



FINDINGS AND STATEMENT OF OVERRIDING CONSIDERATIONS

Resources Building Renovation Project

SCH# 2019120011

Prepared for:



GENERAL SERVICES

California Department of General Services
707 3rd Street, MS-509
West Sacramento, CA 95605

November 30, 2020

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1 INTRODUCTION

These findings have been prepared on behalf of the California Department of General Services (DGS) (the lead agency) for the proposed Resources Building Renovation Project, for which an environmental impact report (EIR) was prepared pursuant to California Environmental Quality Act (CEQA, California Public Resources Code, Section 21000, et seq.). Approval of a project with significant impacts requires that findings be made by the lead agency pursuant to CEQA and the State CEQA Guidelines (California Code of Regulations, Title 14, Chapter 3) Sections 15043, 15091, and 15093. Pursuant to CEQA Guidelines Section 15092(b), a public agency shall not decide to approve or carry out a project for which an EIR was prepared unless either: (1) the project as approved will not have a significant effect on the environment, or (2) the agency has eliminated or substantially lessened all significant effects on the environment, where feasible, and determined that any significant unavoidable effects are acceptable due to overriding concerns. A Statement of Overriding Considerations, which documents the rationale for approval of a project despite its significant unavoidable effects, must be supported by substantial evidence in the administrative record.

These findings are organized as follows:

- ▶ **Findings for Less-Than-Significant Impacts and those identified as No Impact:** This section provides DGS's findings associated with impacts identified as "no impact" or "less than significant" in the Final EIR.
- ▶ **Findings for Significant, Potentially Significant, and Cumulatively Significant Impacts Reduced to Less Than Significant Levels through Mitigation Measures:** This section provides DGS's findings with respect to impacts identified as significant or potentially significant that are reduced to less than significant levels through the adoption of feasible mitigation measures identified in the EIR. These findings are made pursuant to Public Resources Code Section 21081(a) and CEQA Guidelines Section 15091.
- ▶ **Findings for Significant and Unavoidable Impacts:** This section provides DGS's findings with respect to impacts determined to be significant and unavoidable even with the adoption of feasible mitigation measures. These findings are made pursuant to Public Resources Code Section 21081(a) and CEQA Guidelines Section 15091.
- ▶ **Findings Associated with Project Alternatives:** This section sets forth DGS's findings with respect to alternatives to the project that were evaluated in the Final EIR. These findings are made pursuant to Public Resources Code Section 21081(a) and CEQA Guidelines Section 15091.
- ▶ **Statement of Overriding Considerations:** This section sets forth DGS's "statement of overriding considerations" concerning the project and the acceptance of its significant and unavoidable impacts pursuant to Public Resources Code Section 21081(b) and CEQA Guidelines Section 15093.
- ▶ **Mitigation Monitoring and Reporting Program:** This section includes the Mitigation Monitoring and Reporting Program (MMRP) for mitigation measures proposed for adoption. In adopting these findings, DGS hereby commits to implement the MMRP pursuant to CEQA Guidelines Section 15097. The MMRP is included in Attachment A.

Public Resources Code Section 21081 and CEQA Guidelines Section 15091 state that no public agency shall approve or carry out a project for which a certified EIR identifies one or more significant environmental effects of the project, unless the public agency makes one or more written findings for each of those significant effects, accompanied by a brief explanation of the rationale for each finding. The possible findings, which must be supported by substantial evidence in the record, include:

- (1) Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the Final EIR.
- (2) Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency.

- (3) Specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the Final EIR.

When making the findings required in subdivision (1), the agency shall also adopt a program for reporting on or monitoring the changes required in the project to avoid or substantially lessen significant environmental effects. These measures must be fully enforceable through permit conditions, agreements, or other measures.

The mitigation measures required of the Resources Building Renovation Project are listed in the MMRP (Attachment A). The MMRP is adopted concurrently with these findings, as required by CEQA Section 21081.6(a)(1), and will be implemented throughout all phases of the project, including design, construction, and operation. DGS will use the MMRP to track compliance with all mitigation measures.

These findings constitute DGS's evidentiary and policy basis for its decision to approve the proposed Resources Building Renovation Project in a manner consistent with CEQA. These findings are not merely informational, but constitute a binding set of obligations that will come into effect when DGS approves the project (Public Resources Code Section 21081.6(b)). The mitigation measures identified as feasible and within DGS's authority to implement for the approved project become part of the MMRP. DGS will enforce implementation of the mitigation measures. DGS, upon review of the Final EIR (which includes the Draft EIR) and based on all the information and evidence in the administrative record, hereby makes the findings set forth herein.

