

SACRAMENTO COUNTY
PLANNING AND ENVIRONMENTAL REVIEW
MITIGATION MONITORING AND REPORTING PROGRAM

CONTROL NUMBER: PLER2023-00127

NAME: Elkhorn Boulevard Complete Streets Project

LOCATION: The project site is located along Elkhorn Boulevard, between the intersections of Watt Avenue and Don Julio Boulevard, in the North Highlands community.

ASSESSOR'S PARCEL NUMBERS: Various

APPLICANT: Sacramento County
Department of Transportation
4111 Branch Center Road
Sacramento, CA 95827
Attention: Josh Iniguez/Spencer Ord

PROJECT DESCRIPTION: Sacramento County Department of Transportation (SacDOT) proposes to construct the Elkhorn Boulevard Complete Streets Project (project), including a separated Class IV bikeway, Class II bike lanes, green striping, intersection improvements with signal modifications/video detection, bus turnouts, an ADA accessible bus stop, and closure of one sidewalk gap along Elkhorn Boulevard (between Cantel Way and Thomas Drive) (Plates IS-2.1-2.6). Improvements are also proposed along a portion of Walerga Road and Don Julio Boulevard (north and south of the Elkhorn Boulevard intersection). A non-infrastructure component that would implement Safe Routes to Schools and community education and encouragement programs is also included as part of the project. The overall construction area of the project would be approximately 3.29 acres and includes approximately 1.51 acres for improvements to sidewalk, curb and gutter, curb ramps, and pavement rehabilitation adjacent to curb lines and approximately 1.78 acres for pavement rehabilitation. The maximum excavation depth during project construction would be 13-feet for the signal pole foundations.

TYPE OF ENVIRONMENTAL DOCUMENT: Mitigated Negative Declaration

PREPARED BY: Sacramento County
Planning and Environmental Review
827 7th Street, Room 225
Sacramento, CA 95814

PHONE: (916) 874-6141

MITIGATION MONITORING AND REPORTING PROGRAM

ADOPTED BY:

DATE:

ATTEST: _____
SECRETARY/CLERK

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PURPOSE AND PROCEDURES

Pursuant to Section 21081.6 of the Public Resources Code and Chapter 20.02 of the Sacramento County Code, a Mitigation Monitoring and Reporting Program has been established for the project entitled Elkhorn Boulevard Complete Streets Project (Control Number: PLER2023-00127).

PURPOSE

The purpose of this program is to assure diligent and good faith compliance with the Mitigation Measures which have been recommended in the environmental document, and adopted as part of the project or made conditions of project approval, in order to avoid or mitigate potentially significant effects on the environment.

NOTIFICATION AND COMPLIANCE

It shall be the responsibility of the project applicant/owner to provide written notification to the Environmental Coordinator, in a timely manner, of the completion of each Mitigation Measure as identified on the following pages. The Environmental Coordinator will verify that the project is in compliance with the adopted Mitigation Monitoring and Reporting Program (MMRP). Any non-compliance will be reported to the project applicant/owner, and it shall be the project applicant's/owner's responsibility to rectify the situation by bringing the project into compliance and re-notifying the Environmental Coordinator. Any indication that the project is proceeding without good-faith compliance could result in the imposition of administrative, civil and/or criminal penalties upon the project applicant/owner in accordance with Chapter 20.02 of the Sacramento County Code.

PAYMENT

It shall be the responsibility of the project applicant to reimburse Planning and Environmental Review for all expenses incurred in the implementation of the Mitigation Monitoring and Reporting Program (MMRP), including any necessary enforcement actions.

COMPLETION

Pursuant to Section 20.02.060 of the Sacramento County Code, upon the determination of the Environmental Coordinator that compliance with the terms of the approved Mitigation Monitoring and Reporting Program has been achieved, and that there has been full payment of all fees for the project, the Environmental Coordinator shall record and issue a Program Completion Certificate for the project.

STANDARD PROVISIONS

The project applicant shall submit one copy of all Project Plans and Construction Specifications and/or revisions to the Environmental Coordinator prior to Board approval

to advertise Plans and Specifications. If the Environmental Coordinator determines that the Plans are not in full compliance with the adopted MMRP, the Plans shall be returned to the project applicant with a letter specifying the items of non-compliance, and instructing the applicant to revise the Plans, and then resubmit one copy of the revised Plans to the Environmental Coordinator prior to Board approval to advertise.

