounding existing land uses include a shopping center to the north; an assisted living facility to the northeast, across Corporate Way; multi-family residential housing to the south, across Greenhaven Drive; offices immediately to the east, and a senior center further east; a commercial Wells Fargo Bank and other retailers such as a Domino's Pizza, a beauty salon, a martial arts school, and a wellness center immediately to the south; and a business park to the west, across Corporate Way. Existing sources of light and glare in the immediate project vicinity include exterior lighting from street lights, existing buildings, and headlights from vehicles on Corporate Way and Greenhaven Drive; interior light spilling through windows of existing buildings; and exterior lighting reflecting off windows of existing buildings.

Public views of the project site include views from motorists, bicyclists, and pedestrians traveling along Corporate Way.

Existing scenic resources in the City of Sacramento include major natural open space features such as the American River and Sacramento River, including associated parkways. In addition, the State Capitol is a scenic resource within the City defined by the Capitol View Protection Ordinance. The project site does not contain scenic resources and is not within an area designated as a scenic resource or vista. The California Department of Transportation (Caltrans) manages the State Scenic Highway System which provides guidance and assists local government agencies with the process to officially designate scenic highways. According to Caltrans, designated State scenic highways are not located in proximity to the project site and the project site is not visible from any State-designated scenic highways.[2]

STANDARDS OF SIGNIFICANCE

The significance criteria used to evaluate the project impacts to aesthetics are based on Appendix G of the 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 degrade the existing visual character of a site or its surroundings; 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.

[2] California Department of Transportation. *California State Scenic Highway System Map*. Available at: https://caltrans.maps.arcgis.com/apps/webappviewer/index.html?id=465dfd3d807c46cc8e8057116f1aacaa. Accessed July 2023.

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 of Sacramento, 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.

Policies in the 2035 General Plan Environmental Resources Element were identified as mitigating potential effects of development that could occur under the 2035 General Plan. For example, Policy ER 7.1.1 calls for the City to avoid substantial adverse effects of new developments on views from public places to the Sacramento and American rivers and the State Capitol; Policies ER 7.1.2 and ER 7.1.5 require new developments in the City to be designed to visually complement the natural environment when near the Sacramento and American rivers and river crossings; and Policies ER 7.1.3 and ER 7.1.4 require the City to minimize obtrusive light sources and the use of reflective glass.

ANSWERS TO CHECKLIST QUESTIONS

Questions A and B

According to the Master EIR, the City of Sacramento is mostly built out, and a large amount of ambient light from urban uses already exists. New development facilitated by buildout of the Sacramento 2035 General Plan could add new sources of light similar to the existing urban light sources from one of the following: exterior building lighting, new street lighting, parking lot lights, and headlights of vehicular traffic. Sensitive land uses would generally be residential uses, including single- and multi-family residences. The nearest residential use to the project site is the assisted living facility located to the northeast of the site, across Corporate Way. Potential new sources of light associated with development of the proposed project would be similar to the commercial uses in the project vicinity.

Because the City of Sacramento is mostly built-out with a level of ambient light that is typical of and consistent with the urban character of a large city and new development facilitated by buildout of the 2035 General Plan is subject to applicable General Plan policies, building codes, and (for larger projects) design review, the introduction of substantially greater intensity or dispersal of light would not occur. For example, Policy ER 7.1.3 requires that misdirected, excessive, or unnecessary outdoor lighting be minimized. In addition, Policy ER 7.1.4 prohibits new development from resulting in any of the following:

(1) using reflective glass that exceeds 50 percent of any building surface and on the bottom three floors;
(2) using mirrored glass;
(3) using black glass that exceeds 25 percent of any surface of a building;
(4) using metal building materials that exceed 50 percent of any street-facing surface of a primarily residential building; and
(5) using exposed concrete that exceeds 50 percent of any building.

While the proposed project would introduce new sources of light and glare to the project site, the type and intensity of light and glare would be similar to that of the surrounding developments. A photometric plan was prepared for the project, which shows light would not be cast onto the nearby roadways or residential uses. In addition, the proposed project would be required to comply with the aforementioned General Plan policies, which would be ensured through the Site Plan and Design Review process. Through compliance with applicable General Plan policies, the proposed project would not be expected to cause a public annoyance related to new sources of glare or create new sources of light that would be cast onto oncoming traffic or nearby residential uses. Furthermore, impacts related to aesthetics were analyzed as part of the Master EIR and concluded to be less than significant through compliance with applicable General Plan goals and policies. The proposed project would comply with applicable policies set forth in the General Plan

pertaining to land use and the preservation of visual resources, as well as all applicable regulations and standards set forth in the Sacramento City Code.

Based on the above, the proposed project would not create a new source of glare that would cause a public hazard or annoyance or create a new source of light that would be cast onto oncoming traffic or residential uses, and ***no additional significant environmental effect*** beyond what was previously evaluated in the Master EIR would occur.

Question C

New development facilitated by buildout of the 2035 General Plan could result in changes to important scenic resources, such as major natural open space features or the State Capitol (as defined by the Capitol View Protection Ordinance). The proposed project is not located near significant visual resources such as the Sacramento River, American River, or the State Capitol.

The immediate project vicinity, as viewed from Corporate Way, is characterized by existing commercial and office uses. As such, the proposed project would be visually compatible with the surrounding existing uses. The proposed project would be consistent with the site's land use designation, and would comply with applicable policies set forth by the 2035 General Plan. In addition, the project would be subject to applicable regulations and standards set forth in the Greenhaven Executive Park PUD Guidelines, including requirements pertaining to height, density, lot coverage, lot sizes, width, depth, and setbacks. Finally, new landscaping would be provided primarily along the site frontage and eastern site boundary, consistent with the requirements established by Sacramento City Code Chapter 7.612. Pursuant to Section 17.612.010 of the City Code, the proposed project would be required to include and maintain landscaping within all required front-yard and street side-yard setbacks. Additionally, a landscaped planter is required to separate all surfaced areas from the adjacent public street. Pursuant to Section 17.612.040, trees are required to be planted and maintained throughout the surface parking facility to ensure that, within 15 years after establishment of the parking facility, at least 50 percent of the parking facility will be shaded. All planting, soil volumes, and maintenance would be required to comply with the parking facility tree shading design and maintenance guidelines.

The proposed project would include a landscaped berm along the northern boundary of the project site along Corporate Way, which would screen views of the project site from the roadway. Additionally, the proposed project would include a concrete masonry screen wall in the northeastern portion of the project site, which would screen views of the project site from the roadway.

General Plan Policy LU 2.7.2 provides that the City shall require Design Review that focuses on achieving appropriate form and function for new projects to promote creativity, innovation, and design quality. The proposed project is subject to the City's Site Plan and Design Review process as part of project approval. As detailed in Sacramento City Code Chapter 17.808 Article I, the purpose of Site Plan and Design Review is to ensure that the physical aspects of development projects are consistent with the 2035 General Plan and any other applicable specific plans or design guidelines and that projects are high quality and compatible with surrounding development, among other considerations. Accordingly, the City's Site Plan and Design Review process would ensure that the proposed development would not result in a substantial degradation in the existing visual character of the project site or surrounding area.

Based on the above, the proposed project would not substantially degrade the existing visual character of the site or its surroundings, and ***no additional significant environmental effect*** beyond what was previously evaluated in the Master EIR would occur.

MITIGATION MEASURES

None required.

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 Would the project:				
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 of Sacramento 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. The City, including the project site, is located within the jurisdiction of the Sacramento Metropolitan Air Quality Management District (SMAQMD).

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 (NO_2), sulfur dioxide (SO_2), respirable and fine particulate matter (10 microns in diameter or less [PM_{10}] and 2.5 microns in diameter or less [$PM_{2.5}$]), and lead. The sources of criteria air pollutants and their respective acute and chronic health impacts are described in Table 1.

Existing Air Quality

The U.S. Environmental Protection Agency (USEPA) has been charged with implementing national air quality programs. USEPA'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 USEPA to establish the National Ambient Air Quality Standards (NAAQS) for the following criteria air pollutants: ozone, CO, NO_2, SO_2, PM_{10}, $PM_{2.5}$, 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 ozone (O_3) standard. The SVAB is also currently designated as nonattainment for both NAAQS and CAAQS 24-hour PM_{10} 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.

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
Carbon monoxide (CO)	Incomplete combustion of fuels; motor vehicle exhaust	Headache, dizziness, fatigue, nausea, vomiting, death	Permanent heart and brain damage
Nitrogen dioxide (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
Sulfur dioxide (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
Respirable particulate matter (PM_{10}), Fine particulate matter ($PM_{2.5}$)	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: U.S. Environmental Protection Agency, 2018.

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 nearest sensitive receptor to the project site is the Greenhaven Terrace assisted living facility located approximately 230 feet to the northeast. Additional sensitive receptors in the project vicinity include the single-family residences located approximately 420 feet to the southwest and the multi-family residences located approximately 300 feet to the south. It should be noted that all sensitive receptors in the project vicinity are separated from the site by Greenhaven Drive and/or Corporate Way.

STANDARDS OF SIGNIFICANCE

For the purposes of this IS/MND, 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 PM_{10} 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 parts per million [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 TACs. 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.

It is noted that the foregoing standards of significance for criteria pollutant emissions and TACs are consistent with the thresholds of significance adopted by the SMAQMD. The remainder of this discussion refers to the standards as the SMAQMD thresholds of significance.

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 unhealthful pollutant concentrations. See Master EIR, Chapter 4.2.

Policies in the 2035 General Plan Environmental Resources Element 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 CARB and the 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 TACs 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 and design elements that provide proper filtering, ventilation, and exhaust of vehicle air emissions from buildings.

ANSWERS TO CHECKLIST QUESTIONS

Questions A through D

Implementation of the proposed project would contribute local emissions in the area during both construction and operations of the proposed project. In order to evaluate ozone and other criteria air pollutant emissions and support attainment goals for those pollutants that the area is designated nonattainment, the SMAQMD

has established recommended thresholds of significance, including mass emission thresholds for construction-related and operational ozone precursors, as the area is under nonattainment for ozone.

The SMAQMD has developed screening criteria using default construction inputs in the California Emissions Estimator Model (CalEEMod) to determine if nitrogen oxides (NO_x) or PM emissions from project construction would exceed the SMAQMD construction significance thresholds for NO_x or PM.[3] Construction of a project that does not exceed the screening level and meets the screening parameters would be considered to result in emissions below the thresholds of significance and would, thus, result in less-than-significant impacts on air quality. Projects that are 35 acres or less in size, and do not include demolition activities, major trenching activities, an unusually fast construction schedule, cut-and-fill operations, import or export of soil materials that would require a considerable amount of truck activity, or construction of a building more than four stories tall generally would not exceed the SMAQMD construction NO_x or PM thresholds of significance.

The SMAQMD has also developed operational screening criteria to aid in determining if emissions from development projects would exceed the SMAQMD thresholds of significance. The screening criteria provides a conservative indication of whether a development project could result in potentially significant air quality impacts. According to SMAQMD, if a project is below the screening level identified for the applicable land use type, emissions from operation of the project would be below the thresholds of significance and, thus, would result in a less-than-significant impact on air quality. The screening criterion for operational emissions associated with a fast-food restaurant with a drive-through is 15,000 sf for ozone precursors and 51,000 sf for PM.[4]

The SMAQMD's recommended construction and operational thresholds of significance for the ozone precursors reactive organic gases (ROG) and NO_x, PM_{10}, and $PM_{2.5}$, which are expressed in pounds per day (lbs/day) or tons per year (tons/yr), are presented in Table 2.

Table 2
SMAQMD Thresholds of Significance

Pollutant	Construction Thresholds	Operational Thresholds
NO_X	85 lbs/day	65 lbs/day
ROG	-	65 lbs/day
PM_{10}*	80 lbs/day 14.6 tons/yr	80 lbs/day 14.6 tons/yr
$PM_{2.5}$*	82 lbs/day 15 tons/yr	82 lbs/day 15 tons/yr

* The thresholds of significance for PM_{10} and $PM_{2.5}$ presented above are only applicable if all feasible best available control technology (BACT)/best management practices (BMPs) are applied. If all feasible BACT/BMPs are not applied, then the applicable threshold is zero. All feasible BACT/BMPs would be applied to the proposed project.

Source: Sacramento Metropolitan Air Quality Management District. SMAQMD Thresholds of Significance Table. April 2020.

Because construction equipment emits relatively low levels of ROG, and ROG emissions from other construction processes (e.g., asphalt paving, architectural coatings) are typically regulated by SMAQMD, SMAQMD has not adopted a construction emissions threshold for ROG. SMAQMD has, however, adopted a construction emissions threshold for NO_x, as shown in Table 2, above.

Construction Emissions

The proposed project would involve the development of a 2,830-sf building on a 0.7-acre parcel and does not meet any of the aforementioned construction parameters. In addition, the proposed project would be required to comply with the SMAQMD's BACT/BMPs. Therefore, based on SMAQMD's screening criteria and the

[3] Sacramento Metropolitan Air Quality Management District. *Guide to Air Quality Assessment in Sacramento County*. April 2020.
[4] Sacramento Metropolitan Air Quality Management District. *SMAQMD Operational Screening Levels*. April 2018.

implementation of BMPs, the proposed project's construction emissions would be expected to be below the applicable NO_x or PM thresholds of significance.

Operational Emissions

The proposed project would involve the development of a 2,830-sf building, which would be below the operational screening criteria for both categories of criteria pollutants. Therefore, based on the SMAQMD's screening criteria, the proposed project's operational emissions would not be expected to exceed SMAQMD thresholds of significance.

Cumulative Emissions

SMAQMD rules and regulations, as well as the thresholds of significance, have been developed with the intent to ensure continued attainment of AAQS, or to work towards attainment of AAQS for which the area is currently designated nonattainment, consistent with applicable air quality plans. As future attainment of AAQS is a function of successful implementation of SMAQMD's planning efforts, according to the SMAQMD Guide, by exceeding the SMAQMD's project-level thresholds for construction or operational emissions, a project could contribute to the region's nonattainment status for ozone and PM emissions and could be considered to conflict with or obstruct implementation of the SMAQMD's air quality planning efforts.

As discussed above, the proposed project would result in construction and operational emissions below all applicable SMAQMD thresholds of significance. Therefore, the proposed project would not be considered to contribute to the region's nonattainment status for ozone or PM emissions and would not conflict with or obstruct implementation of the SMAQMD's air quality planning efforts. Accordingly, the proposed project would not violate any air quality standard or contribute substantially to an existing or projected air quality violation, and a less-than-significant impact would occur.

Conclusion

As discussed above, construction and operation of the proposed project would result in emissions below the thresholds of significance. Because the proposed project would result in emissions below the applicable thresholds of significance during both construction and operations, the proposed project would not violate an AAQS, contribute substantially to an existing or projected air quality violation, or result in PM concentrations greater than the applicable thresholds. Therefore, ***no additional significant environmental effect*** beyond what was previously evaluated in the Master EIR would occur.

Question E

Localized concentrations of CO are related to the levels of traffic and congestion along streets and at intersections. Per the SMAQMD Guide, emissions of CO are generally of less concern than other criteria pollutants, as operational activities are not likely to generate substantial quantities of CO, and the SVAB has been in attainment for CO for multiple years.[5] The proposed project would not involve operational changes that could result in long-term generation of CO. The use of construction equipment at each site would result in limited generation of CO; however, the total amount of CO emitted by construction equipment would be minimal and would not have the potential to result in health risks to any nearby receptors. Consequently, the proposed project would not result in CO concentrations that exceed the 1-hour State AAQS or the 8-hour State AAQS, and ***no additional significant environmental effect*** beyond what was previously evaluated in the Master EIR would occur.

Question F and G

The project site is located in a highly urbanized area of the City. The nearest sensitive receptor to the project site is the Greenhaven Terrace assisted living facility located approximately 230 feet to the northeast. Additional sensitive receptors in the project vicinity include the single-family residences located

[5] Sacramento Metropolitan Air Quality Management District. *Guide to Air Quality Assessment, Chapter 4: Operational Criteria Air Pollutant and Precursor Emissions*. June 2020.

approximately 420 feet to the southwest and the multi-family residences located approximately 300 feet to the south. It should be noted that all sensitive receptors in the project vicinity are separated from the site by Greenhaven Drive and/or Corporate Way.

The CARB Handbook provides recommendations for siting new sensitive land uses near sources typically associated with significant levels of TAC emissions, including, but not limited to, freeways and high traffic roads, distribution centers, and rail yards. The CARB has identified diesel particulate matter (diesel PM) from diesel-fueled engines as a TAC; thus, high volume freeways, stationary diesel engines, and facilities attracting heavy and constant diesel vehicle traffic are identified as having the highest associated health risks from diesel PM. Health risks from TACs are a function of both the concentration of emissions and the duration of exposure.

Operational-related emissions of TACs are typically associated with stationary diesel engines or land uses that involve heavy diesel truck traffic or idling. The proposed project would not involve long-term operation of any stationary diesel engine or other major on-site stationary source of TACs. Commercial uses, such as the proposed project, do not typically involve long-term operation of any stationary sources of TACs. Therefore, the proposed project would not expose any existing sensitive receptors to any new permanent or substantial TAC emissions during operations. In addition, while the proposed project would include a drive-through, idling events associated with light-duty vehicles (i.e., passenger vehicles and light duty trucks) represent a relatively minor percentage of total vehicle operations, and as a result, CARB has indicated that idling emissions are accounted for within typical mobile emissions associated with light-duty vehicles. As such, idling emissions associated with the proposed drive-through are not assumed to substantially generate pollutant emissions beyond presumed mobile emissions accounted for within the operational SMAQMD screening criteria.

Construction activities have the potential to generate diesel PM emissions related to the number and types of equipment typically associated with construction. Off-road heavy-duty diesel equipment used for site grading, paving, and other construction activities result in the generation of diesel PM. However, construction is temporary and occurs over a relatively short duration in comparison to the operational lifetime of the proposed project. In addition, only portions of the small 0.7-acre site would be disturbed at a time, with operation of construction equipment regulated by federal, State, and local regulations, including SMAQMD rules and regulations, and occurring intermittently throughout the course of a day. Thus, the likelihood that any one sensitive receptor would be exposed to high concentrations of diesel PM for any extended period of time would be low.

Based on the above, the proposed project would not result in the exposure of sensitive receptors to substantial pollutant concentrations, or substantially increase the risk of exposure to TACs from mobile sources. Therefore, ***no additional significant environmental effect*** beyond what was previously evaluated in the Master EIR would occur.

MITIGATION MEASURES

None required.