2 PROJECT DESCRIPTION

2.1 BACKGROUND AND NEED FOR THE PROJECT

The Resources Building is a 17-story, 657,000-square-foot building located at 1416 9th Street in downtown Sacramento, which was constructed in 1964 and has been continuously occupied for nearly 50 years. The building supports approximately 2,400 State employees and serves as the headquarters for the California Natural Resources Agency, including staff from the departments of Fish and Wildlife, Water Resources, Parks and Recreation, and Forestry and Fire Protection. The Resources Building is necessary to fulfill office space needs in the Sacramento Region. DGS has identified it as an important functioning government building because of its gross square footage, occupant density, centralized location, and access to transit. However, the building, which is considered a “high rise” by the building code, has received minimal repair and updating since its construction. In 2015, DGS prepared facility condition assessments (FCAs) for the DGS-controlled state-owned office buildings in Sacramento. The results of the FCAs, and subsequent ranking of the buildings, became the basis of a Ten-Year Sequencing Plan for building renovation. The Resources Building was ranked first for buildings in Sacramento with the highest need for replacement or renovation. The compulsory code-required improvements include seismic upgrade, installation of a building-wide fire sprinkler system, reconstruction of three 17-story exit stair towers, and replacement of asbestos-containing fireproofing. Extensive demolition is required to replace the antiquated mechanical, plumbing, electrical, security, and telecommunication systems. The project would include removal of architectural barriers in accordance with the Americans with Disabilities Act (ADA) and the California Building Code (CBC). Replacement of the building envelope (roof, windows, and exterior pre-cast concrete panels) is necessary to correct seismic deficiencies, alleviate water intrusion, and to increase energy efficiency. Hazardous materials, such as asbestos, are present throughout the existing building and require abatement.

2.2 PROJECT OBJECTIVES

Consistent with, and in furtherance of DGS’s mission and the 2018-2019 Five-Year Infrastructure plan, the objectives of the Resources Building Renovation Project are to:

- ▶ protect the health and safety of the Resources Building occupants;
- ▶ correct fire and life safety deficiencies and provide a complete upgrade of all the building’s infrastructure systems;
- ▶ extend the useful life and viability of the Resources Building;
- ▶ provide a modern, efficient, and safe environment for State employees and the public they serve;
- ▶ integrate the new State development with the existing neighborhood;
- ▶ develop a sustainable and energy-efficient building;
- ▶ design a building that is respectful of the existing historic Leland Stanford Mansion State Historic Park; and
- ▶ make the building safe while honoring the historical qualities of the building.

2.3 CHARACTERISTICS OF THE PROJECT

Due to the extensive seismic, fire/life safety, and infrastructure system improvements needed in the Resources Building, the project would involve a comprehensive tear-down of the building while leaving the steel framing beams and concrete decking. Demolition would also involve removal of the existing asphalt, concrete, and trees surrounding the building, including the sidewalks on the southern half of the block bounded by 8th, 9th, and O Streets and Neighbors Alley. The project may include abandonment of Neighbors Alley by the City, transfer to State ownership, and utility easements. Identified hazardous materials on the site and within the building, including a 2,000-gallon diesel fuel underground storage tank for emergency generators, asbestos containing materials, universal waste, and other suspect hazardous building materials would be abated and removed prior to demolition activities. The project would then involve a comprehensive reconstruction of the Resources Building, addressing the seismic deficiencies

and absence of modern high-rise fire, life, and safety elements. Compulsory code-required improvements would be implemented including seismic upgrades and reinforcement to the existing building frame, installation of a building-wide fire sprinkler system, reconstruction of three 17-story exit stair towers, and replacement of asbestos-containing fireproofing. The antiquated mechanical, plumbing, electrical, security, and telecommunication systems would be replaced. The project would include removal of architectural barriers in accordance with the Americans with Disabilities Act and California Building Code and the building envelope (roof, windows, and exterior pre-cast concrete panels) would be replaced to correct seismic deficiencies, alleviate water intrusion, and to increase energy efficiency. The project's sustainability goals are to meet the 2019 Building Energy Efficiency Standards, achieve Zero Net Energy (using a contract between the Sacramento Municipal Utility District [SMUD] and the State to provide electricity from 100 percent renewable sources to downtown State buildings), and achieve the U.S. Green Building Council's Leadership in Energy and Environmental Design (LEED v4) Silver certification.

The reconstructed building would maintain the existing building height of 17 stories and the gross building area of approximately 657,000 square feet. The asphalt and concrete for sidewalks, Neighbors Alley, and plaza would be reestablished and landscaping and trees would be replaced.

The current building occupants would be moved to the new P Street Office Building, which is under construction on the block bounded by 7th and 8th Streets and O and P Streets. After the building is reconstructed, it would be occupied by State employees, primarily from the State's Employment Development Division. The project supports DGS' strategic mission to provide the highest level of customer service in fulfilling State agencies' facility and real property needs by ultimately providing new or renovated office space to replace existing deficient office space. The project would not substantially modify the number of employees housed in the building, but efficiencies gained through renovation could conservatively accommodate an additional 100 employees (an increase of 4 percent), for a total capacity of 2,500.

2.3.1 California Department of General Services Discretionary Approvals

The following actions are proposed and referred to collectively as the project approvals.

- ▶ Certification of the Final EIR
- ▶ Adoption of these findings, statement of overriding considerations, and the MMRP
- ▶ Approval of the project

2.3.2 Responsible Agencies

The following agencies are acting as responsible agencies pursuant to CEQA Guidelines Sections 15381 and 15386, respectively. No designated trustee agencies would provide approvals for the proposed project.