Additionally, the project applicant shall notify the Environmental Coordinator **no later than 48 hours** prior to the start of construction and no later than 24 hours after its completion. The applicant shall notify the Environmental Coordinator no later than 48 hours prior to any/all Final Inspection(s) by Sacramento County.

The project applicant shall notify the Environmental Coordinator of any pre-construction meetings. Upon notification, a determination will be made as to whether or not the Environmental Coordinator will need to attend the meeting.

The project applicant shall comply with the Mitigation Monitoring and Reporting Program for this project, including the payment of 100% of the Planning and Environmental Review Division staff costs, and the costs of any technical consultant services incurred during implementation of that Program.

MITIGATION MEASURE A: BASIC CONSTRUCTION EMISSIONS CONTROL PRACTICES

The following Basic Construction Emissions Control Practices are considered feasible for controlling fugitive dust from a construction site. The practices also serve as best management practices (BMPs), allowing the use of the non-zero particulate matter significance thresholds. Control of fugitive dust is required by District Rule 403 and enforced by District staff.

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

The following practices describe exhaust emission control from diesel powered fleets working at a construction site. California regulations limit idling from both on-road and off-road diesel-powered equipment. The California Air Resources Board (CARB) enforces idling limitations and compliance with diesel fleet regulations.

1. Minimize idling time either by shutting equipment off when not in use or reducing the time of idling to 5 minutes [California Code of Regulations, Title 13, sections 2449(d)(3) and 2485]. Provide clear signage that posts this requirement for workers at the entrances to the site.
2. Provide current certificate(s) of compliance for CARB's In-Use Off-Road Diesel-Fueled Fleets Regulation [California Code of Regulations, Title 13, sections 2449 and 2449.1]. For more information contact CARB at 877-593-6677, doors@arb.ca.gov, or www.arb.ca.gov/doors/compliance_cert1.html.

Maintain all construction equipment in proper working condition according to manufacturer's specifications. The equipment must be checked by a certified mechanic.

Implementation and Notification (Action by Project Applicant):

1. Comply fully with the above measure.
2. Include the above measure verbatim as a Construction Note and incorporate it into all Plans and Specifications for the project, and submit one copy to the Environmental Coordinator for review and approval prior to the start of any construction work (including clearing and grubbing).

Verification (Action by the Environmental Coordinator):

1. Review the Project Plans prior to the start of construction. Approve Project Plans that are determined to be in compliance with all required mitigation.
2. Monitor compliance during periodic site inspections of the construction work.
3. Participate in any Final Inspection(s) as necessary.

Comments:

Completion of Mitigation Verified:

Signature: _____

Date: _____

MITIGATION MEASURE B: MIGRATORY BIRD NEST PROTECTION

To avoid impacts to nesting migratory birds the following shall apply:

1. If construction activity (which includes clearing, grubbing, or grading) is to commence within 50 feet of nesting habitat between February 1 and August 31, a survey for active migratory bird nests shall be conducted no more than 14 days prior to construction by a qualified biologist.
2. Trees slated for removal shall be removed during the period of September through January, in order to avoid the nesting season. Any trees that are to be removed during the nesting season, which is February through August, shall be surveyed by a qualified biologist and will only be removed if no nesting migratory birds are found.
3. If active nest(s) are found in the survey area, a non-disturbance buffer, the size of which has been determined by a qualified biologist, shall be established and maintained around the nest to prevent nest failure. All construction activities shall be avoided within this buffer area until a qualified biologist determines that nestlings have fledged, or until September 1.

Implementation and Notification (Action by Project Applicant):

1. Comply fully with the above measure.
2. Include the above measure verbatim as a Construction Note and incorporate it into all Plans and Specifications for the project, and submit one copy to the Environmental Coordinator for review and approval prior to the start of any construction work (including clearing and grubbing).

Verification (Action by the Environmental Coordinator):

1. Review the Project Plans prior to the start of construction. Approve Project Plans that are determined to be in compliance with all required mitigation.
2. Monitor compliance during periodic site inspections of the construction work.
3. Participate in any Final Inspection(s) as necessary.