FINDINGS

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

Issues:	Effect will be studied in the EIR	Effect can be mitigated to less than significant	No additional significant environmental effect
3. BIOLOGICAL RESOURCES Would the project: 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. The 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 throughout the City. Habitats that are present in the City include annual grasslands, riparian woodlands, oak woodlands, riverine, ponds, freshwater marshes, seasonal wetlands, and vernal pools.

A nine-quadrangle query of the California Natural Diversity Database (CNDDB) was performed to ascertain the extent to which potential impacts could occur through development of the proposed project.[6] The query encompassed the quadrangle in which the project site is located (Clarksburg), as well as the eight surrounding quadrangles (Davis, Sacramento West, Sacramento East, Saxon, Florin, Liberty Island, Courtland, and Bruceville). In addition, California Tree and Landscape Consulting, Inc. conducted a tree survey and prepared a Preliminary Arborist Report and Tree Inventory for the project site.[7] The project-specific setting related to biological resources described below is based upon such queries and reports.

Vegetation

The approximately 0.7-acre project site is currently undeveloped, and consists of ruderal grasses, which are regularly mowed for weed abatement. Corporate Way bounds the site to the north and west, and existing commercial and office uses bound the site to the south and east. Trees currently exist along the site's eastern and western boundaries, as well as to the north of the site, across Corporate Way.

[6] California Department of Fish and Wildlife. *CNDDB Maps and Data*. Available at: https://wildlife.ca.gov/Data/CNDDB/Maps-and-Data. Accessed November 2022.

[7] California Tree and Landscape Consulting, Inc. *Preliminary Arborist Report and Tree Inventory.* September 1, 2023.

Wildlife

Special-status species are species that have been listed as threatened or endangered under the federal Endangered Species Act (FESA), California Endangered Species Act (CESA), or are of special concern to federal resource agencies, the State, or private conservation organizations. A species may be considered to have special status due to declining populations, vulnerability to habitat change, or restricted distributions. Based on the results of the CNDDB query, a total of 30 special-status plant species and 32 special-status wildlife species have been identified within the nine-quadrangle region. Due to the existing development surrounding the project site, the potential for a diversified amount of wildlife is anticipated to be very low. Of the special-status wildlife species identified by CNDDB only the burrowing owl could be present within the project site. The burrowing owl has marginal potential to occur on-site due to the presence of limited nesting habitats. Trees located along the boundary of the project site and in the project vicinity have the potential to provide nesting habitat for migratory birds and raptors protected under the California Fish and Game Code (CFGC) Section 3503 and the federal Migratory Bird Treaty Act (MBTA) of 1918 (Title 16 of U.S. Code [U.S.C.] Sections 703-711).

Trees

Sacramento City Code, Chapter 12.56, establishes guidelines for the conversation, protection, removal, and replacement of both City trees and private protected trees. Pursuant to Section 12.56.020, a private protected tree meets at least one of the following criteria:

A. A tree that is designated by City Council resolution to have special historical value, special environmental value, or significant community benefit, and is located on private property;
B. Any native Valley Oak (*Quercus lobata*), Blue Oak (*Quercus douglasii*), Interior Live Oak (*Quercus wislizenii)*, Coast Live Oak (*Quercus agrifolia*), California Buckeye (*Aesculus californica*), or California Sycamore (*Platanus racemosa*), that has a diameter at standard height (DSH) of 12 inches or more, and is located on private property;
C. A tree that has a DSH of 24 inches or more located on private property that:
    a. Is an undeveloped lot; or
    b. Does not include any single unit or duplex dwellings; or
D. A tree that has a DSH of 32 inches or more located on private property that includes any single unit or duplex dwellings.

When circumstances do not allow for retention of trees, permits are required to remove City trees or private protected trees that are within the City's jurisdiction. In addition, City Code Section 12.56.050, Tree Permits, states that no person shall perform regulated work without a tree permit. The Tree Permit application requires a statement detailing the nature and necessity for the proposed regulated work and the location of the proposed work for evaluation and approval by the City Council.

As part of the Preliminary Arborist Report and Tree Inventory, California Tree and Landscape Consulting, Inc. conducted a site survey on August 9, 2023 to evaluate eight trees located along the project site boundaries. According to California Tree and Landscape Consulting, Inc, three of the surveyed trees were determined to be located off-site, and five have the potential to be located on-site. One potential on-site tree is considered private protected under City Code Chapter 12.56 (see Appendix B).

Jurisdictional Waters

The U.S. Army Corps of Engineers (USACE) has regulatory authority of "waters of the United States," which include wetlands, pursuant to Section 404 of the Clean Water Act (CWA). Waters of the U.S. include navigable waters, interstate waters, and all other waters where the use, degradation, or destruction of the waters could affect interstate or foreign commerce, tributaries to any of such waters, and wetlands that meet any of the aforementioned criteria or that are adjacent to any such waters or their tributaries. The U.S.

Fish and Wildlife Service (USFWS) National Wetlands Inventory (NWI) does not identify wetlands or riparian habitats on the project site. [8] The project site does not contain any aquatic resources.

STANDARDS OF SIGNIFICANCE

For the purposes of this IS/MND, 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 CDFG Code (Section 1901);
- Designated as fully protected, pursuant to CDFG 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 Wildlife (CDFW);
- 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 CDFW, USFWS, 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 CESA 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 regulations, 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 City limits, 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

[8] U.S. Fish and Wildlife Service. *National Wetlands Inventory*. Available at: https://www.fws.gov/program/national-wetlands-inventory/wetlands-mapper. Accessed September 2023.

of urban uses. The CDFW regulates potential impacts on lakes, streams, and associated riparian (streamside or lakeside) vegetation through the issuance of Lake or Streambed Alteration Agreements (LSAA), pursuant to CFGC Code Section 1602, and provides guidance to the City as a resource agency. While federal regulations do not exist that specifically mandate the protection of riparian vegetation, federal regulations set forth in Section 404 of the CWA, 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). The City 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 ER 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. While this would help mitigate impacts on riparian habitat, large open areas of riparian habitat used by wildlife could be lost and/or degraded directly and indirectly through development under the 2035 General Plan. 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

Question A

Projects that involve the routine transport, use, or disposal of hazardous materials are typically industrial in nature. The proposed project would consist of a Dutch Bros. drive-through coffee shop and fast-food restaurant. As such, the proposed project would not be industrial in nature and would not include any activities that would involve the routine transport, use, disposal, or generation of substantial amounts of hazardous materials. During project operation, hazardous material use would be limited to landscaping products such as fertilizer, pesticides, as well as typical commercial and maintenance products (cleaning agents, degreasers, paints, batteries, and motor oil). Proper handling and usage of such materials in accordance with label instructions would ensure that adverse impacts to human health or the environment would not result. Thus, project operation would not create a potential health hazard related to the use, production, or disposal of materials that would pose a hazard to plant or animal populations in the project vicinity.

Construction activities associated with the proposed project would involve the use of heavy equipment, which would contain fuels and oils, and various other products such as concrete, paints, and adhesives. The project contractor is required to comply with all California Health and Safety Codes and local County ordinances regulating the handling, storage, and transportation of hazardous and toxic materials. Pursuant to California Health and Safety Code Section 25510(a), except as provided in subdivision (b),[9] the handler or an employee, authorized representative, agent, or designee of a handler, shall, upon discovery, immediately report any release or threatened release of a hazardous material to the unified program agency (in the case of the proposed project, the Sacramento County Environmental Management Department [SCEMD]) in accordance with the regulations adopted pursuant to Section 25510(a). The handler or an employee, authorized representative, agent, or designee of the handler shall provide all State, city, or county fire or public health or safety personnel and emergency response personnel with access to the handler's facilities. In the case of the proposed project, the contractors are required to notify the SCEMD in the event of an accidental release of a hazardous material, who would then monitor the conditions and recommend appropriate remediation measures.

[9] Subdivision (a) does not apply to a person engaged in the transportation of a hazardous material on a highway that is subject to, and in compliance with, the requirements of Sections 2453 and 23112.5 of the Vehicle Code.

In addition, the use and storage of hazardous materials are regulated within the City limits by Sacramento City Code Chapter 8.64. More specifically, Section 8.64.040 establishes regulations related to the designation of hazardous materials and requires that a hazardous material disclosure form be submitted within 15 days by any person using or handling a hazardous material. Thus, project construction would not create a potential health hazard related to the use, production, or disposal of materials that would pose a hazard to plant or animal populations in the project vicinity.

Based on the above, the proposed project would result not 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, and ***no additional significant environmental effect*** beyond what was previously evaluated in the Master EIR would occur.

Question B

The proposed project's potential to substantially degrade the quality of the environment and reduce habitat in a manner that would reduce a threatened or endangered plant or wildlife species' population below self-sustaining levels is discussed below.

Special-Status Plant Species

The project site is currently undeveloped and consist entirely of ruderal grasses, which are regularly mowed for weed abatement. The project site is located within an urban area and is completely surrounded by existing development.

According to the CNDDB results, special-status plant species have previously been documented within the region. However, due to the project site's routine disturbance associated with weed abatement activities, and surrounding development that has occurred as part of the buildout of the project area, none of the identified special-status plant species with potential to occur in the surrounding environs would occur on-site, as the site lacks suitable aquatic habitats (such as marshes or vernal pools) or suitable substrates (such as alkaline soils) to accommodate such species. Therefore, the proposed project would not substantially degrade the quality of the environment and reduce habitat in a manner that would reduce a threatened or endangered plant species' population to below self-sustaining levels.

Special-Status Wildlife Species

According to the CNDDB results, 32 special-status wildlife species have previously been documented within the region. Of the 32 special-status wildlife species, 31 species would not have the potential to occur on-site, due to the lack of suitable habitat (i.e., aquatic, riparian, woodland, and/or coastal habitat). For example, due to the lack of on-site aquatic resources, potential impacts as a result of the proposed project would not occur to Sacramento perch, western pond turtle, vernal pool fairy shrimp, conservancy fairy shrimp, delta smelt, vernal pool tadpole shrimp, steelhead, chinook salmon, longfin smelt, Sacramento splittail or giant garter snake, as the project site does not contain requisite flowing waters or vernal pools. Therefore, although identified in the CNDDB query conducted as part of this IS/MND, the foregoing special-status species would not be significantly impacted by the proposed project. In addition, the project site's surrounding development further reduces the likelihood of wildlife species, including those with special status, to occur on-site.

Of the special-status wildlife species identified by CNDDB, only the burrowing owl has marginal potential to occur on-site due to the presence of limited nesting habitats. The burrowing owl, which is a Species of Special Concern under the CFGC, typically occupies abandoned ground burrows created by California ground squirrels. As such, while the potential for burrowing owls to occur on-site is unlikely due to the routine mowing of the project site for weed abatement and the adjacent existing development, the potential exists for the species to be present prior to project construction.

In addition, trees along the project site boundaries and in the project vicinity have the potential to provide nesting habitat for migratory birds and raptors protected under the CFGC Section 3503 and the federal MBTA of 1918 (Title 16 of U.S.C. Sections 703-711). Both the CFGC and MBTA prohibit the intentional

killing, collecting, or trapping of covered species, including their active nests (those with eggs or young). Therefore, in the event that project construction activities occur during the nesting season, the proposed project could potentially cause nest abandonment due to associated construction noise, and a potentially significant impact could occur.

Tree Removal

According to the Preliminary Arborist Report and Tree Inventory, eight total trees are located along the project boundaries, including both street trees and one private protected tree, and could require removal as part of the proposed project. Therefore, without the implementation of the recommendations included in the Preliminary Arborist Report and Tree Inventory, a potentially significant impact could occur related to the removal and/or damage to protected trees.

Conclusion

Based on the above, development of the proposed project could result in a potentially significant impact to the burrowing owl and to species protected under the CFGC and MBTA. As such, Mitigation Measures 3-1 through 3-4 shall be required to reduce the potential impact to a less-than-significant level. Thus, the ***effect can be mitigated to less than significant***.

Question C

The project site is currently undeveloped, and consists of ruderal grasses that are routinely mowed. The project site does not contain aquatic resources of any kind, nor is the site adjacent to any such areas. Accordingly, the proposed project would not affect other species of special concern to agencies or natural resource organizations, such as regulatory waters and wetlands, and ***no additional significant environmental effect*** beyond what was previously evaluated in the Master EIR would occur.

MITIGATION MEASURES

Implementation of Mitigation Measures 3-1 through 3-4 would reduce the potential impacts identified above related to burrowing owl and migratory birds and raptors protected under the CFGC and MBTA and private protected trees pursuant to the City's Tree Ordinance to a *less-than-significant* level.

Burrowing Owl

3-1 *A preconstruction survey for burrowing owls should be conducted according to the California Burrowing Owl Consortium's 1993 Burrowing Owl Survey Protocol and Mitigation Guidelines, and shall include all potential burrowing owl habitat within 500 feet of the project. Portions of the survey area located on private land shall be surveyed from all publicly accessible areas. A written summary of the survey results shall be submitted to the City of Sacramento Community Development Department before any construction permits are issued. If burrowing owl are not detected during pre-construction surveys, further mitigation is not required. If active burrowing owl burrows are found, the following measures shall be implemented at the project site:*

- *During the non-breeding season (September 1 through January 31), the biologist shall establish a 160-foot environmental sensitive area (ESA) around the burrow. During the breeding season (February 1 through August 31), the biologist shall establish a 300-foot ESA around the burrow in consultation with CDFW.*
- *The size of the ESA may be reduced if the biologist monitors the construction activities and determines that disturbance to the burrowing owl is not occurring. Reduction of ESA size depends on the location of the burrow relative to the proposed disturbance area, project activities during the time the burrow is active, and other project-specific factors.*
- *If the burrow is located within the construction zone and it is during the non-breeding season, the burrowing owl shall be passively excluded from the burrow*

using one-way doors, as described in the Exclusion Plan of Appendix E of the CDFW's 2012 Staff Report on Burrowing Owl Mitigation.

- *If the burrow is located within the construction zone and it is during the breeding season, the burrow owl shall only be passively excluded if it has been confirmed that the owl has not begun egg laying and incubation, the clutch was unsuccessful, or juveniles from the occupied burrows are foraging independently and are capable of independent survival.*

Nesting Birds and Raptors

3-2 *If construction activities on the project site are to begin during the nesting season for raptors or other protected bird species in the region (generally February 15-September 15), a qualified biologist shall be retained by the project applicant to conduct pre-construction surveys in areas of suitable nesting habitat for common raptors and other bird species protected by the MBTA or California Fish and Game Code located within 500 feet of project activity, as accessible. Surveys shall be conducted no more than 10 days before ground disturbance is expected to occur. The pre-construction surveys shall be submitted to the City's Community Development Department. If active nests are not found, further mitigation is not required. If active nests are found, the construction contractor shall avoid impacts on such nests by establishing a no-disturbance buffer around the nest. The appropriate buffer size for all nesting birds shall be determined by a qualified biologist, but shall extend at least 50 feet from the nest. Buffer size will vary depending on site-specific conditions, the species of nesting bird, nature of the project activity, the extent of existing disturbance in the area, visibility of the disturbance from the nest site, and other relevant circumstances.*

Construction activity shall not occur within the buffer area of an active nest until a qualified biologist confirms that the chicks have fledged and are no longer dependent on the nest, or the nesting cycle has otherwise completed. Monitoring of the nest by a qualified biologist during construction activities shall be required if the activity has the potential to adversely affect the nest. The qualified biologist shall determine the status of the nest at least weekly during the nesting season. If construction activities cause the nesting bird to vocalize, make defensive flights at intruders, get up from a brooding position, or fly off the nest, then the no-disturbance shall be increased until the agitated behavior ceases.

Protected Trees

3-3 *Prior to issuance of Grading Permits, the plans shall note tree protection requirements stated within the Arborist Report prepared for the project. The measures shall be reflected on the grading plans, subject to review and approval by the City's Community Development Department.*

3-4 *Prior to issuance of Grading Permits, the project applicant shall comply with tree permit requirements in effect at the time of project approval for removal, pruning, or soil disturbance within the canopy dripline of a private protected tree. The measures shall be reflected on the grading plans, subject to review and approval by the City's Community Development Department.*

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 Section 15064.5?		X	
B) Directly or indirectly destroy a unique paleontological resource?		X	
C) Disturb any human remains?		X	

ENVIRONMENTAL SETTING

The City of Sacramento 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, some in deeply buried contexts.

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 (which provides information on the existing environmental setting), are located within close proximity to the Sacramento and American Rivers and other watercourses (City of Sacramento 2015).

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.

The approximately 0.7-acre project site is currently undeveloped and covered in ruderal grasses. Corporate Way bounds the site to the north and west, and existing commercial and office uses bound the site to the south and east. Based on historic aerial imagery, the site has never been developed.

STANDARDS OF SIGNIFICANCE

For the purposes of this IS/MND, cultural resource impacts may be considered significant if 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;
- A substantial adverse change in the significance of such resources; or
- Disturb any human remains.

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 archeological resources. (Impacts 4.4-1 and 4.4-2)

ANSWERS TO CHECKLIST QUESTIONS

Questions A through C

To identify any known cultural resources, a records search of the California Historic Resources Information System (CHRIS) was performed by the North Central Information Center (NCIC) at Sacramento State University. The CHRIS search consisted of a review of official records and maps for sites and studies in Sacramento County, as well as other inventories and references, including, but not limited to, the National Register of Historic Places, the California Register of Historical Resources, the California Inventory of Historic Resources, the California State Historical Landmarks, and the Office of Historic Preservation Built Environment Resources Directory.

According to the CHRIS search, the project site is situated in the Sacramento Valley, approximately 1.8 miles east of the Sacramento River, and is located within the Sacramento River Tribal Cultural Landscape. The primary character defining elements of the landscape are waterways, Tule habitat, fisheries, and other wildlife, none of which appear to be physically associated with the project site. Given the extent of known cultural resources and the environmental setting, the project site was determined to have a low potential for containing elements of the Sacramento River Tribal Cultural Landscape or other indigenous-period/ethnographic-period cultural resources. In addition, due to the extent of known cultural resources and patterns of the City's history, the CHRIS search determined that the project site has low potential of containing historic-period cultural resources. Based on the results of the CHRIS search, the proposed project would not cause a substantial adverse change in the significance of a known cultural resource.

Paleontological resources include fossil remains, as well as fossil localities and formations, which have produced fossil material in other nearby areas. According to the Master EIR, although discoveries of such resources have been made within the City in the past, the City is not considered sensitive for the presence of paleontological resources.

Nonetheless, due to the predominant historic theme 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 subsurface resources could be encountered during ground-disturbing activities associated with project construction.

Based on the above, the proposed project could cause a substantial adverse change in the significance of an archaeological resource protected under CEQA, directly or indirectly destroy a unique paleontological resource, and/or disturb human remains. However, with implementation of Mitigation Measure 4-1, ***effect can be mitigated to less than significant***.