STATE AGENCIES

- ▶ California Air Resources Board (ARB)
- ▶ California Highway Patrol, Capitol Protection Section (CPS)
- ▶ California State Parks, Office of Historic Preservation (OHP)
- ▶ Central Valley Regional Water Quality Control Board (RWQCB) (Region 5)

REGIONAL AND LOCAL AGENCIES

- ▶ City of Sacramento
- ▶ Sacramento Air Quality Management District (SMAQMD)

3 PROCEDURAL HISTORY

- ▶ DGS prepared and filed a Notice of Preparation (NOP) for an EIR on December 2, 2019 for the Resources Building Renovation Project. The NOP was sent to the California State Clearinghouse, responsible agencies, interested parties and organizations, and private organizations and individuals that could have interest in the project. The NOP was available at the Sacramento Central Library at 828 I Street and at DGS Environmental Services Section office at 707 3rd Street, West Sacramento, on the project website <http://bit.ly/DGSCEQA>, and availability of the NOP was advertised in the Sacramento Bee.
- ▶ A scoping meeting was held on December 17, 2019 from 4:30 p.m. to 6:30 p.m. at Tsakopoulos Library Galleria, located at 828 I Street Sacramento, CA 95814, to provide agencies and the public with the opportunity to learn more about the project and to provide input as to the issues that should be addressed in the EIR. At the meeting, a presentation was given to describe the proposed project and to discuss key environmental issues identified in preliminary analyses, and receive input from public agencies and members of the public on the scope of issues that should be addressed in the EIR.
- ▶ DGS completed and distributed a Draft EIR for the proposed project; it was released on March 27, 2020 for public review and comment for a 45-day period, which concluded on May 11, 2020. The Draft EIR was posted at the State Clearinghouse and the Notice of Availability (NOA) of the EIR was mailed to relevant public agencies, responsible agencies, and all interested parties. The Draft EIR was available at the DGS Environmental Services Section office at 707 3rd Street, West Sacramento, on the project website <http://bit.ly/DGSCEQA>, and availability of the Draft EIR was advertised in the Sacramento Bee.
- ▶ DGS received six written comment letters on the Draft EIR during the comment period, and one additional letter after the close of the comment period, from the agencies listed in Table 2-1 of the Final EIR. The Final EIR, dated November 30, 2020, contains the comments and responses to the comments. Based on the comments received, edits were made to the Draft EIR as set forth in Chapter 2 of the Final EIR. Responses to agency comments were provided to each commenting agency.

4 RECORD OF PROCEEDINGS

In accordance with CEQA Section 21167.6(e), the record of proceedings for DGS's decision on the proposed Resources Building Renovation Project includes, without limitation, the following documents:

- ▶ The NOP (December 2, 2019) and all other public notices issued by DGS in conjunction with the scoping period for the proposed project (provided in Appendix A of the Draft EIR in CD format);
- ▶ All comments submitted by agencies or members of the public during the scoping comment period on the NOP (provided in Appendix A of the Draft EIR in CD format);
- ▶ The Draft EIR (March 27, 2020) for the project (State Clearinghouse No. 2019120011);
- ▶ All comments submitted by agencies or members of the public during the comment period on the Draft EIR (provided in Chapter 2 of the Final EIR);
- ▶ Responses to agency comments on the Draft EIR provided to each commenting agency on November 20, 2020.
- ▶ The Final EIR (November 30, 2020) for the project, including comments received on the Draft EIR and responses to those comments as well as revisions to the Draft EIR;
- ▶ Documents cited or referenced in the Draft and Final EIRs;
- ▶ The Mitigation Monitoring and Reporting Program (MMRP) for the project (Attachment A to these Findings);
- ▶ All findings, statement of overriding considerations, and resolutions adopted by DGS in connection with the project and all documents cited or referred to therein;
- ▶ All reports, studies, memoranda, maps, staff reports, or other planning documents relating to the project prepared by DGS, consultants to DGS, or responsible or trustee agencies with respect to DGS's compliance with the requirements of CEQA and with respect to DGS's action on the project;
- ▶ All documents submitted to DGS by other public agencies or members of the public in connection with the project up through final consideration of project approval;
- ▶ Any other materials required to be in the record of proceedings by Public Resources Code Section 21167.6(e).

The official custodian of the documents comprising the record of proceedings is the Department of General Services, Environmental Services Section, located at 707 3rd Street, West Sacramento, CA 95605. All files have been available to the Director and the public for review in considering these findings and whether to approve the project.

5 FINDINGS REQUIRED UNDER CEQA

Sections 5.1 through 5.4 below contain DGS's findings with respect to the environmental impacts of the project pursuant to the requirements of Public Resources Code 21081 and CEQA Guidelines Sections 15091 and 15097.

The Final EIR, consisting of the Draft EIR, comments on the Draft EIR, responses to comments on the Draft EIR, and revisions to the Draft EIR, are hereby incorporated by reference into these findings without limitation. This incorporation is intended to address the scope and nature of mitigation measures, the basis for determining the significance of impacts, the comparative analysis of alternatives, and the reasons for approving the project despite the potential for associated significant and unavoidable impacts.