Comments:

Completion of Mitigation Verified:

Signature: _____

Date: _____

MITIGATION MEASURE C: NON-NATIVE TREE CANOPY

Removal of approximately 4,720 square feet of non-native tree canopy for sidewalk and roadway improvements shall be mitigated by creation of new tree canopy equivalent to the acreage of non-native tree canopy removed plus 25% pursuant to General Plan policy (1,180± square feet). New tree canopy acreage shall be calculated using the SacDOT 15-year shade cover values for tree species. Preference is given to on-site mitigation, but if this is infeasible, then funding shall be contributed to the Sacramento Tree Foundation's Greenprint program in an amount proportional to the tree canopy lost (as determined by the 15-year shade cover calculations for the tree species to be planted through the funding, with the cost to be determined by the Sacramento County Tree Foundation).

Implementation and Notification (Action by Project Applicant):

1. Comply fully with the above measure.
2. Include the above measure verbatim as a Construction Note and incorporate it into all Plans and Specifications for the project, and submit one copy to the Environmental Coordinator for review and approval prior to the start of any construction work (including clearing and grubbing).

Verification (Action by the Environmental Coordinator):

1. Review the Project Plans prior to the start of construction. Approve Project Plans that are determined to be in compliance with all required mitigation.
2. Monitor compliance during periodic site inspections of the construction work.
3. Participate in any Final Inspection(s) as necessary.

Comments:

Completion of Mitigation Verified:

Signature: _____

Date: _____

□ MITIGATION MEASURE D: INADVERTENT DISCOVERY OF CULTURAL RESOURCES OR TRIBAL CULTURAL RESOURCES

In the event that human remains are discovered in any location other than a dedicated cemetery, work shall be halted, and the County Coroner contacted. For all other potential tribal cultural resources [TCRs], archaeological, or cultural resources discovered during project's ground disturbing activities, work shall be halted until a qualified archaeologist and/or tribal representative may evaluate the resource.

1. Unanticipated human remains. Pursuant to Sections 5097.97 and 5097.98 of the State Public Resources Code, and Section 7050.5 of the State Health and Safety Code, if a human bone or bone of unknown origin is found during construction, all work is to stop, and the County Coroner and the Planning and Environmental Review shall be immediately notified. If the remains are determined to be Native American, the coroner shall notify the Native American Heritage Commission within 24 hours, and the Native American Heritage Commission shall identify the person or persons it believes to be the most likely descendent from the deceased Native American. The most likely descendent may make recommendations to the landowner or the person responsible for the excavation work, for means of treating or disposition of, with appropriate dignity, the human remains and any associated grave goods.

2. Unanticipated cultural resources. In the event of an inadvertent discovery of cultural resources (excluding human remains) during construction, all work must halt within a 100-foot radius of the discovery. A qualified professional archaeologist, meeting the Secretary of the Interior's Professional Qualification Standards for prehistoric and historic archaeology, shall be retained at the Applicant's expense to evaluate the significance of the find. If it is determined due to the types of deposits discovered that a Native American monitor is required, the Guidelines for Monitors/Consultants of Native American Cultural, Religious, and Burial Sites as established by the Native American Heritage Commission shall be followed, and the monitor shall be retained at the Applicant's expense.

a. Work cannot continue within the 100-foot radius of the discovery site until the archaeologist and/or tribal monitor conducts sufficient research and data collection to make a determination that the resource is either 1) not cultural in origin; or 2) not potentially eligible for listing on the National Register of Historic Places or California Register of Historical Resources.

b. If a potentially eligible resource is encountered, then the archaeologist and/or tribal monitor, Planning and Environmental Review staff, and project proponent shall arrange for either 1) total avoidance of the resource, if possible; or 2) test excavations or total data recovery as mitigation. The determination shall be formally documented in writing and submitted to the County Environmental

Coordinator as verification that the provisions of CEQA for managing unanticipated discoveries have been met.

Implementation and Notification (Action by Project Applicant):

1. Comply fully with the above measure.
2. Include the above measure verbatim as a Construction Note and incorporate it into all Plans and Specifications for the project, and submit one copy to the Environmental Coordinator for review and approval prior to the start of any construction work (including clearing and grubbing).

Verification (Action by the Environmental Coordinator):

1. Review the Project Plans prior to the start of construction. Approve Project Plans that are determined to be in compliance with all required mitigation.
2. Monitor compliance during periodic site inspections of the construction work.
3. Participate in any Final Inspection(s) as necessary.