MITIGATION MEASURES

Implementation of the following mitigation measures would reduce the above impact to a *less-than-significant* level.

4-1 ***In the Event that Cultural Resources are Discovered During Construction, Implement Procedures to Evaluate Cultural Resources and Implement Avoidance and Minimization Measures to Avoid Significant Impact.***

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 c 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.*

4-2 ***Mitigation Measure CUL-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

ENVIRONMENTAL SETTING

The project site is within the service area of the Sacramento Municipal Utility District (SMUD). SMUD is a municipal utility that provides electric services to 900 square miles, including most of Sacramento County. PG&E is an investor-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. SMUD is the primary electricity supplier, and PG&E is the primary natural gas supplier for the City of Sacramento and the project site.

Energy demand related to the proposed project would include energy directly consumed for space heating and cooling, proposed lighting and signage, and the restaurant equipment. 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 and trucks. 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 the 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 (EPAct) was passed to reduce the country's dependence on foreign petroleum and improve air quality. EPAct includes several parts intended to build an inventory of alternative fuel vehicles (AFVs) in large, centrally fueled fleets in metropolitan areas. EPAct 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 EPAct. 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 EPAct 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.

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 previous 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.

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 Senate Bill [SB] 350), expand energy efficiency in low-income and disadvantaged communities, and reduce GHG emissions from buildings. The plan provides guiding principles and recommendations on how the State would achieve those goals. The 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.

California Green Building Standards Code

The 2022 California Green Building Standards Code, otherwise known as the CALGreen Code (CCR Title 24, Part 11) is a portion of the California Building Standards Code (CBSC) (CCR Title 24), which became effective on January 1, 2023. The purpose of the CALGreen Code is to improve public health, safety, and general welfare by enhancing the design and construction of buildings through the use of building concepts having a reduced negative impact or positive environmental impact and encouraging sustainable construction practices. The CALGreen Code standards regulate the method of use, properties, performance, types of materials used in construction, alteration repair, improvement, and rehabilitation of a structure or improvement to property. The provisions of the code apply to the planning, design, operation, construction, use, and occupancy of every newly constructed building or structure throughout California. Requirements of the CALGreen Code include, but are not limited to, the following measures:

- Compliance with relevant regulations related to future installation of electric vehicle charging infrastructure in residential and non-residential structures;
- Reduction of indoor water use consumption through the establishment of maximum fixture water use rates;
- Outdoor landscaping compliance with the California Department of Water Resources' Model Water Efficient Landscape Ordinance (MWELO), or a local ordinance, whichever is more stringent, to reduce outdoor water use;
- Diversion of 65 percent of construction and demolition waste from landfills; and
- Mandatory use of low-pollutant emitting interior finish materials, such as paints, carpet, vinyl flooring, and particle board.

California Energy Code

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 the California Energy Commission (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 three years with more stringent design requirements for reduced energy consumption, which results in the generation of fewer GHG emissions.

The 2022 California Energy Code was adopted by CEC in August 2022 and applies to projects constructed after January 1, 2023. The 2022 California Energy Code is designed to move the State closer to its net-zero energy goals for new non-residential development such as grocery stores, offices, financial institutions, unleased tenant space, retail space, schools, warehouses, auditoriums, convention centers, hotel/motels, libraries, medical office building/clinics, and theaters to install solar PV systems to offset electricity needs and avoid electricity demand during peak consumption periods on the grid. The California 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. 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 the 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 vehicle miles traveled (VMT).

AB 1007 (Chapter 371, Statues 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 the USEPA proposed the Safer Affordable Fuel-Efficient Vehicles Rule (SAFE Rule). Part One of the SAFE Rule revokes a waiver granted by the USEPA to the State of California under Section 209 of the CAA to enforce more stringent emission standards for motor vehicles than those required by the USEPA 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 CO_2 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, Executive Order B-30-15, SB 32, and AB 197 were enacted to reduce GHG emissions 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 such 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.

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

Structures built as part of buildout of the 2035 General Plan would be subject to Titles 20 and 24 of the CCR, which reduce demand for electrical energy by implementing energy efficiency 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 facilitated by buildout of the 2035 General Plan would not result in the inefficient, wasteful or unnecessary consumption of energy.

The Master EIR concluded that implementation of State regulations, 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 Climate Action Plan (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 the targets. Reduction strategies address GHG emissions associated with transportation and land use, energy, water, waste management and recycling, agriculture, and open space.

STANDARDS OF SIGNIFICANCE

For the purposes of this IS/MND, 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

Questions A and B

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 on-site energy demand and consumption related to use of oil in the form of gasoline and diesel fuel for construction worker vehicle trips, hauling and materials delivery truck trips, and operation of off-road construction equipment. In addition, diesel-fueled portable generators may be necessary to provide additional electricity demands for temporary on-site lighting, welding, and for supplying energy to areas of the sites where energy supply cannot be met through a hookup to the existing electricity grid.

Even during the most intense period of construction, due to the different types of construction activities (e.g., site preparation, grading, building construction), only portions of the project site would be disturbed at a time, with operation of construction equipment occurring at different locations on the project site, rather than a single location. In addition, all construction equipment and operation thereof would be regulated per the CARB In-Use Off-Road Diesel Vehicle Regulation. The In-Use Off-Road Diesel Vehicle Regulation is intended to reduce emissions from in-use, off-road, heavy-duty diesel vehicles in California by imposing limits on idling, requiring all vehicles to be reported to CARB, restricting the addition of older vehicles into fleets, and requiring fleets to reduce emissions by retiring, replacing, or repowering older engines, or installing exhaust retrofits. The In-Use Off-Road Diesel Vehicle Regulation would subsequently help to improve fuel efficiency and reduce GHG emissions. Technological innovations and more stringent standards are being researched, such as multi-function equipment, hybrid equipment, or other design changes, which could help to reduce demand on oil and emissions associated with construction.

Based on the above, the temporary increase in energy use occurring during construction of the proposed project would not result in a significant increase in peak or base demands or require additional capacity from local or regional energy supplies. In addition, construction activities would be required to comply with all applicable regulations related to energy conservation and fuel efficiency, which would help to reduce the temporary increase in demand.

Operational

The proposed project would be subject to all relevant provisions of the most recent update of the CBSC, including the Building Energy Efficiency Standards. Adherence to the most recent CALGreen Code, the Building Energy Efficiency Standards, and all applicable regulations included within the City's CAP would ensure that the proposed structures would consume energy efficiently through the incorporation of such features as efficient water heating systems, high-performance attics and walls, and high-efficacy lighting. Required compliance with the CBSC would ensure that the building energy use associated with the proposed project would not be wasteful, inefficient, or unnecessary. In addition, electricity supplied to the project by SMUD would comply with the State's Renewables Portfolio Standard, which requires investor-owned utilities, electric service providers, and community choice aggregators to increase procurement from eligible renewable energy resources to 60 percent of total procurement by 2030. As a result, a portion of the electricity consumed during project operation would be generated from renewable sources and the proposed development would not use natural gas.

With regard to transportation energy use, the proposed project would comply with all applicable regulations associated with vehicle efficiency and fuel economy. In addition, as discussed in the Transportation section of this IS/MND, the proposed project qualifies as a local-serving facility. As such, the proposed project

would not result in a significant impact related to VMT, or, by extension, fuel consumption. Therefore, the proposed project would not result in an adverse impact related to transportation energy use.

Conclusion

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, ***no additional significant environmental effect*** related to energy beyond what was previously evaluated in the Master EIR would occur.

MITIGATION MEASURES

None required.

FINDINGS

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

Issues:	Effect will be studied in the EIR	Effect can be mitigated to less than significant	No additional significant environmental effect
6. GEOLOGY AND SOILS Would the project: 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?		X	

ENVIRONMENTAL SETTING

Seismicity

The City of Sacramento is not located within an Alquist-Priolo Earthquake Fault Zone, and known faults do not exist within the Policy Area. Therefore, fault rupture within the Policy Area is highly unlikely and, consequently, development facilitated by buildout of the General Plan, would not expose people or structures to the possibility of fault rupture.

Nonetheless, the City may be subject to seismic hazards caused by major seismic events outside the City. Pursuant to the Master EIR, the greatest earthquake threat to the City comes from earthquakes along Northern California's major faults, including the San Andreas, Calaveras, and Hayward faults. Ground shaking on any of the aforementioned faults could cause shaking within the City to an intensity of 5 to 6 moment magnitude (Mw). However, as noted above, the City is not within an Alquist-Priolo Earthquake Fault Zone and does not include any known active faults. As such, the City's seismic ground-shaking hazard is low, ranking among the lowest in the State. Additionally, the City is in Seismic Zone 3. Accordingly, any future development, rehabilitation, reuse, or possible change of use of a structure would be required to comply with all design standards applicable to Seismic Zone 3.

Topography

Terrain in the City of Sacramento features very little relief and the potential for slope instability within the City is minor due to the relatively flat topography of the area. The topography of the project site is relatively level, and is not a risk of seismically induced landslides. Due to the relatively flat topography of the area, the potential for slope instability within the City and at the project site is minor.

Regional Geology

The City of Sacramento is located in the Great Valley Geomorphic Province. The Great Valley Geomorphic Province consists of a deep, northwest-trending sedimentary basin that borders the east of the Coast Ranges. The Great Valley Geomorphic Province is a flat alluvial plain approximately 50 miles wide and 400 miles long in the central portion of California. The northern portion of the Great Valley Geomorphic Province is the Sacramento Valley drained by the Sacramento River, and the southern part is the San Joaquin Valley drained by the San Joaquin River. The valley is surrounded by the Sierra Nevada to the east, the Tehachapi Mountains to the south, Coastal Range to the west, and Cascade Range to the north.

STANDARDS OF SIGNIFICANCE

For the purposes of this IS/MND, 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

Question A

The City of Sacramento's topography is relatively flat, the City is not located within an Alquist-Priolo Earthquake Fault Zone, and the City is not located in the immediate vicinity of an active fault. However, Sacramento is located in a moderately seismically active region. The 2035 General Plan indicates that ground shaking occurs periodically in Sacramento as a result of distant earthquakes. The 2035 General Plan further states that the earthquake resistance of any building is dependent on an interaction of seismic frequency, intensity, and duration with the structure's height, condition, and construction materials. Although the project site is not located near any active or potentially active faults, strong ground shaking could occur at the project site during a major earthquake on any of the major regional faults.

The proposed project would include the development of a 2,830-sf commercial building, as well as other site improvements, including a drive-through and a parking lot. Due to the seismic activity in the State, construction is required to comply with Title 24 of the Uniform Building Code (UBC). Chapter 15.20 of the Sacramento City Code adopts the UBC and mandates compliance; therefore, all new construction and modifications to existing structures within the City are subject to the requirements of the UBC. The UBC contains standards to ensure that all structures and infrastructure are constructed to minimize the impacts from seismic activity, to the extent feasible, including exposure of people or structures to substantial, adverse effects as a result of strong groundshaking, seismic-related ground failure, liquefaction, lateral spreading, landslides, or lurch cracking. As a result, seismic activity in the area of the proposed development would not expose people or structures to substantial, adverse effects as a result of strong groundshaking and seismic-related ground failure.

In addition, issues related to fault rupture, seismic ground shaking, and seismically induced ground failure are addressed in the City's adopted Standard Specifications for Public Works Construction, which requires construction contractors to build in accordance with City standards related to structural integrity, thus, ensuring that erosion and unstable soil conditions do not occur as a result of construction. The Standard Specifications for Public Works Construction sets forth provisions that require contractors to be responsible for damage caused during construction and to be responsible for the repair of such damages (e.g., settling of adjacent land and structures). The proposed project would require heavy construction, and individual components used in the construction of the project would be constructed to industry-standard design specifications and requirements, including American Society for Testing and Materials (ASTM) standards.

Soil liquefaction is a state of soil particles suspension caused by a complete loss of strength when the effective stress drops to zero. Soils most susceptible to liquefaction are clean, loose, saturated, uniformly graded, fine-grained sands. Liquefaction normally occurs under saturated conditions in soils such as sand in which the strength is purely frictional. Primary factors that trigger liquefaction are: moderate to strong ground shaking (seismic source), relatively clean, loose granular soils (primarily poorly graded sands and silty sands), and saturated soil conditions (shallow groundwater). Due to the increasing overburden pressure with depth, liquefaction of granular soils is generally limited to the upper 50 feet of a soil profile. The Master EIR identified soils subject to liquefaction to be found within areas primarily within the Central City, Pocket, and North and South Natomas Community. However, the Master EIR recommends using site-specific geotechnical studies to determine if, in fact, a specific location is vulnerable to liquefaction hazard.

According to the U.S. Department of Agriculture (USDA) Natural Resources Conservation Service (NRCS) Web Soil Survey, the project site is underlain with Ebert clay, partially drained, 0 to 2 percent slopes, Egbert-Urban land complex, partially drained 0 to 2 percent slopes, and Valpac loam, partially drained, 0 to 2 percent slopes.[10] All the soils on site carry a rating of "Very limited" for development of small commercial buildings, which indicates that the soil has one or more features that are unfavorable for the specified use. Shrink/swell potential is measured by a soil's linear extensibility, with a low potential rating less than 3 percent, moderate between 3 percent and 6 percent, high between 6 percent and 9 percent, and very high potential above 9 percent. The Valpac loam, which encompasses 58 percent of the project site, has a linear extensibility rating of 2.7 percent, indicating the soil is not vulnerable to potential impacts related to expansive soils. The Egbert-Urban land complex, which encompasses 35.3 percent of the project site, has a linear extensibility rating of 5.1 percent, and the Egbert clay, which encompasses 6.7 percent of the project site has a linear extensibility rating of 6.8 percent, which indicates the soils have moderate potential for impacts related to expansive soils.

Because the project site is located within the Pocket, an area identified to have soil subject to liquefaction, and potential exists for geological hazards to occur on-site due to shrink-swell potential, the proposed project is subject to General Plan Policy EC 1.1.2. Therefore, the applicant is required to provide a Preliminary Soil Investigation and Geological Reconnaissance Report prepared by a registered civil engineer specializing and recognized in soil mechanics and foundation engineering. The Geological Reconnaissance Report would include applicable recommendations to ensure development of the proposed project does not result in substantial adverse effects related to geologic or seismic hazards, including those related to unstable geologic units or soils or expansive soils.

Furthermore, the Master EIR evaluated exposure of people to risks from seismic hazards, such as ground shaking and liquefaction, under Impact 4.5-1 and concluded that with compliance with all applicable and policies set forth by the 2035 General Plan and regulations and standards established by the Sacramento City Code, potential impacts related to geologic or seismic hazards would be less than significant. The proposed project would comply with all applicable policies, regulations, and standards established by the City of Sacramento. The proposed project would additionally be required to prepare a Geological Reconnaissance Report, which would be prepared by a State-registered civil engineer, as required by Mitigation Measure 6-1.

Based on the above, with implementation of Mitigation Measure 6-1, the ***effect can be mitigated to less than significant***.

MITIGATION MEASURES

Implementation of the following mitigation measure would reduce the above impact to a *less-than-significant* level.

6-1 *Prior to issuance of grading permits, the project applicant shall retain the services of a State-registered civil engineer to prepare a site-specific, design-level Geological Reconnaissance Report. The grading plans shall incorporate all geotechnical recommendations specified in the Geological Reconnaissance Report prepared for the proposed project. All grading and foundation plans for the development shall be submitted to the City Engineer and Chief Building Official for review and approval, prior to issuance of grading and building permits, in order to ensure that all recommendations set forth by the Geological Reconnaissance Report have been properly incorporated into the project design.*

FINDINGS

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

[10] U.S. Department of Agriculture. *Natural Resources Conservation Service*. *Web Soil Survey.* Available at: https://websoilsurvey.sc.egov.usda.gov/App/WebSoilSurvey.aspx. Accessed July 2023.

Issues:	Effect will be studied in the EIR	Effect can be mitigated to less than significant	No additional significant environmental effect
7. GREENHOUSE GAS EMISSIONS 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 of Sacramento 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 (CO_2), 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 CO_2 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 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 of Sacramento 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 GHG emissions if it fails to satisfy the requirements of the City's Climate Action Plan or is inconsistent with the applicable SMAQMD thresholds of significance.

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

The Master EIR found that GHG 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 GHG 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 GHG emissions and climate change. See Draft Master EIR, Chapter 4.14, and pages 4.14-1 et seq.

ANSWERS TO CHECKLIST QUESTIONS

Questions A and B

The project's compliance with SMAQMD thresholds, as well as the project's consistency with the City's CAP are discussed below.

SMAQMD Threshold Compliance

All projects within SMAQMD are required to implement the following BMPs, regardless of emissions:

- **BMP 1:** No natural gas: Projects shall be designed and constructed without natural gas infrastructure.
- **BMP 2:** Electric vehicle (EV) ready: Projects shall meet the current CALGreen Code Tier 2 standards, except all EV Capable spaces shall instead be EV Ready.

In addition, projects with operational emissions that exceed 1,100 metric tons of carbon dioxide equivalent per year ($MTCO_2e$/yr) after implementation of BMP 1 and BMP 2 are required to implement Tier 2 measures (BMP 3) as follows:

- **BMP 3:** Residential projects shall achieve a 15 percent reduction in VMT per resident as compared to the existing average VMT for the County.

SMAQMD has developed GHG screening criteria based on the size of development by land use type at which 1,100 $MTCO_2e$/yr would not be exceeded. The screening criterion for operational GHG emissions associated with a fast-food restaurant with a drive-through is 4,000 sf. The proposed project involves the development of a 2,830-sf building, which would be below the applicable SMAQMD operational screening criteria for GHG emissions. As such, project operational emissions would not exceed 1,100 MTCO2e/yr and, thus, implementation of BMP 3 would not be required. In addition, SMAQMD has determined for projects that meet the GHG operational screening levels, the project would also not exceed the SMAQMD construction GHG emission thresholds if the project meets the NO_x screening level for construction emissions. As discussed in Section II, Air Quality, of this IS/MND, the proposed project would meet the NOx screening level for construction emissions, and, therefore, would not exceed SMAQMD construction GHG emission thresholds.

Nonetheless, as discussed above, all projects within SMAQMD are required to implement BMP 1 and BMP 2, regardless of emissions. Therefore, the proposed project's consistency with BMP 1 and BMP 2 is discussed below.

In order to be consistent with BMP 1, the proposed project is required to include all electric appliances and plumbing. However, project specific information is not available to ensure that the proposed project would be designed and constructed without natural gas infrastructure. Compliance with BMP 1 would be ensured by Mitigation Measure 7-1.