5.1 LESS-THAN-SIGNIFICANT IMPACTS AND AREAS OF NO IMPACT

The Director agrees with the characterization in Section 4.2, "Effects Found Not to be Significant" of the Final EIR with respect to the resource areas for which the project would result in no impact. The Director agrees with the characterization of impacts identified as less than significant in Chapters 4 and 5 of the Final EIR and finds that those impacts have been described accurately and are less than significant as so described in the Final EIR. The Director also agrees with determinations made in "Issues or Potential Impacts Not Discussed Further" sections in Chapter 4 of the EIR that identified issues or thresholds of significance that are not applicable or that would have no impact due to the Resources Building Renovation Project.

This finding applies to the following impacts evaluated in the Final EIR, each determined to be less than significant (no mitigation required).

5.1.1 Transportation and Circulation, EIR Section 4.4

- ▶ Impact 4.4-1: Impacts to intersection operations (*This discussion was provided for informational purposes, not related to a CEQA impact determination.*)
- ▶ Impact 4.4-2: Impacts to freeway off-ramp queuing (less than significant)
- ▶ Impact 4.4-3: Impacts to Transit (less than significant)
- ▶ Impact 4.4-4: Impacts to Bicycle Facilities (less than significant)
- ▶ Impact 4.4-6: Construction-related impacts (less than significant)

5.1.2 Utilities and Service Systems, EIR Section 4.5

- ▶ Impact 4.5-1: New or Expanded Utility Infrastructure (less than significant)
- ▶ Impact 4.5-2: Adequacy of Water Supplies (less than significant)
- ▶ Impact 4.5-3: Wastewater Infrastructure and Treatment Capacity (less than significant)
- ▶ Impact 4.5-4: Landfill Capacity and Compliance with Solid Waste Regulations (less than significant)

5.1.3 Air Quality, EIR Section 4.6

- ▶ Impact 4.6-1: Construction emissions of criteria air pollutants and precursors (ROG, NO_x, PM₁₀, and PM_{2.5}) (Less than significant)
- ▶ Impact 4.6-2: Long-term operational emissions of ROG, NO_x, PM₁₀, and PM_{2.5} (less than significant)
- ▶ Impact 4.6-3: Exposure of sensitive receptors to TACs (less than significant)

5.1.4 Greenhouse Gas Emissions and Climate Change, EIR Section 4.7

- ▶ Impact 4.7-1: Project-generated GHG emissions (less than significant)

5.1.5 Energy, EIR Section 4.8

- ▶ Impact 4.8-1: Result in wasteful, inefficient, and unnecessary consumption of energy during project construction or operation (less than significant)
- ▶ Impact 4.8-2: Conflict with or Obstruction of a State or Local Plan for Renewable Energy or Energy Efficiency (less than significant)

5.1.6 Noise, EIR Section 4.9

- ▶ Impact 4.9-1: Construction-Generated Noise Levels (less than significant)
- ▶ Impact 4.9-3: Long-Term (Operational) Traffic-Generated Noise

5.1.7 Hazardous Materials and Hazards, EIR Section 4.10

- ▶ Impact 4.10-1: Storage, use, or transport of hazardous materials (less than significant)
- ▶ Impact 4.10-2: Exposure of construction workers and others to hazardous materials (less than significant)

5.1.8 Aesthetics, EIR Section 4.12

- ▶ Impact 4.12-1 Substantial Degradation of Existing Visual Character or Quality (less than significant)
- ▶ Impact 4.12-2: Introduction of New Sources of Light and Glare that Adversely Affect Day or Nighttime Views (less than significant)

5.1.9 Cumulative Impacts, EIR Chapter 5

- ▶ Cumulative impacts related to intersection level of service (This discussion was provided for informational purposes, not related to a CEQA impact determination.)
- ▶ Cumulative impacts related to vehicle miles traveled
- ▶ Cumulative impacts related to transit, bicycle, and pedestrian facilities
- ▶ Cumulative impacts related to construction traffic
- ▶ Cumulative impacts to water supply
- ▶ Cumulative impacts to water delivery infrastructure
- ▶ Cumulative impacts to stormwater/wastewater conveyance facilities
- ▶ Cumulative impacts to wastewater treatment facilities
- ▶ Cumulative impacts related to electricity, natural gas, and energy efficiency
- ▶ Cumulative short-term construction-related air quality impacts
- ▶ Cumulative long-term operational-related air quality impacts
- ▶ Cumulative impacts related to TAC exposure
- ▶ Cumulative impacts related to greenhouse gas emissions and climate change

- ▶ Cumulative impacts related to energy
- ▶ Cumulative impacts related to noise or vibration
- ▶ Cumulative hazardous materials and public health effects
- ▶ Cumulative impacts related to biological resources
- ▶ Cumulative impacts related to aesthetics, light, and/or glare

5.2 SIGNIFICANT IMPACTS SUFFICIENTLY REDUCED THROUGH MITIGATION MEASURES

The Director agrees with the characterization in the Final EIR with respect to all impacts identified as significant or potentially significant that will be reduced to less-than-significant levels with implementation of the mitigation measures identified in the Final EIR and MMRP. In accordance with CEQA Guidelines Section 15091(a), a specific finding is made for each impact and its associated mitigation measures in the discussions below.