Comments:

Completion of Mitigation Verified:

Signature: _____

Date: _____

**MITIGATION MEASURE E: COMPENSATED CONSTRUCTION
MONITORING BY OFFICIAL TRIBAL MONITOR**

The project is required to retain an official tribal monitor from the United Auburn Indian Community to observe all ground disturbance activities to occur during the construction phase:

- 1. Communication Protocols for Monitoring:** The applicant shall develop a set of communication protocols, to the satisfaction of the County and tribes, to identify all points of contact and to ensure that tribes are notified when the applicant will proceed with authorized construction activities. Points of contact will be established for the applicant, construction supervisor, monitoring tribes, and County Archaeologist, and the contact numbers and email addresses must be documented and shared among all parties. Points of contact are responsible for identifying backup representatives in the event they are unable to perform due to an absence or other reasons.
- 2. Tribal Monitoring:** All construction-related ground-disturbing activity shall be monitored by a qualified tribal representative from UAIC on this Project to ensure that the procedures for unanticipated discoveries are addressed expeditiously and in accordance with the plan. The requirements for a monitor should be inclusive of all day and night construction activity that has the potential to result in ground disturbance. "Ground-disturbing activity" is defined herein as any activities that have the potential to disturb soil beyond that which was reasonably visible to tribal representatives and archaeologists during the pre- Project pedestrian survey. This includes grading; trenching; excavation for below-ground utility installation or foundation work; and any other below the ground activities. Monitoring is not required for backfilling of previously excavated areas, placement of equipment into excavated areas, reseeding, or revegetation, regrading or contouring of soil that was previously monitored, or for any aboveground Project activity or construction that does not include ground disturbance, but monitors are allowed to observe upon request.

The applicant is responsible for contacting tribal monitors whenever ground disturbance is to occur. If tribal monitors do not respond within 24 hours of the notification, the applicant will notify the County that contact was made with no response received and may proceed with ground disturbance following the guidelines of Measure E.

Tribal monitors will have the authority to request a temporary and reasonable pause of ground-disturbing activities within 50 feet of a discovery of up to 30 minutes to safely examine the ground more closely for indications of potential tribal cultural resources, without being impeded by construction equipment. Positive findings do not have a time limit for evaluation and recovery. In the event of the discovery of a potential tribal cultural resource, the procedures in Mitigation Measure F shall apply.

Implementation and Notification (Action by Project Applicant):

1. Comply fully with the above measure.
2. Include the above measure verbatim as a Construction Note and incorporate it into all Plans and Specifications for the project, and submit one copy to the Environmental Coordinator for review and approval prior to the start of any construction work (including clearing and grubbing).

Verification (Action by the Environmental Coordinator):

1. Review the Project Plans prior to the start of construction. Approve Project Plans that are determined to be in compliance with all required mitigation.
2. Monitor compliance during periodic site inspections of the construction work.
3. Participate in any Final Inspection(s) as necessary.

Comments:

Completion of Mitigation Verified:

Signature: _____

Date: _____

MITIGATION MEASURE F: HAZARDOUS MATERIALS (ADL)

Prior to construction, County Department of Transportation will conduct a Site Investigation (SI). The SI will identify the levels of lead contained in soils within the proposed areas of disturbance within the Project Area. If the levels of lead are below regulatory thresholds, per 22 CCR §66261.24, no further action is required. However, if levels of lead exceed the regulatory thresholds, the contractor will prepare a project specific Lead Compliance Plan, which will include measures to prevent and minimize worker exposure to lead and identify appropriate disposal locations if soils cannot be used as fill for the project, per regulatory standards.

Implementation and Notification (Action by Project Applicant):

1. Comply fully with the above measure.
2. Include the above measure verbatim as a Construction Note and incorporate it into all Plans and Specifications for the project, and submit one copy to the Environmental Coordinator for review and approval prior to the start of any construction work (including clearing and grubbing).

Verification (Action by the Environmental Coordinator):

1. Review the Project Plans prior to the start of construction. Approve Project Plans that are determined to be in compliance with all required mitigation.
2. Monitor compliance during periodic site inspections of the construction work.
3. Participate in any Final Inspection(s) as necessary.

Comments:

Completion of Mitigation Verified:

Signature: _____

Date: _____