Based on the CALGreen Code Tier 2 and SMAQMD BMP 2 requirements, given that the proposed project would include a total of 14 parking stalls, the project would be required to provide 8 EV Ready spaces, and three of the EV Ready spaces would be required to have electric vehicle supply equipment (EVSE), which are installed charging receptacles or permanently installed chargers. The current site plan only shows two total EV Capable spaces on-site. Therefore, compliance with BMP 2 would be ensured by Mitigation Measure 7-1.

Based on the above, Mitigation Measure 7-1 would be required to ensure compliance with the SMAQMD thresholds.

CAP Consistency

The City of Sacramento has integrated a CAP into the City's General Plan. Thus, potential impacts related to climate change from development within the City are also assessed based on the project's compliance with the City's adopted General Plan CAP Policies and Programs set forth in Appendix B of the General Plan Update. The majority of the policies and programs set forth in Appendix B are citywide efforts in support of reducing overall citywide emissions of GHG. However, various policies related to new development within the City would directly apply to the proposed project.

Goal LU 1.1 and Policy LU 1.1.5 encourage infill development within existing urbanized areas. Given that the proposed project would be consistent with the site's current land use, and the surrounding areas are already built out, the project would be consistent with Goal LU 1.1 and Policy LU 1.1.5. The proposed project would be constructed in compliance with the CBSC, which includes the California Building Energy Efficiency Standards and CALGreen Code. The CBSC, and the foregoing standards and codes, increase

the sustainability of new development through requiring energy efficiency and sustainable design practices (Policy ER 6.1.7). Such sustainable design would support the City's Policy U 6.1.5, which states that energy consumption per capita should be reduced as compared to the year 2005.

Goal LU 2.5, Policy LU 2.5.1, and Policy LU 2.7.6 require that new urban developments should be well-connected, minimize barriers between uses, and create pedestrian-scaled, walkable areas. Sacramento Regional Transit's (SacRT's) Route 106 and 228 provides transit opportunities for the project site. Additionally, the proposed project would not result in removal of any existing bicycle or pedestrian facilities or preclude the implementation of any proposed or existing off-street trails in the vicinity of the project. As such, the proposed project would comply with the aforementioned goals and policies.

The Master EIR concluded that buildout of the City's General Plan, including the project site, would not result in a conflict with applicable plans, policies, or regulations adopted for the purpose of reducing GHG emissions. The proposed project would be generally consistent with the City's residential General Plan land use designation for the site as well as the policies discussed above that are intended to reduce GHG emissions from buildout of the City's General Plan. Thus, GHG emissions from operation of the proposed project would be generally similar to what was previously analyzed in the Master EIR, and would be consistent with the CAP.

Conclusion

Based on the above, the project would be consistent with the City's CAP, and generally consistent with the City's General Plan policies intended to reduce GHG emissions. However, the proposed project does not include the necessary infrastructure to meet the requirements of SMAQMD's BMP 1 or BMP 2. Therefore, Mitigation Measure 7-1 would be required to ensure compliance with the applicable SMAQMD BMPs. With implementation of Mitigation Measure 7-1, a ***less-than-significant impact with mitigation incorporated*** would occur***.***

MITIGATION MEASURES

Implementation of the following mitigation measure would reduce the above impact to a *less-than-significant* level.

7-1 *The following requirements shall be noted on project improvement plans, subject to review and approval by the City of Sacramento Community Development Department:*

- *The proposed project shall be designed such that the project is built all-electric, and natural gas infrastructure shall be prohibited on-site; and*
- *The project shall be constructed to include electric vehicle (EV) ready parking spaces, consistent with the current CALGreen Code Tier 2 standards and SMAQMD BMP 2 Standards.*

FINDINGS

All additional significant environmental effects of the project relating to Greenhouse Gas Emissions 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
8. HAZARDS 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 USEPA 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 USEPA. Questions regarding the use of non-licensed employees should be directed to the AQMD.

STANDARDS OF SIGNIFICANCE

For the purposes of this IS/MND, 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

Question A

According to the Master EIR, grading, excavation, and dewatering of sites for new development may expose construction workers and the public to known or previously unreported hazardous substances present in the soil or groundwater. If new development is proposed at or near a documented or suspected hazardous materials site, investigation, remediation, and cleanup of the site would be required before construction could begin.

The Cal-EPA has compiled a list of data resources that provide information regarding the facilities or sites identified as meeting the "Cortese List" requirements, pursuant to Government Code 65962.5. The components of the Cortese List include the DTSC Hazardous Waste and Substances Site List from the EnviroStor Database, the list of leaking underground storage tank (UST) sites from the State Water Resources Control Board (SWRCB) GeoTracker database, the list of solid waste disposal sites identified by the SWRCB, and the list of active Cease and Desist Orders (CDO) and Cleanup and Abatement Orders (CAO) from the SWRCB. The project site is not located on a hazardous waste facility or site with known contamination within the EnviroStor Database.[11] The closest listed hazardous site is 7360 Gloria Drive, which is located approximately 0.85-mile northwest of the project site.[12] The closest site is associated with Proposed Sojourner Truth High School and was listed due to a past agricultural use causing soil contamination; however, a No Further Action letter was issued by the Department of Toxic Substances Control (DTSC) in 2007.[13]

In addition, the project site is not included on the list of solid waste disposal sites, [14] leaking UST sites from the SWRCB's GeoTracker database,[15] or the list of active CDO and CAO from the SWRCB.[16]

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[11] Department of Toxic Substances Control. *EnviroStor*. Available at: https://www.envirostor.dtsc.ca.gov/public/map/?myaddress+corporate+way%20+sacramento+ca. Accessed July 2023.

[12] *Ibid*.

[13] *Ibid.*

[14] CalEPA. *Sites Identified with Waste Constituents above Hazardous Waste Levels Outside the Waste Management Unit*. Available at: https://calepa.ca.gov/wp-content/uploads/sites/6/2016/10/SiteCleanup-CorteseList-CurrentList.pdf. Accessed November 28, 2023.

[15] State Water Resources Control Board. *GeoTracker, Leaking Underground Storage Tank (LUST) Cleanup Sites*. Available at https://geotracker.waterboards.ca.gov/search?cmd=search&site_type=LUFT. Accessed November 28, 2023.

[16] State Water Resources Control Board. *Water Rights Enforcement: Cease and Desist Orders (CDOs)*. Available at: https://www.waterboards.ca.gov/waterrights/water_issues/programs/enforcement/compliance/cease_desist_actions/#2023. Accessed November 28, 2023.

Based on historical aerial imagery, the project site has not been previously developed and does not appear to have been used for agricultural uses; thus, evidence to suggest the on-site soils have been subject to pesticides or other agricultural chemicals does not exist.

Because the project site is not expected to contain contaminated soils, impacts related to exposing people to existing contaminated soils during construction activities would be less-than-significant. Thus, implementation of the proposed project would have ***no additional significant environmental effect*** related to exposing people to existing contaminated soil during construction activities beyond what was previously evaluated in the Master EIR.

Question B

The project site has not been developed and existing structures do not exist on-site. The proposed project would not require the demolition of any existing structures and, therefore, implementation of the proposed project would not involve potential exposure to asbestos or lead based paint (LBP). In addition, the project site is not located in eastern Sacramento County and is not in an area identified as likely to contain naturally-occurring asbestos (NOA). Thus, receptors would not be exposed to NOA as a result of ground-disturbing activities associated with implementation of the proposed project. Therefore, implementation of the proposed project would have ***no additional significant environmental effect*** related to exposing people to asbestos-containing materials or other hazardous materials beyond what was previously evaluated in the Master EIR.

Question C

The proposed project would not involve any dewatering activities. While not expected, should construction of the project encounter groundwater and require dewatering, the project would be required to comply with all applicable regulations established by the Regional Water Quality Control Board (RWQCB). Therefore, impacts related to exposing people to existing contaminated groundwater during dewatering activities would be less than significant, and construction of the proposed project would have ***no additional significant environmental effect*** related to groundwater contamination beyond what was previously evaluated in the Master EIR.

MITIGATION MEASURES

None required.

FINDINGS

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

Issues:	Effect will be studied in the EIR	Effect can be mitigated to less than significant	No additional significant environmental effect
9. HYDROLOGY AND WATER QUALITY Would the project: 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?			X
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?			X

ENVIRONMENTAL SETTING

The approximately 0.7-acre project site is currently undeveloped, and consists of ruderal grasses. Corporate Way bounds the site to the north and west, and existing commercial and office uses bound the site to the south and east. The site does not contain existing storm drainage infrastructure, although such infrastructure exists in the project vicinity.

The City of Sacramento's Grading Ordinance requires that development projects comply with the requirements of the City's Stormwater Quality Improvement Plan (SQIP). The SQIP outlines the priorities, key elements, strategies, and evaluation methods of the City's Stormwater Management Program. The City's Stormwater Management Program is based on the National Pollutant Discharge Elimination System (NPDES) Municipal Stormwater Discharge Permit. The comprehensive Stormwater Management Program includes pollution-reduction activities for construction sites, industrial sites, illegal discharges and illicit connections, new development, and municipal operations. In addition, before the commencement of any construction activities, where the disturbed area is one acre or more in size, projects are required to obtain coverage under the NPDES General Construction Permit and include erosion and sediment control plans. BMPs may consist of a wide variety of measures taken to reduce pollutants in stormwater and other non-point source runoff. Measures that reduce or eliminate post-construction-related water quality problems range from source controls, such as reduced surface disturbance, to treatment of polluted runoff, such as detention or retention basins. The City's SQIP and the *Stormwater Quality Design Manual for the Sacramento Region* (July 2018) include BMPs to be implemented to mitigate impacts from new development and redevelopment projects. Additionally, the City's DOU recommends implementation of LID measures.

The Federal Emergency Management Agency (FEMA) publishes Flood Insurance Rate Maps (FIRM) that delineate flood hazard zones for communities. The project site is located within an area designated as Zone X, which is applied to areas of 0.2 percent annual chance flood, areas of one percent annual chance flood with average depths of less than one foot, or with drainage areas less than one square mile, and areas protected by levees from one percent annual chance flood. Thus, the project site is located within an area of reduced flood risk due to levee.

In addition, Section 13.08.145 of the Sacramento City Code (Mitigation of drainage impacts; design and procedures manual for water, sanitary sewer, storm drainage, and water quality facilities) requires that when a property contributes drainage to the storm drain system or combined sewer system, all stormwater and surface runoff drainage impacts resulting from the improvement or development must be fully mitigated to ensure that the improvement or development does not affect the function of the storm drain system or combined sewer system, and that an increase in flooding or in water surface elevation that adversely affects individuals, streets, structures, infrastructure, or property does not occur. The project site is within the City's Separated Sewer System service area and would be subject to Sewer System Development Fees, which

are intended to recover an appropriate share of the capital costs of the City's existing and/or new sewer system facilities. In addition to sewer service provided by the City of Sacramento DOU, the project would also be within the service area of the Regional San.[17] In order to connect with the Regional San wastewater conveyance and treatment system, developers must pay impact fees.[18] In both new areas and infill areas, developers of commercial dine-in/take-out restaurants must pay 1.9 Equivalent Single-family dwellings (ESD) per 1,000 sf of gross floor area.[19] In addition, pursuant to Section 3.1 of the City of Sacramento Onsite Design Manual, a drainage study would be prepared for the proposed project prior to final improvement plans, which would ensure that the runoff generated by the net increase in impervious area on-site is captured through the proposed on-site stormwater drainage system.

STANDARDS OF SIGNIFICANCE

For purposes of this IS/MND, impacts to hydrology and water quality may be considered significant if construction and/or operation of the proposed project would result in the following impacts that remain significant after implementation of General Plan policies or mitigation from the Master EIR:

- Substantially degrade water quality and violate any water quality objectives set by the State Water Resources Control Board (SWRCB), due to increases in sediments and other contaminants generated by construction and/or development of the proposed project; 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 evaluated 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 and 4.7-2), and exposure of people to flood risks (Impacts 4.7-3). The Master EIR found that through compliance with policies included in the 2035 General Plan, including a directive for regional cooperation (Policies ER 1.1.2 and EC 2.1.1), comprehensive flood management (Policy EC 2.1.23), and construction of adequate drainage facilities with new development (Policies ER 1.1.1 through ER 1.1.10), all potential impacts would be reduced to a less-than-significant level.

ANSWERS TO CHECKLIST QUESTIONS

Question A

The proposed project has the potential to affect water quality during both construction and operation. Further details regarding the potential effects are provided below.

Construction

Project construction activities such as grading, excavation, and trenching for site improvements would result in the disturbance of on-site soils. The exposed soils have the potential to affect water quality in two ways: 1) suspended soil particles and sediments transported through runoff; or 2) sediments transported as dust that eventually reach local water bodies. Spills or leaks from heavy equipment and machinery, staging areas, or building sites also have the potential to enter runoff. Typical pollutants include, but are not limited to, petroleum and heavy metals from equipment and products such as paints, solvents, and cleaning

[17] Sacramento Regional County Sanitation District. *Regional San Service Area*. Available at: https://www.regionalsan.com/sites/main/files/file-attachments/regional_san_servicearea_dec2015_1.pdf. Accessed October 2023.

[18] Regional San. *Consolidated Ordinance.* Available at: https://www.regionalsan.com/sites/main/files/file-attachments/regional_san_ordinance-effective_june_9_2023_0.pdf?1687540908#page=64&zoom=100,93,329. Accessed July 2023.

[19] Regional San. *Impact Fees*. Available at: https://www.regionalsan.com/impact-fees-businesses. Accessed July 2023.

agents, which could contain hazardous constituents. Sediment from erosion of graded or excavated surface materials, leaks or spills from equipment, or inadvertent releases of building products could result in water quality degradation if runoff containing the sediment or contaminants should enter receiving waters in sufficient quantities. Impacts from construction-related activities would generally be short-term and of limited duration.

Additionally, in accordance with Sacramento City Code Section 15.88.250, City of Sacramento staff would require preparation of an Erosion and Sediment Control Plan that demonstrates how the proposed project would control surface runoff and erosion and retain sediment on the project site during project construction. The Erosion and Sediment Control Plan would be required to be submitted concurrently with the final grading plan prepared for the proposed project.

Based on the above, through conformance with the applicable requirements set forth by Sacramento City Code Chapter 15.88, the proposed project would not substantially degrade water quality or violate SWRCB water quality objectives during project construction, and a less-than-significant impact would occur.

Operations

After project completion, impervious surfaces on the project site could contribute incrementally to the degradation of downstream water quality during storm events. During the dry season, vehicles and other urban activities may release contaminants onto the impervious surfaces, where they would accumulate until the first storm event. During the initial storm event, or first flush, the concentrated pollutants would be transported by way of stormwater runoff from the site to the stormwater drainage system and eventually a downstream waterway. Typical urban pollutants that would likely be associated with the proposed project include sediment, pesticides, oil and grease, nutrients, metals, bacteria, and trash. In addition, stormwater runoff could cause soil erosion if not properly addressed, which would provide a more lucrative means of transport for pollutants to enter the waterways.

Following project construction, the project site, which is currently undeveloped and consists of ruderal grasses, would be developed to include a 2,830-sf building and a 24,859-sf paved parking lot and a drive-through, resulting in approximately 0.64-acre of new impervious surfaces. Pursuant to Sacramento City Code Chapter 13.16, the post-development stormwater flows from the site would be required to be equal to or less than pre-development conditions.

As a standard Condition of Approval (COA) for development projects in the City, the City's DOU requires preparation and submittal of project-specific drainage studies. With submittal of the required drainage study, the DOU would review the Improvement Plans for the proposed project prior to approval to ensure that adequate water quality control facilities and certified full capture trash control devices 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 Code, which requires the following:

> "When property that contributes drainage to the storm drain system or combined sewer system is improved or developed, all stormwater and surface runoff drainage impacts resulting from the improvement or development shall be fully mitigated to ensure that the improvement or development does not affect the function of the storm drain system or combined sewer system, and that there is no increase in flooding or in water surface elevation that adversely affects individuals, streets, structures, infrastructure, or property."

Existing stormwater drainage infrastructure in the project vicinity includes a 12-inch storm drain line along the drive aisles associated with the offices to the east of the project site and an eight-inch storm drain line within the existing drive aisle immediately to the south of the project site. Both storm drain lines connect to an existing 12-inch line that connects to an existing line within Greenhaven Drive. The proposed project would include approximately 0.64 gross acre of new impervious surfaces as part of development of the building and associated parking lot. Stormwater runoff from the new impervious surfaces would be directed to two new inlets located in the northwest and northeast portions of the site, which would convey flows to a new eight-inch storm drain line that would extend south and connect to the existing storm drain lines located

within the drive aisles to the south of the site. Proposed LID features included as part of the proposed project would be designed consistent with the standards set forth in the *Stormwater Quality Design Manual for the Sacramento Region*. Finally, as established by Sacramento City Code Section 15.88.260, the proposed project would be required to prepare a Post-construction Erosion and Sediment Control Plan, which would detail how the project would control surface runoff and retain sediment on-site after all proposed improvements and structures have been installed on-site. The Post-construction Erosion and Sediment Control Plan would be required to be submitted to the City concurrently with the final grading plan prepared for the proposed project.

Based on the proposed project's compliance with Sacramento City Code Chapter 15.88, the proposed project would not substantially degrade water quality or violate SWRCB water quality objectives during project operation, and a less-than-significant impact would occur.

Conclusion

Based on the above, compliance with applicable State and local regulations would ensure that 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. Therefore, the proposed project would result in ***no additional significant environmental effect*** related to water quality degradation beyond what was previously determined in the Master EIR.

Question B

The floodplain is the area that is inundated during a flood event and is often physically discernable as a broad, flat area created by historical floods. As stated above, the project site is located within Zone X, defined as an area which is protected by levees from a 100-year flood.[20] 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 related to flooding beyond what was previously evaluated in the Master EIR.

MITIGATION MEASURES

None required.

FINDINGS

The project would have no additional project-specific environmental effects relating to Hydrology and Water Quality.

[20] Federal Emergency Management Agency. *National Flood Hazard Layer FIRMette, 06067C0285H.* Updated August 2012.

Issues:	Effect will be studied in the EIR	Effect can be mitigated to less than significant	No additional significant environmental effect
10. NOISE Would the project: 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?			X
B) Result in residential interior noise levels of 45 dBA L_{dn} or greater caused by noise level increases due to the project?			X
C) Result in construction noise levels that exceed the standards in the City of Sacramento General Plan or Noise Ordinance?			X
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?			X
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?			X
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?			X

ENVIRONMENTAL SETTING

The following provides a summary of the existing noise and vibration environment associated with the project site and vicinity.