5.2.1 Archaeological, Historical, and Tribal Cultural Resources, EIR Section 4.3

IMPACT 4.3-1: POTENTIAL FOR IMPACTS ON SIGNIFICANT HISTORIC ARCHAEOLOGICAL RESOURCES

Mitigation Measure 4.3-1: Monitoring and Response Measures for Potential Unknown Historic Archaeological Resources

A cultural resources awareness training program shall be provided to all on-site personnel active on the project site during earth moving activities. The first training shall be provided prior to the initiation of ground disturbing activities. The training shall be developed and conducted in coordination with a qualified archaeologist meeting the U.S. Secretary of the Interior guidelines for professional archaeologists and consulting Native American tribes. The program will include relevant information regarding sensitive cultural resources, including applicable regulations, protocols for avoidance, and consequences of violating State laws and regulations. The worker cultural resources awareness program will also describe appropriate avoidance and minimization measures for resources that have the potential to be located on the project site and will outline what to do and whom to contact if any potential archaeological resources or artifacts are encountered.

Where ground disturbing activities occur in native soils, or there is no evidence of extensive past ground disturbances, a qualified archaeologist meeting the U.S. Secretary of the Interior guidelines for professional archaeologists shall monitor ground-disturbing activities. If evidence of any historic-era subsurface archaeological features or deposits is discovered during construction-related earth-moving activities (e.g., ceramic shard, trash scatters, brick walls), all ground-disturbing activity in the area of the discovery shall be halted until a qualified archaeologist can assess the significance of the find. If after evaluation, a resource is considered significant, all preservation options shall be considered as required by CEQA, including possible data recovery, mapping, capping, or avoidance of the resource. If artifacts are recovered from significant historic archaeological resources, they shall be housed at a qualified curation facility. However, if historic-era artifacts are found to be associated with Native American tribal members, they shall be evaluated and treated consistent with the process identified in Mitigation Measure 4.3-2. The results of the identification, evaluation, and/or data recovery program for any unanticipated discoveries shall be presented in a professional-quality report that details all methods and findings, evaluates the nature and significance of the resources, analyzes and interprets the results, and distributes this information to the public.

Finding: Implementation of Mitigation Measure 4.3-1, which has been required, will reduce potential impacts to significant historic archaeological resources to less-than-significant levels. Specifically, this mitigation measure requires preconstruction training, construction monitoring and, in the case of a discovery, preservation options (including data recovery, mapping, capping, or avoidance) and proper curation if significant artifacts are recovered. DGS, therefore, finds that changes or alterations have been required in, or incorporated into, the project that avoid or substantially lessen the significant environmental impact identified in the Final EIR. (Draft EIR pages 4.3-20 and 4.3-21)

IMPACT 4.3-2: POTENTIAL FOR IMPACTS ON SIGNIFICANT PRECONTACT ARCHAEOLOGICAL AND TRIBAL CULTURAL RESOURCES

Mitigation Measure 4.3-2: Monitoring and Response Measures for Potential Unknown Precontact Archaeological Resources and Tribal Cultural Resources

This mitigation measure expands on the actions included in Mitigation Measure 4.3-1 to also address encountering unknown precontact archaeological and tribal cultural resources.

A representative or representatives from culturally affiliated Native American Tribe(s) will be invited to participate in the development and delivery of the cultural resources awareness training program included in Mitigation Measure 4.3-1. The program will include relevant information regarding sensitive tribal cultural resources, including applicable regulations, protocols for avoidance, and consequences of violating State laws and regulations. The program will also underscore the requirement for confidentiality and culturally appropriate treatment of any find of significance to Native Americans and behaviors, consistent with Native American Tribal values.

Where ground disturbing activities occur in native soils, or there is no evidence of extensive past ground disturbances, or evidence suggests that imported soils have a high probability of containing artifacts and materials of importance to tribal entities, a qualified archaeologist and Native American tribal monitor(s) will monitor ground-disturbing activities. Interested Native American Tribes will be provided at least seven days' notice prior to the initiation of ground disturbing activities. If any previously undisturbed native soil is imported to the project site for fill or other purposes, the archaeologist and tribal monitor(s) will also monitor handling and placement of this material to determine if archaeological material may be imported with the native soil. The determination for initiating or ending monitoring disturbance of imported soils will be made based on coordination between the qualified archeologist and tribal monitor(s), with a final determination made by DGS.

If evidence of any precontact subsurface archaeological features or deposits are discovered during construction-related earth-moving activities (e.g., lithic scatters, midden soils), all ground-disturbing activity in the vicinity of the discovery shall be halted until a qualified archaeologist and Native American representative can assess the significance of the find. If after evaluation, a resource is considered significant, or is considered a tribal cultural resource, all preservation options shall be considered as required by CEQA, including possible data recovery, mapping, capping, or avoidance of the resource. If artifacts must be recovered from significant precontact archaeological resources, they shall be transferred to an appropriate tribal representative, or housed at a qualified curation facility. If artifacts or other materials must be removed, preference shall be given to transferring materials to an appropriate tribal representative and re-interring the material at a location on the project site. The results of the identification, evaluation, and/or data recovery program for any unanticipated discoveries shall be presented in a professional-quality report that details all methods and findings, evaluates the nature and significance of the resources, analyzes and interprets the results, and distributes this information to the public.

Finding: Implementation of Mitigation Measure 4.3-2, which has been required, will reduce potential impacts to significant precontact archeological resources and tribal cultural resources to less-than-significant levels. Specifically, this mitigation measure requires construction monitoring, requires construction to halt in the case of a discovery, preservation options (including data recovery, mapping, capping, and avoidance), and proper care of significant artifacts if they are recovered, including re-interring material on the project site. DGS, therefore, finds that changes or alterations have been required in, or incorporated into, the project that avoid or substantially lessen the significant environmental impact identified in the Final EIR. (Draft EIR pages 4.3-21 and 4.3-23)

IMPACT 4.3-3: POTENTIAL DISCOVERY OF HUMAN REMAINS

Mitigation Measure 4.3-3: Response Protocol in Case Human Remains are Uncovered

Consistent with the California Health and Safety Code and the California Native American Historical, Cultural, and Sacred Sites Act, if suspected human remains are found during project construction, all work shall be halted in the immediate area, and the county coroner shall be notified to determine the nature of the remains. The coroner shall examine all discoveries of suspected human remains within 48 hours of receiving notice of a discovery on private or State lands (Health and Safety Code Section 7050.5[b]). If the coroner determines that the remains are those of a Native American, he or she shall contact the NAHC by phone within 24 hours of making that determination (Health and Safety Code Section 7050[c]). The NAHC shall then assign an MLD to serve as the main point of Native American contact and consultation. Following the coroner's findings, the MLD, in consultation with the State, shall determine the ultimate treatment and disposition of the remains.

Finding: Implementation of Mitigation Measure 4.3-3, which has been required, will reduce potential impacts to previously undiscovered human remains to less-than-significant levels. Specifically, this mitigation measure requires work to stop if human remains are found, communication with the county coroner, and the proper identification and treatment of the remains consistent with the California Health and Safety Code and the California Native American Historical, Cultural, and Sacred Sites Act. DGS, therefore, finds that changes or alterations have been required in, or incorporated into, the project that avoid or substantially lessen the significant environmental impact identified in the Final EIR. (Draft EIR page 4.3-23)

IMPACT 4.3-4: POTENTIAL FOR IMPACTS ON HISTORIC ARCHITECTURAL RESOURCES

Leland Stanford Mansion

Mitigation Measure 4.3-4a: Protection and Stabilization Measures

The State shall establish protection and stabilization measures for the Leland Stanford Mansion, which is immediately adjacent to the project site, prior to demolition or construction activities. The protection measures shall ensure that impacts on this historic resource will be minimized and/or avoided to the extent possible. To avoid inadvertent damage from debris falling and damaging the Stanford Mansion during project demolition and construction, contractors shall implement protection methods, such as scaffolding and/or movable metal nets held by cranes that are moved into place as necessary to prevent debris and materials falling onto the Stanford Mansion. Physical barriers shall also be placed to protect the Stanford Mansion from demolition or construction activities, including concrete barriers and/or use of screens and netting, to avoid inadvertent damage to the historic building or a feature of the historic landscape. Windows of the Leland Stanford Mansion subject to damage shall be covered (e.g., plywood or other protective material) to prevent damage. Protective barriers shall be installed prior to demolition or construction activities, and shall remain in place through the end of demolition or construction activities. A qualified architectural historian shall monitor implementation of these protection measures to support proper implementation by the construction contractors and ensure protection of the Leland Stanford Mansion.

Mitigation Measure 4.3-4b: Vibration Monitoring

Although there is no anticipated substantial adverse change to the Stanford Mansion from vibration impacts from the project, Mitigation Measure 4.9-2 of this Draft EIR requires the development and implementation of a vibration control plan, which shall be applicable to construction activities located within 30 feet of any building or within 80 feet of an occupied building, such as the Leland Stanford Mansion.

A vibration control plan shall be developed by a vibration control consultant with documented expertise designing projects in sensitive historic settings to be submitted to and approved by DGS before initiating any construction activities within the type and distance parameters identified above. Applicable elements of the

plan will be implemented before, during, and after construction activity. The plan shall consider all potential vibration-inducing activities that would occur and require implementation of sufficient mitigation measures to ensure that the existing Leland Stanford Mansion State Historic Park, or other buildings, would not be exposed to vibration levels that would result in damage to the building.

Mitigation Measure 4.3-4c: Repair Inadvertent Damage

If project-related demolition or construction activities results in inadvertent damage of historic elements of the Stanford Mansion, the State shall repair them in accordance with the Secretary of the Interior's Standards for the Treatment of Historic Properties. Inadvertent damage is any damage that results in a significant impact to a historical resource within the meaning of CEQA Guidelines Section 15064.5(b)(2) or adverse effects to historic properties within the meaning of 36 C.F.R. Part 800.5(a)(1). All repairs shall be reviewed and approved by a qualified architectural historian under the supervision of a qualified preservation architect (both meeting the appropriate Secretary of Interior's Professional Qualification Standards) prior to determining that the treatment has been adequately implemented.