Noise

Sound is defined as any pressure variation in air that the human ear can detect. If the pressure variations occur frequently enough (at least 20 times per second), they can be heard and are called sound. The number of pressure variations per second is called the frequency of sound and is expressed as cycles per second, called Hertz (Hz). Discussing sound directly in terms of pressure would require a very large and awkward range of numbers. To avoid such a phenomenon, the decibel (dB) scale was devised. The decibel scale uses the hearing threshold (20 micropascals of pressure), as a point of reference defined as 0 dB. Other sound pressures are compared to the reference pressure and the logarithm is taken to keep the numbers in practical range. The dB scale allows a million-fold increase in pressure to be expressed as 120 dB. To better relate overall sound levels and loudness to human perception, frequency-dependent weighting networks were developed. A strong correlation exists between the way humans perceive sound and A-weighted sound levels. For this reason, the A-weighted sound level has become the standard tool of environmental noise assessment for community exposures. All sound levels expressed as dB in this section are A-weighted sound levels, unless noted otherwise.

Community noise is commonly described in terms of the "ambient" noise level, which is defined as the all-encompassing noise level associated with a given noise environment. A common statistical tool to measure the ambient noise level is the average, or equivalent, sound level (L_{eq}), over a given time period (usually one hour). The L_{eq} is the foundation of the composite noise descriptors, day-night average level (L_{dn}) and the community noise equivalent level (CNEL), and shows very good correlation with community response to noise for the average person. The median noise level descriptor, denoted L_{50}, represents the noise level which is exceeded 50 percent of the hour. In other words, half of the hour ambient conditions are higher than the L_{50} and the other half are lower than the L_{50}.

The L_{dn} is based upon the average noise level over a 24-hour day, with a +10 dB weighting applied to noise occurring during nighttime hours (10:00 PM to 7:00 AM). The nighttime penalty is based upon the assumption that people react to nighttime noise exposures as though they were twice as loud as daytime exposures. Because L_{dn} represents a 24-hour average, L_{dn} tends to disguise short-term variation in the noise environment. Where short-term noise sources are an issue, noise impacts maybe assessed in terms of maximum noise levels, hourly averages, or other statistical descriptors.

Another common descriptor is the CNEL. The CNEL is similar to the L_{dn}, except CNEL has an additional weighting factor. Both average noise energy over a 24-hour period. The CNEL applies a +5 dB weighting to events that occur between 7:00 PM and 10:00 PM, in addition to the +10 dB weighting between 10:00 PM and 7:00 AM associated with L_{dn}. Typically, the CNEL and L_{dn} show similar results for the same noise events, with the CNEL sometimes resulting in reporting a 1 dB increase compared to the L_{dn} to account for noise events between 7:00 PM and 10:00 PM that have the additional weighting factor.

Vibration

Vibration, like noise, involves a source, a transmission path, and a receiver. While the two are related, noise is generally considered to be pressure waves transmitted through air, whereas vibration usually consists of the excitation of a structure or surface through an amplitude and frequency. A person's perception to vibration will depend on their individual sensitivity to the phenomenon, as well as the amplitude and frequency of the source and the response of the system which is vibrating. Vibration can be measured in terms of acceleration, velocity, or displacement. Magnitude is measured in vibration decibels (VdB) relative to a reference level of 1 micro-inch per second peak particle velocity (ppv), the human threshold of perception. The background vibration level in residential areas is usually 50 VdB or lower. Most perceptible indoor vibration is caused by sources within buildings, such as operation of mechanical equipment, movement of people, or slamming of doors. Typical outdoor sources of perceptible groundborne vibration are construction equipment, steel-wheeled trains, and traffic on rough roads. If the roadway is smooth, the vibration from traffic is rarely perceptible. The range of environmental interest is typically from 50 VdB to 90 VdB (or 0.12 inch per second ppv), the latter being the general threshold where structural damage can begin to occur in fragile buildings.

Existing Noise Environment

The primary source of ambient noise and groundborne vibration in the project vicinity is traffic associated with Corporate Way, located to the north of the project site. In addition, the existing ambient noise environment in the project vicinity includes noise generated from the existing commercial uses surrounding the site.

STANDARDS OF SIGNIFICANCE

For the purposes of this IS/MND, 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 2035 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.

General Plan Policy EC 3.1.8 requires new mixed-use, commercial, and industrial development to mitigate the effects of noise from operations on adjoining sensitive land uses, and General Plan EC Policy 3.1.9 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), as well as vibration impacts (Impact 4.8-4), were found to be significant and unavoidable.

ANSWERS TO CHECKLIST QUESTIONS

Questions A and B

The proposed project would consist of a 2,830-sf commercial development, which would include a Dutch Bros. drive-through coffee shop and a fast-food restaurant. Operational noise sources from the proposed project would include on-site noise associated with drive-through vehicles, parking lot circulation, outdoor seating area patrons, and patron car stereos, as well as roadway traffic. It should be noted that the proposed project does not include a speaker system as part of the drive-through, and, therefore, amplified noise would not be associated with the proposed project.

The nearest sensitive receptors to the project site include the assisted living facility, located approximately 230 feet to the northeast of the project site, and multi-family residences located approximately 300 feet to the south of the project site. As one increases the distance from a source of noise, dispersion and distance attenuation reduce the effects of the source. Therefore, noise levels generated from on-site sources are anticipated to be substantially decreased at a distance of 230 feet. Additionally, operational noise associated with the proposed project would be consistent with the adjacent existing commercial uses in the project vicinity. It should also be noted that with respect to potential interior noise level increases that could occur in the project vicinity as a result of the proposed project, standard residential construction (e.g., stucco siding, Sound Transmission Class [STC]-27 windows, door weather-stripping, exterior wall insulation, composition plywood roof) typically results in an exterior-to-interior noise reduction of approximately 25 dB with windows closed and approximately 15 dB with windows open. Given the exterior-to-interior noise reduction typically achieved from standard residential construction, interior noise levels at the nearest sensitive receptors are anticipated to be reduced even further. Moreover, the 2035 General Plan designates the site as Employment Center Mid Rise. Development of the site in accordance with the site's existing land use designation would result in noise levels anticipated by the Master EIR under Buildout conditions. As such, noise level increases that could occur due to on-site noise sources during project operation have been previously anticipated by the City.

With regard to noise level increases associated with traffic on Corporate Way, the 2035 General Plan did not specifically evaluate potential ambient noise level increases along Corporate Way that could occur through buildout of the 2035 General Plan. However, Table 4.8-4 of the Master EIR includes evaluation of

potential noise level increases along Greenhaven Drive from Gloria Drive to Florin Road, which is located approximately 1,460 feet to the northeast of the project site. In contrast to Corporate Way, which is a two-lane local commercial street, the aforementioned segment of Greenhaven Drive is a four-lane arterial road upon which higher traffic volumes travel. Pursuant to the Master EIR, noise levels generated by traffic on the segment of Greenhaven Drive to the northeast of the site would increase from 60.6 dBA CNEL under Existing conditions to 60.7 dBA CNEL under Buildout conditions.

The City of Sacramento General Plan specifies criteria for determination of significant noise impacts during operations in Table EC 2, which is reproduced in Table 3 below. Based on Table 3, an increase in the traffic noise level of 1 dB or more would be significant where the pre-project noise levels between 65 and 75 dB L_{dn}, or 2 dB or more where existing noise levels are between 60 and 65 dB L_{dn}. Extending the concept to lower noise levels, an increase in the traffic noise level of 3 dB or more may be significant where the pre-project traffic noise level is less than 60 dB L_{dn}. The rationale for the Table 3 criteria is that as ambient noise levels increase, a smaller increase in noise resulting from a project is sufficient to cause annoyance.

Table 3
Exterior Incremental Noise Impact Standards for Noise-Sensitive Uses (dBA)

Residences and buildings where people normally sleep[1]		Institutional land uses with primarily daytime and evening uses[2]	
Existing L_{dn}	Allowable Noise Increment	Existing Peak Hour L_{eq}	Allowable Noise Increment
45	8	45	12
50	5	50	9
55	3	55	6
60	2	60	5
65	1	65	3
70	1	70	3
75	0	75	1
80	0	80	0

Notes:
1 This category includes homes, hospitals, and hotels where a nighttime sensitivity to noise is assumed to be of utmost importance.
2 This category includes schools, libraries, theaters, and churches where it is important to avoid interference with such activities as speech, meditation, and concentration on reading material.

Source: Federal Transit Administration. Transit Noise Impact and Vibration Assessment. May 2006.

As discussed above, according to Table 4.8-4 of the Master EIR, the noise level along Greenhaven Drive in the proximity of the project site is anticipated to increase by 0.1 dBA CNEL as a result of buildout of the 2035 General Plan, from the existing condition of 60.6 dBA to 60.7 dBA, which is below the allowable 1 dB increase. The proposed project is consistent with the General Plan land use designation, and, therefore, traffic increases as a result of the proposed project have been anticipated. As such, substantial traffic noise impacts would not occur. While the proposed drive-through was not anticipated by the 2035 General Plan, amplified noise would not be associated with the proposed project, and, therefore, noise associated with the drive-through would be comparable to the overall traffic noise generated by 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.

Question C

Construction activities associated with the proposed project would add to the ambient noise environment in the immediate project vicinity. Table 4 shows maximum noise levels associated with typical construction equipment. Based on the table, activities associated with typical construction would generate maximum noise levels up to 85 dB at a distance of 50 feet.

Table 4 Construction Equipment Noise	
Type of Equipment	**Maximum Level, dB at 50 feet**
Backhoe	78
Compactor	83
Compressor (air)	78
Dozer	82
Dump Truck	76
Excavator	81
Generator	81
Pneumatic Tools	85
Source: Federal Highway Administration. Roadway Construction Noise Model User's Guide. January 2006.	

As one increases the distance from a source of noise, dispersion and distance attenuation reduce the effects of the source. The noise levels from a source will decrease at a rate of approximately 6.0 dB per every doubling of distance from the noise source. As previously discussed, the nearest sensitive receptor to the project site is the assisted living facility, located approximately 230 feet to the northeast of the project site. A distance of 200 feet would result in a maximum noise level of 73 dB. In addition, construction activities would occur at different locations on the project site at different times and would occur over a relatively short period of time. Thus, noise levels experienced at the nearest sensitive receptors during project construction would only occur at certain points during the proposed construction activities, and would not be maintained throughout the entirety of project construction.

Pursuant to Sacramento City Code Section 8.68.080, the City's Noise Ordinance exempts construction activities when such activities occur between 7:00 AM and 6:00 PM, Monday through Saturday, and between 9:00 AM and 6:00 PM on Sundays. Because the City has determined that all construction within the City limits must comply with the City's Noise Ordinance, nighttime construction activities would not occur and noise level increases generated during project construction would be exempt.

Because the proposed project would be required to adhere to the City's Noise Ordinance and the increase in noise levels from construction activities would be temporary, noise levels associated with construction of the proposed project would not exceed the standards set forth in Sacramento City Code Chapter 8.68. Therefore, implementation of proposed project would have ***no additional significant environmental effect*** related to construction noise beyond what was previously evaluated in the Master EIR.

Question D through F

For structural damage, the California Department of Transportation (Caltrans) uses a vibration limit of 0.5 inches per second (in/sec ppv), for buildings structurally sound and designed to modern engineering standards; 0.2 in/sec ppv for buildings that are found to be structurally sound but where structural damage is a major concern; and a conservative limit of 0.08 in/sec ppv for ancient buildings or buildings that are documented to be structurally weakened.[21] Accordingly, the City uses a threshold of significance for vibration levels of 0.5 in/sec ppv for residential and commercial areas, and 0.2 in/sec ppv for historic buildings and archaeological sites.

Project operation would not generate groundborne vibration. During project construction, heavy equipment would be used for grading, excavation, paving, and building construction, which would generate localized vibration in the immediate vicinity of construction activities. The primary vibration-generating activities would be utilities placement. Table 5 shows the typical vibration levels produced by construction equipment.

[21] California Department of Transportation. *Transportation and Construction Vibration Guidance Manual*. September 2013.

Table 5
Vibration Levels for Various Construction Equipment

Type of Equipment	PPV at 25 feet (inches/second)	PPV at 50 feet (inches/second)	PPV at 100 feet (inches/second)
Large Bulldozer	0.089	0.031	0.011
Loaded Trucks	0.076	0.027	0.010
Small Bulldozer	0.003	0.001	0.000
Auger/drill Rigs	0.089	0.031	0.011
Jackhammer	0.035	0.012	0.004
Vibratory Hammer	0.070	0.025	0.009
Vibratory Compactor/roller	0.210	0.074	0.026

Source: Transit Noise and Vibration Impact Assessment Guidelines. Federal Transit Administration. May 2006.

As shown in Table 5, construction activities are anticipated to generate vibration levels ranging from 0.003 in/sec ppv to 0.210 in/sec ppv at a distance of 25 feet. The nearest structure to the project site is a commercial building located approximately 35 feet from the site's southern boundary, and therefore would experience vibration levels less than the 0.5 in/sec ppv threshold for commercial areas. As a result, implementation of the proposed project would have ***no additional significant environmental effect*** related to groundborne vibration beyond what was previously evaluated in the Master EIR.

MITIGATION MEASURES

None required.

FINDINGS

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

Issues:	Effect will be studied in the EIR	Effect can be mitigated to less than significant	No additional significant environmental effect
11. PUBLIC SERVICES Would the project: 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?			X

ENVIRONMENTAL SETTING

The City of Sacramento provides fire, police, and parks and recreation services to the project site and project vicinity.

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. SFD provides fire protection and emergency medical services to the project area from Station 11, located at 785 Florin Road, approximately 0.7-mile to the west of the project site.

The Sacramento City Police Department (SPD) provides police protection services to the project area and is located at the 5770 Freeport Boulevard #200, approximately 2.25 miles to the northeast of the project site. In addition to the SPD, the Sacramento County Sheriff's Department, California Highway Patrol (CHP), UC Davis Medical Center Police Department, and the Regional Transit Police Department aid the SPD in providing police protection services to the City.

The project site is within the Sacramento City Unified School District (SCUSD), which serves 11,868 students across 15 schools.[22] The nearest school, John F. Kennedy High School, is located approximately 4,700 feet northwest of the project site.

The City of Sacramento Department of Youth, Parks and Community Enrichment (Department of YPCE) oversees more than 4,829 acres of parkland, and manages more than 230 parks within the City. The project site is located approximately 0.35-mile to the northeast of Parkway Oaks Park, a 9.44-acre park that includes a picnic area, play areas, and a soccer field.[23]

STANDARDS OF SIGNIFICANCE

For the purposes of this IS/MND, 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. Police, fire protection, schools, libraries, and emergency services were evaluated in Chapter 4.10 of the Master EIR.

[22] Sacramento City Unified School District. *Our District*. Available at: https://www.scusd.edu/our-district. Accessed August 2023.

[23] City of Sacramento. *Magnolia Park*. Available at: http://www.cityofsacramento.org/ParksandRec/Parks/Park-Directory/Pocket/Parkway-Oaks. Accessed August 2023.

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 (General Plan Goals PHS 1.1 and 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 (for example, Policy ERC 1.1.2, which sets forth locational criteria, and Policy ERC 1.1.4, which encourages joint-use development of facilities) reduce impacts on schools to a less-than-significant level (Impacts 4.10-3 and 4.10-4). Impacts on library facilities were considered less than significant (Impact 4.10-5).

ANSWERS TO CHECKLIST QUESTIONS

Question A

The relevant CEQA threshold is whether new or physically altered governmental facilities are needed to meet response times or other performance objectives, the construction of which could cause environmental impacts. The following discussions pertain to existing fire, police, school facilities, and other governmental services, as well as the proposed project's potential impacts related to such facilities and services.

Fire Protection

The SFD provides fire protection services to the entire City, and small areas within Sacramento County. The SFD serves a population of over 738,000 in a 358-square-mile service area. SFD Station 11, located at 785 Florin Road, approximately 0.7-mile to the west, is the closest station to the project site. Pursuant to the Master EIR, the goal of the SFD is to have fire suppression and paramedic services arrive at the scene within four minutes of receiving a call for service. Considering the proximity of the project site to Station 11, the SFD is reasonably assumed to be able to meet the four-minute response time goal.

As established by General Plan Policy PHS 2.1.11, the City of Sacramento requires new development projects to pay a fair share funding contribution for the provision of adequate fire protection services and facilities. The proposed project would be subject to all applicable development impact fees. Revenues generated through impact fees on new development would pay for any new fire facilities deemed necessary by the City, all of which would be required to be designed in compliance with applicable regulations and standards, and if necessary, undergo analysis of all potential environmental impacts under CEQA. Considering the project site's proximity to Station 11 and the project's payment of applicable development impact fees, the proposed project would not result in the need for new or altered services related to fire protection, and a less-than-significant impact would occur.

Police Protection

The SPD provides police protection services within the City boundaries. The SPD uses a variety of data that includes Geographic Information System (GIS) data, call and crime frequency information, and available personnel to rebalance the deployment of resources on an annual basis to meet the changing demands of the City. In addition, the Sacramento County Sheriff's Office provides police protection services outside the City limits but within the 2035 General Plan Policy Area. According to the Master EIR, as buildout of the 2035 General Plan occurs, the SPD would need new, decentralized facilities that would be required to maintain adequate response times. Currently, the SPD averages an eight minute and five second response time for Priority 2 calls, which are emergency situations that require an immediate police response to preserve life and/or apprehend the responsible party.

Due to the commercial nature of the proposed project, the proposed project would not increase City population and, therefore, would not be anticipated to create a substantial increase in demand for police services within the project area. In addition, Policy PHS 1.1.8 requires development projects to contribute fees for police facilities. The proposed project would be subject to all applicable development impact fees. Revenues generated through impact fees on new development would pay for any new police facilities deemed necessary by the City, all of which would be required to be designed in compliance with applicable regulations and standards, and if necessary, undergo analysis of all potential environmental impacts under

CEQA. Considering the project's payment of applicable development impact fees, the proposed project would not result in the need for new or altered services related to police protection, and a less-than-significant impact would occur.

Schools

Because the proposed project is a commercial development and would not introduce new residents to the project area, development of the proposed project would not generate additional students in the project vicinity. The proposed project would not result in the need for new or altered services related to schools, and a less-than-significant impact would occur.

Parks and Other Governmental Services

The proposed project would not result in an increase in demand for other governmental services, such as parks or library services. Because the proposed project is a commercial development, the proposed project would not result in the need for new or altered services related to governmental services or parks, the construction of which would result in substantial environmental impacts, and a less-than-significant impact would occur.

Conclusion

Based on the above, the project applicant would be required to pay all of the required development fees to the appropriate public services departments. Payment of such fees would ensure that impacts related to fire protection and police protection would be reduced to a less-than-significant level. Therefore, implementation of proposed project would have ***no additional significant environmental effect*** beyond what was previously evaluated in the Master EIR.

MITIGATION MEASURES

None required.