Finding: Implementation of Mitigation Measures 4.3-4a, 4b, and 4c, which have been required, reduce potential impacts on the Leland Stanford Mansion by installing and using protective barriers during demolition or construction activities to prevent falling debris from impacting the historic resource; by monitoring and controlling vibration to prevent structural damage to the Stanford Mansion; and by repairing any inadvertent damage to the Leland Stanford Mansion according to Secretary of the Interior's Standards for the Treatment of Historic Properties. DGS, therefore, finds that changes or alterations have been required in, or incorporated into, the project that avoid or substantially lessen the significant environmental impact identified in the Final EIR. (Draft EIR page 4.3-25)

5.2.2 Transportation and Circulation, EIR Section 4.4

IMPACT 4.4-5: IMPACTS TO PEDESTRIAN FACILITIES

Mitigation Measure 4.4-5: Improve Pedestrian Crossings at the O Street/8th Street and O Street/9th Street Intersections

DGS shall construct the following improvements to pedestrian crossings at the O Street/8th Street and O Street/9th Street intersections:

- ▶ O Street/8th Street
- ▶ East Leg – Install new marked crosswalk
- ▶ O Street/9th Street
- ▶ East Leg – Provide warning signage or devices to prevent pedestrian-light rail conflicts. In addition, modify traffic signal to include pedestrian heads.

Final designs for all pedestrian crossing improvements are subject to review and approval by the City of Sacramento Traffic Engineer. Pedestrian crossing improvements shall be completed before the State Fire Marshal issuance of a certificate of occupancy.

Finding: Implementation of Mitigation Measure 4.4-5, which has been required, will reduce the potential impacts to pedestrian facilities to a less-than-significant level. Specifically, Mitigation Measure 4.4-5 will reduce potential significant impacts associated with pedestrian facilities by improving pedestrian safety at the two intersections closest to the project site through improved crosswalks and warning signage for pedestrians and motorists. DGS, therefore, finds that changes or alterations have been required in, or incorporated into, the project that avoid or substantially lessen the significant environmental impact identified in the Final EIR. (Draft EIR page 4.4-31)

5.2.3 Noise, EIR Section 4.9

IMPACT 4.9-2: CONSTRUCTION-GENERATED VIBRATION

Mitigation Measure 4.9-2: Develop and Implement a Vibration Control Plan

This mitigation measure shall be applicable to construction activities located within 30 feet of any building or within 80 feet of an occupied building, such as the Leland Stanford Mansion or a nearby office building.

A vibration control plan shall be developed by a vibration control consultant with documented expertise designing projects in sensitive historic settings to be submitted to and approved by DGS before initiating any construction activities within the type and distance parameters identified above. Applicable elements of the plan will be implemented before, during, and after construction activity. The plan shall consider all potential vibration-inducing activities that would occur and require implementation of sufficient mitigation measures to ensure that the existing Leland Stanford Mansion State Historic Park, or other buildings, would not be exposed to vibration levels that would result in damage to the building or substantial human disturbance. Items that shall be addressed in the plan include, but are not limited to, the following:

- ▶ Pile installation activities shall be limited to the daytime hours between 7:00 a.m. and 6:00 p.m. Monday through Saturday and between 9:00 a.m. and 6:00 p.m. on Sunday. No nighttime pile installation will be permitted.
- ▶ Pre-construction surveys shall be conducted to identify any pre-existing structural damage to the existing Leland Stanford Mansion State Historic Park, or other buildings, that may be affected by project-generated ground vibration.
- ▶ Identification of minimum setback requirements for different types of ground vibration-producing activities (e.g., pile drilling) for the purpose of preventing damage to nearby structures shall be established based on proposed construction activities and locations, once determined. Factors to be considered include the specific nature of the vibration producing activity (e.g., type and duration of pile drilling), local soil conditions, and the fragility/resiliency of the nearby structures. Setback requirements will be based on a project-specific/site-specific analysis conducted by a qualified geotechnical engineer, structural engineer familiar with the building(s) that may be affected, and a ground vibration specialist. The criteria for vibration setbacks, and any other vibration controls, is to generate no ground vibration during project construction that would result in structural damage at nearby buildings or structures.
- ▶ All construction-generated vibration levels shall be monitored and documented at the existing Leland Stanford Mansion State Historic Park to ensure that applicable thresholds are not exceeded. Recorded data will be submitted on a weekly basis to DGS. If it is found at any time by the design-build team or DGS that thresholds are exceeded, the responsible construction activities will cease, and any affected buildings will be evaluated to assess any damage that has occurred. If vibration-induced damage has occurred, methods will be implemented to reduce vibration to less than applicable thresholds, such as changing construction methods or increasing setback distances.
- ▶ Controlling vibration sufficient to prevent structure damage is also likely to prevent substantial human disturbance from vibration. However, DGS shall identify a point of contact for vibration complaints who shall work with DGS and the construction team to resolve complaints.