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: 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

Natural resources and parks provide a wide range of recreational opportunities for residents in the vicinity of the project site. The City of Sacramento Department of Youth, Parks, and Community Enrichment (YPCE) maintains all parks and recreational facilities within the City of Sacramento. The Department of YPCE classifies parks according to three distinct types: 1) neighborhood parks; 2) community parks; and, 3) regional parks. Neighborhood parks are typically less than ten acres in size and are intended to be used primarily by residents within a half-mile radius. Community Parks are generally 10 to 60 acres and serve an area of approximately two to three miles, encompassing several neighborhoods and meeting the requirements of a large portion of the City. Regional parks are larger in size and are developed with a wide range of improvements not usually found in local neighborhood and community parks. As noted in the City's 2035 General Plan Background Report, the City currently contains over 230 developed and undeveloped park sites, 88 miles of road bikeways and trails, 21 lakes/ponds or beaches, 27 aquatic facilities, and extensive recreation facilities in the City parks. The proposed project is east of Pocket Canal Parkway, a 54.56 acres parkway, and approximately 0.35-mile to the northeast of Parkway Oaks Park, a 9.44-acre park that includes a picnic area, play areas, and a soccer field.

STANDARDS OF SIGNIFICANCE

For the purposes of this IS/MND, 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 2035 General Plan identified a goal of providing an integrated park and recreation system in the City (General Plan 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 (General Plan Policy ERC 2.2.5). Non-residential development employees are expected to use park facilities at a lesser rate than residents. Within the Central City, workers are expected to use Neighborhood parks about 5 percent as much as local residents and are expected to use Community and Citywide parks and facilities about 20 percent as much as local residents. Within the Remaining City, workers are not expected to use Neighborhood parks (which are typically designed to serve local residents only), but are expected to use Community and Citywide parks and facilities about 20 percent as much as local residents (PIF Nexus Study 2017). Impacts were considered less than significant after application of the applicable policies. (Impacts 4.9-1 and 4.9-2).

ANSWERS TO CHECKLIST QUESTIONS

Questions A and B

The proposed project would include the construction of a 2,830-sf commercial building, which would include a Dutch Bros. and fast-food restaurant. Because the proposed project is non-residential, the project would not create a need for construction or expansion of recreational facilities. In accordance with Section 18.56.220 of the Municipal Code, a park impact fee is imposed on non-residential developments. Payment of the fee would provide funding for future parks and park improvements, and would ensure that a less-than-significant impact related to recreation would occur.

Based on the above, implementation of the proposed project would result in ***no additional environmental effect*** related to recreation beyond what was analyzed in the 2035 Master EIR.

MITIGATION MEASURES

None required.

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 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 following section is based on information from the City of Sacramento 2035 General Plan, the Master EIR, and the Sacramento Area Council of Governments (SACOG) 2020 Metropolitan Transportation Plan/Sustainable Communities Strategy (MTP/SCS).[24]

Roadways in the project vicinity include Corporate Way to the north and Greenhaven Drive to the south. Both streets accommodate vehicles and bicyclists. Corporate Way proceeds generally in an east-to-west direction and consists of two travel lanes to accommodate low volume traffic. Greenhaven Drive proceeds in a generally north-to-south direction with a posted speed limit of 35 miles per hour (mph), and consists of four travel lanes. Within the greater project vicinity, Florin Road is located approximately 950 feet to the north of the project site, consists of five travel lanes, and proceeds in an east-to-west direction with a posted speed limit of 40 mph.

With respect to pedestrian and bicycle facilities, continuous sidewalks are located along both sides of Corporate Way adjacent to the project site. Continuous sidewalks are similarly located along the streets throughout the community. Additionally, a Class II Bike Lane is located along Greenhaven Drive.[25] Bike lanes are not located along Corporate Way.

Public transit service in the greater project vicinity is provided through SacRT Route 106. Route 106 provides service from the Pocket Transit Center to the Sacramento Central Valley Station. The nearest Route 106 bus stop is located approximately 250 to the south of the project site on Greenhaven Drive. Route 106 operates Monday through Friday.

STANDARDS OF SIGNIFICANCE

Section 15064.3 of the CEQA Guidelines provides specific considerations for evaluating a project's transportation impacts. Pursuant to Section 15064.3, analysis of VMT attributable to a project is the most appropriate measure of transportation impacts, with other relevant considerations consisting of the effects of the project on transit and non-motorized travel. VMT is the total miles of travel by personal motorized vehicles a project is expected to generate in a day. VMT measures the full distance of personal motorized vehicle-

[24] City of Sacramento. *City of Sacramento 2020 Urban Water Management Plan*. June 2021.
[25] City of Sacramento. *City of Sacramento Bicycle Master Plan* [pg. 42]. August 2016.

trips, with one end within the project site. Based on current practices from the City of Sacramento for retail projects, transportation impacts for CEQA purposes are considered significant if the proposed project does not qualify as local-serving due to comprising more than 125,000 sf of total gross floor area and would generate VMT per capita figures that exceed 100 percent of the regional average for VMT per capita, consistent with technical advisory guidance published by the Governor's Office of Planning and Research (OPR) in 2018 and the City of Sacramento's Transportation Impact Analysis Guidelines.

Lastly, for purposes of this IS/MND, impacts resulting from changes in transportation or circulation 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 Master EIR:

Transit

- Adversely affect public transit operations; or
- Fail to adequately provide for access to public transit.

Bicycle Facilities

- Adversely affect bicycle travel, bicycle paths; or
- Fail to adequately provide for access by bicycle.

Pedestrian Circulation

- Adversely affect pedestrian travel, pedestrian paths; or
- Fail to adequately provide for access by pedestrians.

Construction-Related Traffic Impacts

- Degrade an intersection or roadway to an unacceptable level;
- Cause inconveniences to motorists due to prolonged road closures; or
- Result in an increased frequency of potential conflicts between vehicles, pedestrians, and bicyclists.

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

Question A

The following analysis provides a summary of the project trip generation and distribution, and impacts to transit, bicycle, and pedestrian facilities.

Project Trip Generation and Distribution

The proposed project is consistent with the land use designation for the site in the 2035 General Plan. As such, the Master EIR included an analysis of the increase in traffic associated with buildout of the project site. The proposed project would not increase traffic volumes from what has been anticipated in the 2035 General Plan. Therefore, the proposed project would not conflict with a program plan, ordinance or policy addressing the circulation system beyond what has been anticipated by the City per the Master EIR, and a less-than-significant impact would occur.

Transit, Bicycle, and Pedestrian Facilities

As discussed previously, SacRT Route 106 provides transit opportunities within the project vicinity. The proposed project would not result in substantial increases in transit demand, and any demand added to the transit system could be adequately accommodated by the existing/planned transit system. Additionally, the proposed project would not result in substantial modification or the removal of any existing or planned bicycle or pedestrian facilities or preclude the implementation of any proposed or existing off-street trails in the project vicinity. The project would include an accessible path of travel connecting the project site to the existing public sidewalk on Corporate Way. As such, the proposed project would not conflict with a program plan, ordinance or policy addressing roadway, bicycle, and pedestrian facilities beyond what has been determined in the Master EIR, and a less-than-significant impact would occur.

Conclusion

Based on the above, the proposed project would not conflict with a program, plan, ordinance, or policy address the circulation system, including transit, roadway, bicycle, and pedestrian facilities. Therefore, implementation of the proposed project would result in ***no additional environmental effects*** beyond what was analyzed in the 2035 Master EIR.

Question B

Pursuant to the Governor's Office of Planning and Research (OPR), certain projects are presumed to have a less-than-significant effect on VMT due to project size, project location, or project type. Specifically, according to OPR, local-serving uses may generally be presumed to have a less-than-significant VMT impact and can generally be screened from further VMT analysis. OPR based the presumption on substantial research demonstrating that adding local-serving uses typically improves destination accessibility to residents, often reducing trip distances because residents need to travel shorter distances than they previously did, as adding new local-serving uses typically shifts trips away from another use rather than adding entirely new trips to the region.

The OPR Technical Advisory notes that projects less than 50,000 sf can generally be considered local-serving. The proposed project would consist of 2,830 sf. Thus, the project would be well below 50,000 sf, and, as a result, would be considered local-serving.[26] In addition, given the nature of the proposed project and the residential uses located in the direct vicinity of the project site, a reasonable assumption can be made that the majority of patrons visiting the proposed project would be travelling from the immediately surrounding area. As such, the proposed project would be classified as local-serving, and, based on guidance provided by OPR, may be presumed to result in a less-than-significant VMT impact.

[26] City of Sacramento Transportation Division. *VMT Technical Memorandum*. October 17, 2022.

Based on the above, the proposed project would not conflict or be inconsistent with CEQA Guidelines Section 15064.3, subdivision (b), and implementation of the proposed project would result in ***no additional environmental effects*** beyond what was analyzed in the 2035 Master EIR.

Question C

Access to the project site would be provided by Corporate Way through an existing point of entry/exit along the site's western boundary (see Figure 3). The existing driveway from Corporate Way would allow for vehicle access to the drive-through queue entrance located in the southeast portion of the site. Two drive-through queuing lanes are proposed, which would merge into a single lane as vehicles approach the ordering/pick-up window. The queuing lane would be separated by a concrete median island with two double-sided menu boards. The drive-through queue would flow along the eastern boundary of the project site and would exit out onto Corporate Way by way of the existing driveway providing access to the project site. A bypass lane is also proposed to allow vehicles to maneuver around vehicles stopped at the ordering/pick-up window. The proposed drive-through would be approximately 370 feet long and allow for at least 17 cars in the queue. The City has determined that sufficient queue length would be provided to ensure that vehicles would not extend into nearby roadways, potentially blocking the flow of traffic and creating a safety hazard. Such internal roadways would be designed in compliance with City design and roadway standards, which would ensure that the proposed project would not substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment). Thus, implementation of the project would result in ***no additional environmental effects*** beyond what was analyzed in the 2035 Master EIR.

Question D

The proposed project would be required to comply with all building, fire, and safety codes and specific development plans would be subject to review and approval by the City's Public Works Department and the SFD. Required review by the aforementioned departments would ensure that the proposed circulation system for the project site would provide adequate emergency access. In addition, Sacramento City Code Section 12.20.030 requires that a Construction Traffic Control Plan be prepared and approved prior to the commencement of project construction, to the satisfaction of the City Traffic Engineer and subject to review by all affected agencies. All work performed during construction would be required to conform to the conditions and requirements of the approved plan. The plan would ensure that safe and efficient movement of traffic through the construction work zone(s) is maintained. At a minimum, the plan must include the following:

- Time and day of street closures;
- Proper advance warning and posted signage regarding street closures;
- Provision of driveway access plan to ensure safe vehicular, pedestrian, and bicycle movements;
- Safe and efficient access routes for emergency vehicles;
- Provisions for pedestrian safety;
- Use of manual traffic control when necessary;
- Number of anticipated truck trips, and time of day of arrival and departure of trucks;
- Provision of a truck circulation pattern and staging area with a limitation on the number of trucks that can be waiting and any limitations on the size and type of trucks appropriate for the surrounding transportation network; and
- The plan must be available at the site for inspection by the City representative during all work.

With implementation of the Construction Traffic Control Plan, local roadways and freeway facilities would continue to operate at acceptable operating conditions during construction, and the proposed project would not result in inadequate emergency access to the project site. Therefore, the implementation of the project would result in ***no additional environmental effects*** beyond what was analyzed in the 2035 Master EIR.

MITIGATION MEASURES

None required.

FINDINGS

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

Issues:	Effect will be studied in the EIR	Effect can be mitigated to less than significant	No additional significant environmental effect
14. TRIBAL CULTURAL RESOURCES Would the project: 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) or		X	
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.		X	

ENVIRONMENTAL AND REGULATORY SETTING

Please reference the Cultural Resources chapter of the Master EIR for the ethnohistory of the historic indigenous groups that occupied the project region. The section focuses on the contemporary tribal communities and tribal cultural resources, as they pertain to AB 52.

This section analyzes and evaluates the potential impacts of the proposed project on tribal cultural resources, both identified and undiscovered. Tribal cultural resources, as defined by AB 52, Statutes of 2014, in 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 is, therefore, analyzed in this section.

The 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, Ione 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 and Methodology

Under PRC Sections 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.

A search of the Sacred Lands File (SLF) was requested from the NAHC, and a response was received on August 22, 2023 indicating that sacred sites have not been identified within the project vicinity. Formal invitations to participate in AB 52 consultation for the proposed project were sent by the City on September 21, 2022 to representatives of the following four tribes, which have previously requested to receive notifications of proposed development projects:

- Shingle Springs Band of Miwok Indians
- United Auburn Indian Community
- Buena Vista Band of Me-Wuk Indians
- Wilton Rancheria

United Auburn Indian Community requested consultation on the project on September 30, 2022, and closed consultation on the project on October 18, 2022, with the stipulation to include Mitigation Measure 14-3 below. Buena Vista Rancheria Band of Me-Wuk Indian provided a response on October 24, 2022, declining consultation. Wilton Rancheria and the Shingle Springs Band of Mi-Wok Indians did not respond within the 30 days of receipt of formal notification, and, therefore, did not request consultation.

Federal Regulations

Federal plans, policies, or regulations related to tribal cultural resources that are directly applicable to the proposed project do not exist. 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 Regulations

- **California Environmental Quality Act:** 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 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 PRC 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

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 PRC Section 5024.1. For the purposes of this IS/MND, 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 by PRC Section 21074. Ground-disturbing activities resulting from development facilitated by the 2035 General Plan could affect the integrity of an archaeological site, which may be a tribal cultural resource, and, thereby, cause 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 (General Plan Policy HCR 2.1.1); implementation of applicable laws and regulations (Policy HCR 2.1.2); consultation with appropriate organizations and individuals including the NAHC 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 the proposed project are policies that ensure compliance with protocol that protect or mitigate potential 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

Questions Ai and Aii

As discussed in Section 4, Cultural Resources, of this IS/MND, the 0.7-acre project site is currently undeveloped and consists entirely of ruderal grasses. However, the surrounding area has been highly disturbed and known cultural resources have not been identified. Given that the CHRIS search results indicated that the project site has a low potential for containing elements of the Sacramento River Tribal Cultural Landscape or other indigenous-period/ethnographic-period cultural resources, and the NAHC SLF produced negative results, surface tribal cultural resources are not anticipated to be found on- or off-site during grading and construction activities. Nonetheless, due to the predominant historic theme of the region as a whole, which includes thousands of years of occupation by Native American groups prior to non-Native people settling in the region, the possibility exists that unknown resources could be encountered during grading and excavation activities associated with the proposed project. Thus, the project could have a potentially significant

impact related to damage or destruction of prehistoric cultural resources, which could include tribal cultural resources. However, with implementation of Mitigation Measures 14-1 through 14-4, the ***effect can be mitigated to less than significant***.

MITIGATION MEASURES

Implementation of the following mitigation measures would reduce impacts related to tribal cultural resources to a *less-than-significant* level.

14-1 ***In the Event that Tribal Cultural Resources are Discovered During Construction, Implement Procedures to Evaluate Tribal Cultural Resources and Implement Avoidance and Minimization Measures to Avoid Significant Impact.***

If archaeological resources, or tribal cultural resources, are encountered in the project area during construction, the following performance standards 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 shall be evaluated for California Register of Historical Resources eligibility through application of established eligibility criteria (California Code of Regulations Section 15064.636), in consultation with consulting Native American tribes.*

If a tribal cultural resource is determined to be eligible for listing on the California Register of Historical Resources, the City shall avoid damaging effects to the resource in accordance with PRC Section 21084.3, if feasible. 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.*
    - *Rebury the resource in place.*
    - *Protect the resource.*

14-2 ***Implement Procedures in the Event of the Inadvertent Discovery of Native American Human Remains.***

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 Tribal 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
15. UTILITIES AND SERVICE SYSTEMS Would the project: 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

The project site is currently undeveloped and, therefore, is not connected to existing utilities and service systems. However, the project site is located adjacent to existing development, including commercial uses. Therefore, utility infrastructure exists in the project vicinity. The existing utilities and service systems in the project vicinity are discussed below.

Wastewater

Wastewater collection and treatment services for the proposed project would be provided by the City of Sacramento DOU and the Regional San. Wastewater generated from the project area is collected in the CSS through a series of sewer pipes and flows into the Regional San interceptor system, where the sewage is conveyed to the SRWWTP, located near Elk Grove. The City's DOU is responsible for providing and maintaining the majority of the water, sewer collection, storm drainage, and flood control services for residents and businesses within City limits. The proposed project would be subject to Wastewater System Development Fees payable to the City's DOU.

Water Supply

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. According to the City's 2020 Urban Water Management Plan (UWMP), the City is projected to have sufficient water supply to meet the projected demand through 2045 even after multiple dry years.[27] According to the DOU's 2019 Consumer Confidence Report, the City's drinking water meets or exceeds all federal and State drinking water standards.[28] The proposed project would be subject to Water System Development and Installation Fees payable to the City's DOU.

Solid Waste Disposal

The City of Sacramento does not provide commercial solid waste collection services. Rather, commercial garbage, recycling, and 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. The Sacramento County Kiefer Landfill, located at 12701 Kiefer Boulevard in Sloughhouse, California, is the primary location for the disposal of waste for the City. According to the Master EIR, the Kiefer Landfill should serve the City adequately until the year 2065. As growth continues in the City, in accordance with the County General Plan and the City's General Plan, population would increase and the solid waste stream

[27] City of Sacramento. *City of Sacramento 2020 Urban Water Management Plan*. June 2021.
[28] City of Sacramento Department of Utilities. *2021 Consumer Confidence Report*. Available at: https://www.cityofsacramento.org/Utilities/Reports. Accessed August 2023.

would continue to grow. However, implementation of the Solid Waste Authority and the Sacramento recycling requirements would continue to significantly reduce potential cumulative impact on landfill capacity to a less-than-significant effect.

STANDARDS OF SIGNIFICANCE

For the purposes of this IS/MND, an impact would be considered significant if the project resulted in the following:

- 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 in Chapter 4.11, Public Utilities, of the Master EIR.

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 found that the need for new water supply facilities would result in a significant and unavoidable effect (Impact 4.11-2). Similarly, the potential need for expansion of wastewater treatment facilities was identified as having a significant and unavoidable effect (Impacts 4.11-4 and 4.11-5). Potential impacts related to solid waste facilities were found to be less than significant (Impacts 4.11-7 and 4.11-8).

ANSWERS TO CHECKLIST QUESTIONS

Questions A and B

The proposed project would connect to the existing water and sewer lines adjacent to the site. All proposed infrastructure would be sized and designed in accordance with applicable standards and regulations. Physical impacts associated with installation of such infrastructure are addressed throughout this IS/MND. The project's effects on the capacity of the existing systems and services are discussed below.

Wastewater

Wastewater generated in the project area is collected in the Regional San system through a series of sewer pipes and pump stations. Once collected in the Regional San system, sewage flows into the Regional San interceptor system, where the sewage is conveyed to the SRWWTP. The SRWWTP is owned and operated by the Regional San and provides sewage treatment for the entire City. Existing sewer mains in the immediate project vicinity include an eight-inch sewer line within Corporate Way (see Figure 4). From the point of connection at the existing sewer line within Corporate Way, a new six-inch sewer line would extend into the project site.

The proposed project's consistency with the General Plan land use designation would ensure that the demand for wastewater service would not exceed the amount anticipated for buildout of the Planning Area evaluated in the Master EIR. In addition, buildout capacity of the entire Regional San service area was anticipated in the 2019 Sewer System Management Plan (SSMP).[29] Therefore, Regional San 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 project site). Additionally, the SRCSD would

[29] Sacramento Regional County Sanitation District. *Sewer System Management Plan*. February 4, 2019.

require payment of sewer impact fees. All applicable impact fees would be required to be paid prior to issuance of a building permit.

Given the required payment of applicable impact fees, the SRCSD would be able to provide sufficient wastewater services and conveyance to serve full buildout of the City, including the project site, per the Master EIR. Therefore, adequate capacity exists to serve the project site's demands.

Water Supply

The City is responsible for providing and maintaining water service for the project site. The 2020 UWMP analyzed the water supply, water demand, and water shortage contingency planning for the City's service area, which would include the project site. According to the 2020 UWMP, under all normal, single dry, and multiple dry year conditions, the City is projected to have sufficient water supply entitlements to meet the demands of the City's customers up to the year 2045. [30]

As previously discussed, the 2035 General Plan designates the site as Employment Center Mid Rise. The proposed project is consistent with the land use designation and would not generate an increase in water demand beyond what has already been anticipated in the Master EIR. As such, adequate capacity is expected to be available to serve the proposed project's water demands. Nonetheless, pursuant to Section 13.2.3 of the City of Sacramento Design and Procedure Manual, a water study would be prepared for the proposed project by a licensed engineer in accordance with the City's Water Study Manual, which would demonstrate that the proposed water system is capable of meeting the needs of the proposed project, while meeting design criteria presented therein.

Solid Waste

Solid waste generated by commercial uses in the area is collected by private haulers and currently disposed of at the Kiefer Landfill. Kiefer Landfill, located at 12701 Kiefer Boulevard in Sloughhouse, 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 substantially 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. The Master EIR concluded that adequate capacity at local landfills exists for full buildout of the General Plan. The proposed project is consistent with the General Plan land use designation of the project site, and the associated increase in solid waste disposal needs associated with development of the site was considered in the Master EIR analysis. The proposed project 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.

Conclusion

Because adequate capacity exists to serve the project's demands in addition to existing commitments, and construction of new utilities or expansion of existing facilities would not 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 required.

FINDINGS

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

[30] City of Sacramento. *City of Sacramento 2020 Urban Water Management Plan*. June 2021.

Issues:	Effect will be studied in the EIR	Effect can be mitigated to less than significant	No additional significant environmental effect
16. MANDATORY FINDINGS OF SIGNIFICANCE 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

Question A

Development of the proposed project would have the potential to adversely impact special-status animals and previously undiscovered cultural, tribal cultural resources, and/or human remains. The proposed project would implement and comply with applicable 2035 General Plan policies, as discussed throughout this IS/MND. With implementation of the mitigation measures required by this IS/MND, compliance with 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, with implementation of the mitigation measures included in this IS/MND, the ***effect can be mitigated to less than significant.***

Question B

The proposed project is a permitted use under the project site's General Plan land use designation, and the proposed project would be consistent with applicable policies from the 2035 General Plan. Such policies would be implemented as part of the proposed project, as well as the project-specific mitigation measures included in this IS/MND, to reduce the proposed project's contribution to potentially cumulative impacts. The potential impacts of the proposed project would be individually limited and would not be cumulatively considerable. As demonstrated in herein, all potential environmental impacts that could occur as a result of project implementation would be reduced to a less-than-significant level with incorporation of project-specific mitigation measures and compliance with applicable 2035 General Plan policies. When viewed in conjunction with other closely related past, present or reasonably foreseeable future projects, development of the proposed project would not contribute to cumulative impacts in the City. Therefore, with

implementation of the mitigation measures included in this IS/MND, the ***effect can be mitigated to less than significant.***

Question C

The proposed project would be required to implement the project-specific mitigation measures within this IS/MND, as well as applicable policies of the 2035 General Plan, to reduce any potential direct or indirect impacts that could occur to human beings or various resources. As demonstrated in this IS/MND, with implementation of the mitigation measures set forth herein, all potential impacts would be reduced to a less-than-significant level. Therefore, with implementation of the mitigation measures included in this IS/MND, the ***effect can be mitigated to less than significant.***

SECTION IV - ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED

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

	Aesthetics		Hydrology and Water Quality
	Air Quality		Noise
X	Biological Resources		Public Services
X	Cultural Resources		Recreation
	Energy		Transportation and Circulation
X	Geology and Soils	X	Tribal Cultural Resources
X	Greenhouse Gas Emissions		Utilities and Service Systems
	Hazards		

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

December 1, 2023 — Date

Ron Bess, Associate Planner — Printed Name

REFERENCES CITED

It should be noted that all of the technical reports used for the purposes of the analysis throughout this IS/MND are attached as appendices and are available on the City's website at https://www.cityofsacramento.org/Community-Development/Planning/Environmental/ Impact-Reports. The following documents are referenced information sources used for the analysis within this IS/MND:

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2. California Department of Conservation. *California Important Farmland Finder*. Available at: https://maps.conservation.ca.gov/DLRP/CIFF/. Accessed July 2023.
3. California Department of Fish and Wildlife. *CNDDB Maps and Data*. Available at: https://wildlife.ca.gov/Data/CNDDB/Maps-and-Data. Accessed November 2022.
4. California Department of Transportation. *California State Scenic Highway System Map*. Available at: https://caltrans.maps.arcgis.com/apps/webappviewer/index.html?id=465dfd3d807c46cc8e8057116f1aacaa. Accessed July 2023.
5. California Department of Transportation. *California State Scenic Highway Map*. Available at: https://caltrans.maps.arcgis.com/apps/webappviewer/index.html?id=465dfd3d807c46cc8e8057116f1aacaa. Accessed July 2023.
6. California Department of Transportation. *Transportation and Construction Vibration Guidance Manual*. September 2013.
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9. City of Sacramento Transportation Division. *VMT Technical Memorandum*. October 17, 2022.
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16. Federal Transit Administration. *Transit Noise Impact and Vibration Assessment*. May 2006.
17. Native American Heritage Commission. *Re: Dutch Bros. on Corporate Way Project, Sacramento County*. August 22, 2023.
18. North Central Information Center. *Records Search results for Dutch Bros. on Corporate Way Project*. July 25, 2023.
19. Regional San. *Consolidated Ordinance.* Available at: https://www.regionalsan.com/sites/main/files/file-attachments/regional_san_ordinance-effective_june_9_2023_0.pdf?1687540908#page=64&zoom=100,93,329. Accessed July 2023.
20. Regional San. *Impact Fees*. Available at: https://www.regionalsan.com/impact-fees-businesses. Accessed July 2023.
21. Sacramento City Unified School District. *Our District*. Available at: https://www.scusd.edu/our-district. Accessed August 2023.

22. Sacramento Metropolitan Air Quality Management District. *Guide to Air Quality Assessment in Sacramento County.* April 2020.
23. Sacramento Metropolitan Air Quality Management District. *Guide to Air Quality Assessment, Chapter 4: Operational Criteria Air Pollutant and Precursor Emissions*. June 2020.
24. Sacramento Metropolitan Air Quality Management District. *SMAQMD Operational Screening Levels*. April 2018.
25. Sacramento Regional County Sanitation District. *Regional San Service Area*. Available at: https://www.regionalsan.com/sites/main/files/file-attachments/regional_san_servicearea_dec2015_1.pdf. Accessed October 2023.
26. Sacramento Regional County Sanitation District. *Sewer System Management Plan*. February 4, 2019.
27. State Water Resources Control Board. *GeoTracker, Leaking Underground Storage Tank (LUST) Cleanup Sites*. Available at https://geotracker.waterboards.ca.gov/search?cmd=search&site_type=LUFT. Accessed November 28, 2023.
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29. Transit Noise and Vibration Impact Assessment Guidelines. *Federal Transit Administration*. May 2006.
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City of SACRAMENTO
Department of Public Works

Transportation Division

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VMT TECHNICAL MEMORANDUM

DATE: October 17, 2022

TO: Ron Bess, Community Development Department

FROM: Matthew Ilagan, Public Works – Transportation

CC: Pelle Clarke, Public Works - Transportation

SUBJECT: **P22-040 Corporate Way Retail Pad with Drive Thru**

Public Works has reviewed the application for the above referenced project. The project proposes a 3,135 square foot building with s drive through coffee shop and quick service restaurant within the Greenhaven Executive Park PUD near 1192 Corporate Way. The site is currently vacant with existing drive aisles that serve the adjacent office and retail.

Vehicle Miles Traveled Thresholds

Per SB 743 implementation, OPR released a Technical Advisory on Evaluating Transportation Impacts in CEQA in December 2018. The Technical Advisory provides advice and recommendations to CEQA lead agencies on how to implement SB 743 changes. This includes technical recommendations regarding the assessment of VMT, thresholds of significance, VMT mitigation measures, and screening thresholds for certain land use projects. Lead agencies may consider and use these recommendations at their discretion.

VMT Screening Criteria

Based on current practice of the City of Sacramento, several “screening thresholds” are used to quickly determine whether a project may be presumed to have a less-than-significant VMT impact without conducting a detailed projected generated VMT analysis. For development projects, screening criteria include:

- Small Projects – Absent substantial evidence indicating that a project would generate a potentially significant level of VMT, or inconsistency with a Sustainable Communities Strategy (SCS) or general plan, projects that generate or attract fewer than 110 trips per day generally may be assumed to cause a less-than-significant transportation impact.
- Map-Based Screening – Maps created with VMT data can illustrate areas that are currently below threshold VMT. Output from the SACOG regional travel demand model may be generalized to simplify project VMT estimates as well as producing screening maps. Because new development in such locations would likely result in a similar level of VMT, such maps can be used to screen out residential and office projects from needing to prepare a detailed VMT analysis.

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- Near Transit Stations – presumption that certain projects proposed within ½ mile of an existing major transit stop or an existing stop along a high-quality transit corridor will have a less-than-significant impact on VMT. Additionally, the project would need to have a floor area ratio of at least 0.75, without excessive parking, be consistent with the adopted regional SCS, and not result in a reduction of citywide affordable housing.
- Affordable Residential Development – adding affordable housing to infill locations generally improves jobs-housing match, in turn shortening commutes and reducing VMT.
- Local-serving retail – local-serving retail development tends to shorten trips and reduce VMT. The Technical Advisory encourages lead agencies to decide when a project will likely be local-serving, but generally acknowledges that retail development including stores larger than 50,000 square feet might be considered regional-serving. The Technical Advisory suggests lead agencies analyze whether regional-serving retail would increase or decrease VMT (i.e. not presume a less-than-significant impact).
- Projects in low-VMT areas – residential and office projects that incorporate similar features (i.e., density, mix of uses, transit accessibility) as existing development in areas with low VMT will tend to exhibit similarly low VMT.
- The Technical Advisory also identifies recommended numeric VMT thresholds for residential, office, and retail projects.
- Residential development that would generate vehicle travel exceeding 15 percent below existing residential VMT per capita may indicate a significant transportation impact. Existing VMT per capita may be measured as a regional VMT per capita or as city VMT per capita.
- Office projects that would generate vehicle travel exceeding 15 percent below existing regional VMT per employee may indicate a significant transportation impact.
- Retail projects that result in a net increase in total VMT may indicate a significant transportation impact.

VMT Screening Evaluation

The project was evaluated against the following screening criteria to determine if it could be presumed to have a less-than-significant VMT impact:

- Local-Serving Retail – The proposed project would be an infill project that would entail the development of a currently vacant site with 3,135 square feet of drive through coffee shop and quick service restaurant. The project would be retail in nature. In accordance with the OPR Technical Advisory, the project would satisfy the local-serving retail VMT screening criteria by virtue of the nature and size of the project (retail development less than 50,000 square feet in size).

Therefore, the project is assumed to have a less than significant impact on VMT since it satisfies one or more of the VMT screening criteria identified in the OPR Technical Advisory. No quantitative VMT analysis or associated mitigation measures are required.

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Please contact me at (916) 808-8502 or email at MIlagan@cityofsacramento.org if you have any questions.

APPENDIX B
PRELIMINARY ARBORIST REPORT AND TREE INVENTORY

California Tree and Landscape Consulting, Inc.
359 Nevada Street, #201, Auburn, CA 95614 (530) 745-4086

September 1, 2023

Tammy Rayfield
PDF Development
9381 Stockton Blvd., Ste. 212
Elk Grove, CA 95624
Via Email: tammy@pdf-usa.com

PRELIMINARY ARBORIST REPORT AND TREE INVENTORY

RE: Corporate Way, APN #031-0053-017, #031-0053-028, #031-0053-030; City of Sacramento Jurisdiction

Summary
Tammy Rayfield of PDF Development contacted California Tree and Landscape Consulting, Inc., on behalf of the property owner, to inventory and evaluate the trees on the site for purposes of evaluating the impacts to the trees during development[1]. In addition, we are to provide a Tree Preservation Plan for protection of the trees to remain during the development process. The address is Corporate Way (APN #031-0053-017, #031-0053-028, #031-0053-030. The parcel is adjacent to 1501 Corporate way) and is subject to the jurisdiction of the City of Sacramento. (See Appendix 1 –Tree Location Map)

Edwin E. Stirtz, ISA Certified Arborist #WE-0510AM, visited the site on August 9, 2023. A total of 8 trees were evaluated for potential conflicts during development of the parcel. 5 trees may be on the parcel and 3 trees are located offsite. Following evaluation, 1 tree, a dead tree, is recommended for removal.

Table 1 – Tree Inventory

Tree Species	Trees Inventoried	Trees located on the Parcel[2]	Trees Protected by Code	Trees of Local Importance	Proposed for Removal
Chinese pistache, *Pistacia chinensis*	3	0	0	0	TBD
Flowering cherry, *Prunus sp.*	3	3 (3 *may* be offsite)	0	0	TBD
Pacific willow, *Salix lasiandra*	1	1 (1 *may* be offsite)	0	0	TBD
Dead	1	1 (1 *may* be offsite)	0	0	1
Totals:	**8**	**5** (5 *may* be offsite)	**0**	**0**	**1**

See Appendices for specific information on each tree and additional preservation requirements and/or development restrictions

[1] Development Plans were not provided at this time.

[2] CalTLC is not a licensed land surveyor. Tree ownership was not determined. Conclusions within this report are based on existing fences or other landmarks which may not represent the actual property boundary.

METHODS

Appendix 2 in this report is the detailed inventory of the trees. The following terms will further explain our methods and findings.

A Level 2 – Basic Visual Assessment was performed in accordance with the International Society of Arboriculture's best management practices. This assessment level is limited to the observation of conditions and defects which are readily visible. Additional limiting factors, such as blackberries, poison oak, and/or debris piled at the base of a tree can inhibit the visual assessment.

Tree Location: The GPS location of each tree was collected using the ESRI's ArcGIS collector application on an Apple iPhone or Samsung.

Tree Measurements: DSH (diameter at standard height) is normally measured at 4'6" (above the average ground height for "Urban Forestry"), but if that varies then the location where it is measured is noted. A steel diameter tape was used to measure the DSH for all trees. A Stanley laser distance meter was used to measure distances and/or pacing was used to estimate canopy measurements. Canopy radius measurements may also have been estimated due to obstructions, such as steep slopes or other trees.

Terms

Field Tag #	The pre-stamped tree number on the tag which is installed at approximately 6 feet above ground level on the north side of the tree.
Old Tag #	If additional field tags are found on the trees and are legible, they are listed here.
Species	The species of a tree is listed by our local and correct common name and botanical name by genus (capitalized) and species (lower case). Oaks frequently cross-pollinate and hybridize, but the identification is towards the strongest characteristics.
DSH	Diameter at standard height is normally measured at 4'6" (above the average ground height for "Urban Forestry"), but if that varies then the location where it is measured is noted in the next column "measured at"
Measured at	Height above average ground level where the measurement of DBH was taken
Canopy radius	The farthest extent of the crown composed of leaves and small twigs. Most trees are not evenly balanced. This measurement represents the longest extension from the trunk to the outer canopy. The dripline measurement is from the center point of the tree and is shown on the Tree Location Map as a circle. This measurement can further define a protection zone if specified in the local ordinance as such or can indicate if pruning may be required for development.
Protected Root Zone	The radius of the protected root zone is a circle equal to the trunk diameter inches converted to feet and factored by tree age, condition and health pursuant to the industry standard. Best Management Practices: Managing Trees During Construction, the companion publication to the Approved American National Standard, provides guidance regarding minimum tree root protection zones for long term survival. In instances where a tree is multi-stemmed the protected root zone is equal to the extrapolated diameter (sum of the area of each stem converted to a single stem) factored by tree age, condition and health.

Arborist Rating Subjective to condition and is based on both the health and structure of the tree. All of the trees were rated for condition, per the recognized national standard as set up by the Council of Tree and Landscape Appraisers and the International Society of Arboriculture (ISA) on a numeric scale of 5 (being the highest) to 0 (the worst condition, dead) as in Chart A. The rating was done in the field at the time of the measuring and inspection.

No problem(s)	Excellent	**5**	No problems found from a visual ground inspection. Structurally, these trees have properly spaced branches and near perfect
No apparent problem(s)	Good or Fair to Good	**4**	The tree is in good condition and there are no apparent problems that a Certified Arborist can see from a visual ground inspection. If potential structural or health problems are tended to at this stage future hazard can be reduced and more serious health problems can be averted.
Minor problem(s)	Fair	**3**	The tree is in fair condition. There are some minor structural or health problems that pose no immediate danger. When the recommended actions in an arborist report are completed correctly the defect(s) can be minimized or eliminated and/or health can be improved.
Major or uncorrectable problems (2)	Fair to Poor	**2**	The tree has major problems. If the option is taken to preserve the tree, additional evaluation to identify if health or structure can be improved with correct arboricultural work including, but not limited to: pruning, cabling, bracing, bolting, guying, spraying, mistletoe removal, vertical mulching, fertilization, etc. Additionally, risk should be evaluated as a tree rated 2 may have structural conditions which indicate there is a high likelihood of some type of failure. Tree rated 2 should be removed if these additional evaluations will not be performed.
Extreme problem(s)	Poor	**1**	The problems are extreme. This rating is assigned to a tree that has structural and/or health problems that no amount of work or effort can change. The issues may or may not be considered a dangerous situation.
Dead	Dead	**0**	This indicates the tree has no significant sign of life.

Notes Provide notable details about each tree which are factors considered in the determination of the tree rating including: (a) condition of root crown and/or roots; (b) condition of trunk; (c) condition of limbs and structure; (d) growth history and twig condition; (e) leaf appearance; and (f) dripline environment. Notes also indicate if the standard tree evaluation procedure was not followed (for example - why DSH may have been measured at a location other than the standard 54”). Additionally, notes will list any evaluation limiting factors such as debris at the base of a tree.

Actions Recommended actions to increase health and longevity.

Development Impacts Projected development impacts are based solely on distance relationships between tree location and grading. Field inspections and findings during the project at the time of grading and trenching can change relative impacts. Closely followed guidelines and requirements can result in a higher chance of survival, while requirements that are overlooked can result in a dramatically lower chance of survival. Impacts are measured as follows:

Impact Term: **Long Term Result of Impact:**

Negligible	Tree is unlikely to show any symptoms. Chance of survival post development is excellent. Impacts to the Protected Root Zone are less than 5%.
Minor	Tree is likely to show minor symptoms. Chance of survival post development is good. Impacts to the Protected Root Zone are less than 15% and species tolerance is good.
Moderate	Tree is likely to show moderate symptoms. Chance of survival post development is fair. Impacts to the Protected Root Zone are less than 35% and species tolerance is good or moderate.
Severe	Tree is likely to show moderate symptoms annually and a pattern of decline. Chance of long term survival post development is low. Impacts to the Protected Root Zone are up to 50% and species tolerance is moderate to poor.
Critical	Tree is likely to show moderate to severe symptoms annually and a pattern of decline. Chance of long term survival post development is negligible. Impacts to the Protected Root Zone are up to 80%.

Limitations

All of the conclusions in this report are based solely on the observation of conditions on the site which were readily visible from the ground. Trees may appear to be healthy and structurally sound but can contain hidden faults which could result in failure. Any tree could have had previous failures in the upper canopy which could not be seen adequately from the ground. This tree was evaluated during the dormant season.

RECOMMENTATIONS

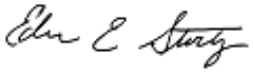
Follow the General Development Guidelines, Appendix 3, unless otherwise specified in Appendix 2.

- Clearance pruning, if required, should include removal of all the lower foliage that may interfere with equipment PRIOR to having grading or other equipment on site. The Project Arborist should approve the extent of foliage elevation and oversee the pruning to be performed by a contractor who is an ISA Certified Arborist.
- Any and all work to be performed inside the protected root zone fencing shall be supervised by the project arborist.
- An Arborist inspection schedule should be developed to monitor the site during (and after) construction to confirm protection measures are followed and make recommendations for care of the trees on site, as needed.

Report Prepared by:

Caroline Nicholas
Arborist Assistant

Project Arborist:



Edwin E. Stirtz
Consulting Arborist
ISA Certified Arborist #WE-0510A, TRAQ

Appendix 1 – Map of the Property Showing Tree Location
Appendix 2 – Tree Data
Appendix 3 – General Development Guidelines for all trees to remain
Appendix 4 – Site Photographs

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Menzer, K. (2008). *Consulting Arborist Report.*

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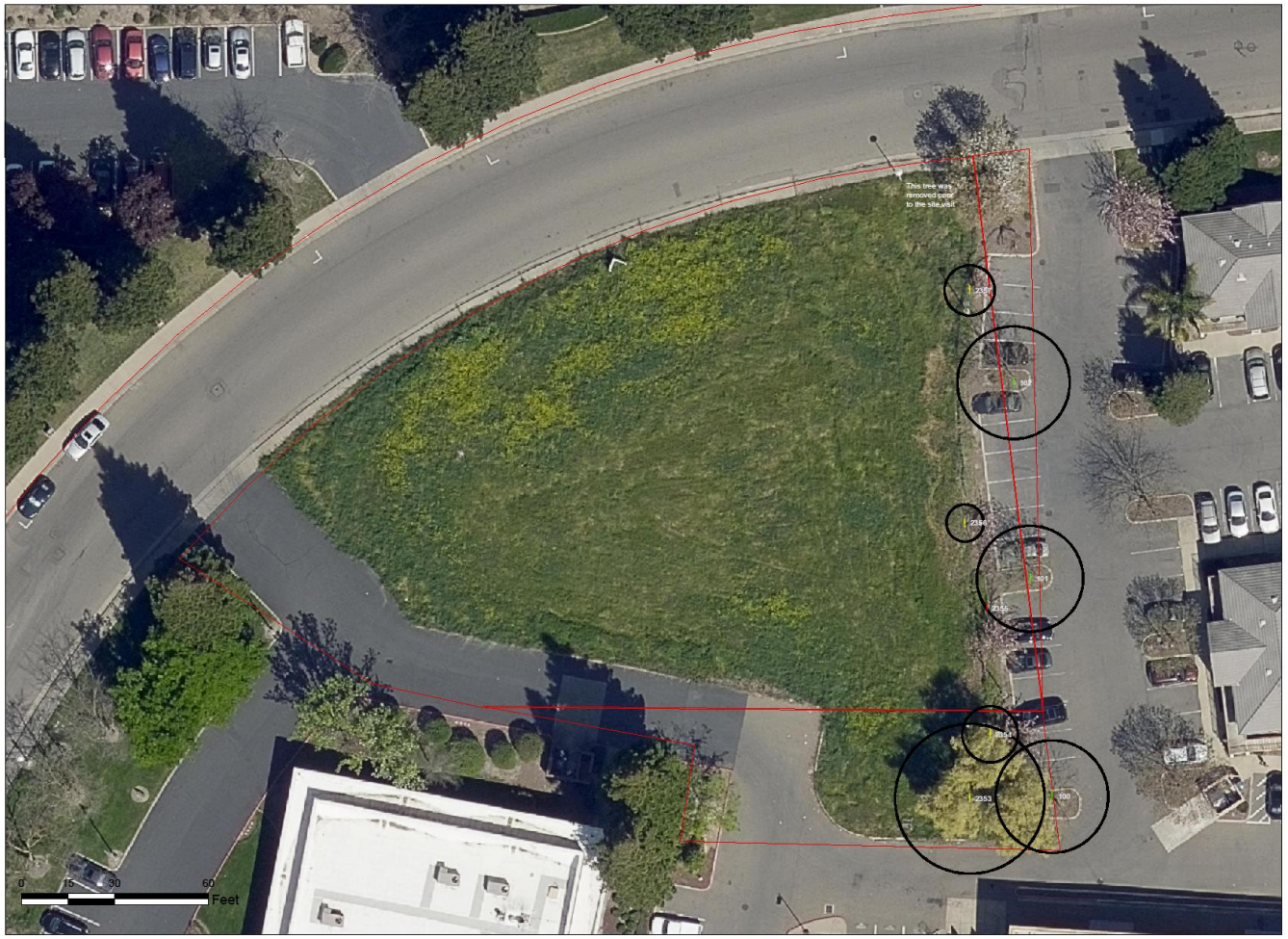
Urban, J. (2008). *Up by the Roots.* Champaign: International Society of Arboriculture.

APPENDIX 1 – MAP OF THE PROPERTY SHOWING TREE LOCATION

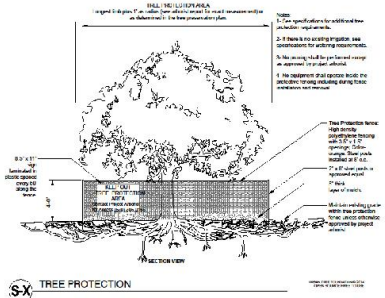


California Tree & Landscape Consulting, Inc.

359 Nevada Street, Suite 201
Auburn, CA 95603

Tree Protection General Requirements

1. The project arborist for this project is California Tree & Landscape Consulting. The primary contact information is Edwin E. Stirtz (916) 801-8059. The project arborist may continue to provide expertise and make additional recommendations during the construction process if and when additional impacts occur or tree response is poor. Monitoring and construction oversight by the project arborist is recommended for all projects and required when a final letter of assessment is required by the jurisdiction.
2. The project arborist should inspect the exclusionary root protection fencing installed by the contractor prior to any grading and/or grubbing for compliance with the recommended protection zones. Additionally, the project arborist shall inspect the fencing at the onset of each phase of construction. The protection zone for trees is specified as the 'canopy radius' in Appendix 2 unless otherwise specified in the preservation requirements. The location of the tree protection fencing shall be depicted on the plans pursuant to the arborist recommendations. Note 'dripline' is not an acceptable location for installation of tree protection fencing.
3. The project arborist should directly supervise any clearance pruning, irrigation, fertilization, placement of mulch and/or chemical treatments. If clearance pruning is required, the Project Arborist should approve the extent of foliage elevation and oversee the pruning to be performed by a contractor who is an ISA Certified Arborist. Clearance pruning should include removal of all the lower foliage that may interfere with equipment PRIOR to having grading or other equipment on site.
4. No trunk within the root protection zone of any trees shall be removed using a backhoe or other piece of grading equipment.
5. Clearly designate an area on the site outside the drip line of all trees where construction materials may be stored, and parking can take place. No materials or parking shall take place within the root zones of protected trees.
6. Any and all work to be performed inside the protected root zone fencing, including all grading and utility trenching, shall be approved and/or supervised by the project arborist.
7. Trenching, if required, inside the protected root zone shall be approved and/or supervised by the project arborist and may be required to be by a hydraulic or air spade, placing pipes underneath the roots, or boring deeper trenches underneath the roots.



S-X TREE PROTECTION

The City of Sacramento *Requires* **CHAIN LINK** Fencing for Tree Protection

Document Path: E:\Cal\TLC\Maps 2023\Corporate Way, Dutch Bros\Corporate Way, Tree Location Map, Dutch Bros.mxd

TREE INVENTORY MAP

>Tree locations are approximate and were collected using apple iOS products.
>Property line information was downloaded from Sacramento County on 08/13/2023.

Property Line
Measured Tree Canopy

Arborist Rating
0 Dead
1 Extreme Structure or Health Problems
2 Major Structure or Health Problems
3 Fair - Minor Problems
4 Good - No Apparent Problems
5 Excellent

O

Sheet No.
TPP 1.0

Corparate Way Dutch Bros

PREPARED BY: Nicole Harrison, ISA Cert #WE-6500AM

Date: 8/31/2023

APPENDIX 2 – TREE DATA

Tag #	Protected By Code	Offsite	Species Common Name	Species Botanical Name	DSH (in.)	DBH Multi Stem (in.)	Measured At (in.)	Canopy Radius (ft.)	Arborist Rating	Notes
100	No	Yes	Chinese pistache	*Pistacia chinensis*	9		54	18	3-Minor Problems	Offsite in finger planter approximately 14 feet from estimated property line
101	No	Yes	Chinese pistache	*Pistacia chinensis*	12		54	17	3-Minor Problems	Located in parking lot finger planter offsite buy an estimated 14 feet
102	No	Yes	Chinese pistache	*Pistacia chinensis*	13		54	18	3-Minor Problems	Offsite located in finger planter approximately 16 feet from estimated property line
2353	No	Unknown	Pacific Willow	*Salix lasiandra*	29	14,14,15	54	24	2-Major Structure or health problems	Root collar/base obscured with debris and shrubs, probable, weak attachments, Forks, somewhere between grade and 3 feet. Excessive amount of dead branches.
2354	No	Unknown	Flowering cherry	*Prunus sp.*	6		54	9	2-Major Structure or health problems	Poor condition, not maintained
2355	No	Unknown	Flowering cherry	*Prunus sp.*	10		54	0	0-Dead	Tree is completely dead
2356	No	Unknown	Flowering cherry	*Prunus sp.*	6		40	6	2-Major Structure or health problems	Very poor condition, son scolding on lower trunk out of balance
2357	No	Unknown	Flowering cherry	*Prunus sp.*	8		54	8	2-Major Structure or health problems	Severe son scolding to lower trunk with significant entered K not maintained

APPENDIX 3 - GENERAL PRACTICES FOR TREE PROTECTION

Definitions

Root zone: The roots of trees grow fairly close to the surface of the soil, and spread out in a radial direction from the trunk of tree. A general rule of thumb is that they spread 2 to 3 times the radius of the canopy, or 1 to 1 ½ times the height of the tree. It is generally accepted that disturbance to root zones should be kept as far as possible from the trunk of a tree.

Inner Bark: The bark on large valley oaks and coast live oaks is quite thick, usually 1" to 2". If the bark is knocked off a tree, the inner bark, or cambial region, is exposed or removed. The cambial zone is the area of tissue responsible for adding new layers to the tree each year, so by removing it, the tree can only grow new tissue from the edges of the wound. In addition, the wood of the tree is exposed to decay fungi, so the trunk present at the time of the injury becomes susceptible to decay. Tree protection measures require that no activities occur which can knock the bark off the trees.

Methods Used in Tree Protection:

No matter how detailed Tree Protection Measures are in the initial Arborist Report, they will not accomplish their stated purpose unless they are applied to individual trees and a Project Arborist is hired to oversee the construction. The Project Arborist should have the ability to enforce the Protection Measures. The Project Arborist should be hired as soon as possible to assist in design and to become familiar with the project. He must be able to read and understand the project drawings and interpret the specifications. He should also have the ability to cooperate with the contractor, incorporating the contractor's ideas on how to accomplish the protection measures, wherever possible. It is advisable for the Project Arborist to be present at the Pre-Bid tour of the site, to answer questions the contractors may have about Tree Protection Measures. This also lets the contractors know how important tree preservation is to the developer.

Root Protection Zone (RPZ): Since in most construction projects it is not possible to protect the entire root zone of a tree, a Root Protection Zone is established for each tree to be preserved. The minimum Root Protection Zone is the area underneath the tree's canopy (out to the dripline, or edge of the canopy), plus 10'. The Project Arborist must approve work within the RPZ.

Irrigate, Fertilize, Mulch: Prior to grading on the site near any tree, the area within the Tree Protection fence should be fertilized with 4 pounds of nitrogen per 1000 square feet, and the fertilizer irrigated in. The irrigation should percolate at least 24 inches into the soil. This should be done no less than 2 weeks prior to grading or other root disturbing activities. After irrigating, cover the RPZ with at least 12" of leaf and twig mulch. Such mulch can be obtained from chipping or grinding the limbs of any trees removed on the site. Acceptable mulches can be obtained from nurseries or other commercial sources. Fibrous or shredded redwood or cedar bark mulch shall not be used anywhere on site.

Fence: Fence around the Root Protection Zone and restrict activity therein to prevent soil compaction by vehicles, foot traffic or material storage. The fenced area shall be off limits to all construction equipment, unless there is express written notification provided by the Project Arborist, and impacts are discussed and mitigated prior to work commencing.

No storage or cleaning of equipment or materials, or parking of any equipment can take place within the fenced off area, known as the RPZ.

The fence should be highly visible, and stout enough to keep vehicles and other equipment out. I recommend the fence be made of orange plastic protective fencing, kept in place by t-posts set no farther apart than 6'.

In areas of intense impact, a 6' chain link fence is preferred.

In areas with many trees, the RPZ can be fenced as one unit, rather than separately for each tree.

Where tree trunks are within 3' of the construction area, place 2" by 4" boards vertically against the tree trunks, even if fenced off. Hold the boards in place with wire. Do not nail them directly to the tree. The purpose of the boards is to protect the trunk, should any equipment stray into the RPZ.

Elevate Foliage: Where indicated, remove lower foliage from a tree to prevent limb breakage by equipment. Low foliage can usually be removed without harming the tree, unless more than 25% of the foliage is removed. Branches need to be removed at the anatomically correct location in order to prevent decay organisms from entering the trunk. For this reason, a contractor who is an ISA Certified Arborist should perform all pruning on protected trees.[3]

Expose and Cut Roots: Breaking roots with a backhoe, or crushing them with a grader, causes significant injury, which may subject the roots to decay. Ripping roots may cause them to splinter toward the base of the tree, creating much more injury than a clean cut would make. At any location where the root zone of a tree will be impacted by a trench or a cut (including a cut required for a fill and compaction), the roots shall be exposed with either a backhoe digging radially to the trunk, by hand digging, or by a hydraulic air spade, and then cut cleanly with a sharp instrument, such as chainsaw with a carbide chain. Once the roots are severed, the area behind the cut should be moistened and mulched. A root protection fence should also be erected to protect the remaining roots, if it is not already in place. Further grading or backhoe work required outside the established RPZ can then continue without further protection measures.

Protect Roots in Deeper Trenches: The location of utilities on the site can be very detrimental to trees. Design the project to use as few trenches as possible, and to keep them away from the major trees to be protected. Wherever possible, in areas where trenches will be very deep, consider boring under the roots of the trees, rather than digging the trench through the roots. This technique can be quite useful for utility trenches and pipelines.

Protect Roots in Small Trenches: After all construction is complete on a site, it is not unusual for the landscape contractor to come in and sever a large number of "preserved" roots during the installation of irrigation systems. The Project Arborist must therefore approve the landscape and irrigation plans. The irrigation system needs to be designed so the main lines are located outside the root zone of major trees, and the secondary lines are either laid on the surface (drip systems), or carefully dug with a hydraulic or air spade, and the flexible pipe fed underneath the major roots.

Design the irrigation system so it can slowly apply water (no more than ¼" to ½" of water per hour) over a longer period of time. This allows deep soaking of root zones. The system also needs to accommodate infrequent irrigation settings of once or twice a month, rather than several times a week.

Monitoring Tree Health During and After Construction: The Project Arborist should visit the site at least twice a month during construction to be certain the tree protection measures are being followed, to monitor the

[3] International Society of Arboriculture (ISA), maintains a program of Certifying individuals. Each Certified Arborist has a number and must maintain continuing education credits to remain Certified.

health of impacted trees, and make recommendations as to irrigation or other needs. After construction is complete, the arborist should monitor the site monthly for one year and make recommendations for care where needed. If longer term monitoring is required, the arborist should report this to the developer and the planning agency overseeing the project.

APPENDIX 4 – SITE PHOTOGRAPHS By Edwin E. Stirtz, August 9, 2023

Photo #1, A portion of the site

Photo #2, Pepper tree

Photo #3, Dead cherry tree

Photo #4, Offsite parking lot tree typical

Photo #5, Southeast property corner

Photo # 6, 2 cherry trees

Photo #7, Cherry tree w/ trunk defect

Photo #8, Northeast corner at driveway for 1501 Corporate Way