Finding: Implementation of Mitigation Measures 4.9-2, which has been required, will reduce the potential impact related to the generation of construction-generated levels to a less-than-significant level. Specifically, Mitigation Measures 4.9-2 will ensure that vibration impacts because of pile drilling or other construction activities are minimized through preparation and implementation of a vibration control plan that ensures that pile drilling does not occur during the more sensitive times of the day (i.e., late evening through early morning), controls vibration sufficiently to prevent structural damage to nearby buildings, and corrects situations where substantial human disturbance from vibration might occur. This measure will prevent structural damage and minimize human annoyance. DGS, therefore, finds that

changes or alterations have been required in, or incorporated into, the project that avoid or substantially lessen the significant environmental impact identified in the Final EIR. (Draft EIR page 4.9-14 through 4.9-15)

5.2.4 Biological Resources, EIR Section 4.11

IMPACT 4.11-1: DISTURBANCE TO SWAINSON'S HAWK, WHITE-TAILED KITE, OTHER NESTING RAPTORS, AND OTHER NATIVE NESTING BIRDS

Mitigation Measure 4.11-1: Protect Nesting Swainson's Hawks, White-Tailed Kites, Other Raptors, and Other Native Birds

DGS shall require that the following measures are implemented before and during tree removal, demolition, and construction:

- ▶ To minimize the potential for loss of nesting raptors and other native nesting birds, tree and other vegetation removal will be conducted during the nonbreeding season (September 1-January 31). If all trees and other vegetation are removed during the nonbreeding season, no further mitigation will be required.
- ▶ If tree and other vegetation removal activities occur during the breeding season (February 1 through August 31), a qualified biologist will conduct a survey of all trees and vegetation planned for removal no more than 14 days prior to the start of tree and other vegetation removal, to assess whether Swainson's hawk, white-tailed kite, other raptor, or other native bird species (protected by Section 3503 of the Fish and Game Code) nests are present. Tree and other vegetation removal will only commence if the biologist verifies that no active nests are present. If an active nest is discovered, the tree or other vegetation will not be removed until young have fledged. If tree or other vegetation removal activities lapse for greater than 14 days during the breeding season, then an additional survey will be required prior to the restart of activities.
- ▶ To minimize the potential for disturbance or loss of nesting raptors and other native nesting birds, demolition or construction activities that could result in disturbance to nesting raptors (i.e., activities within the sightline of a raptor nest), to the maximum extent feasible, will be conducted during the nonbreeding season (September 1-January 31). If demolition and construction activities commence during the nonbreeding season, and no lapse in activities greater than 14 days occurs, no further mitigation will be required.
- ▶ If demolition and construction activities that could result in disturbance to nesting raptors commence during the breeding season (February 1 through August 31), a qualified biologist will conduct a survey of the trees within the sightline of the project site no more than 14 days prior to the start of demolition and construction activities, to assess whether any trees contain nesting Swainson's hawk, white-tailed kite, other nesting raptors, or other nesting native bird species (protected by Section 3503 of the Fish and Game Code). Demolition and construction activities will only commence if the biologist verifies that no active nests for any Swainson's hawks, white-tailed kites, or other raptor species are present. If an active raptor nest is present, demolition and construction will not start until young have fledged. If demolition and construction activities that could result in disturbance to nesting raptors lapse for greater than 14 days during the breeding season, then an additional survey will be required prior to the restart of activities.
- ▶ If a species other than a raptor species is found nesting within the sightline of the project site, DGS will coordinate with CDFW regarding the best approach for compliance with Section 3503 of the Fish and Game Code. For example, common species in urban environments, such as house finch, may tolerate some increase in noise or other construction activities within close proximity of the nest, and presence of these nests may have no effect on nearby construction activity.

Finding: Implementation of Mitigation Measure 4.11-1, which has been required, will reduce potentially significant impacts associated with tree removal to less-than-significant levels by requiring that any tree removal occur during the nonbreeding season, pre-construction surveys, and coordination with CDFW, when necessary. DGS, therefore, finds that changes or alterations have been required in, or incorporated into, the project that avoid or substantially lessen the significant environmental impact identified in the Final EIR. (Draft EIR page 4.11-12 and 4.11-13)

IMPACT 4.11-2: DISTURBANCE TO COMMON BAT ROOSTS AND MATERNAL COLONIES

Mitigation Measure 4.11-2: Conduct Preconstruction Surveys for Bats and Exclude Bats from Roosting Site

DGS shall require that the following measures are implemented before building demolition:

- ▶ Prior to commencement of demolition activities, a qualified biologist will conduct a survey of the exterior and interior of the Resources Building for roosting bats. If evidence of bat use is observed, the species and number of bats using the roost will be determined. Bat detectors may be used to supplement survey efforts. If no evidence of bat roosts is found, then no further study and no further mitigation will be required.
- ▶ If bat roosts or a maternity colony are found, bats will be excluded from the roosting site before demolition begins. Exclusion efforts may be restricted during periods of sensitive activity (e.g., during hibernation or while females in maternity colonies are nursing young). Once, it is confirmed that bats are not present in the original roost site, demolition activities may commence.

Finding: Implementation of Mitigation Measure 4.11-2 which has been required, will reduce potentially significant impacts associated with common bat roosts and maternity colonies to a less-than-significant level because roosts and maternity colonies will be identified and bats will be excluded during demolition and construction activities. DGS, therefore, finds that changes or alterations have been required in, or incorporated into, the project that avoid or substantially lessen the significant environmental impact identified in the Final EIR. (Draft EIR page 4.11-13 and 4.11-14)

Impact 4.11-3: Conflict with Applicable Local Policies Protecting Biological Resources

Mitigation Measure 4.11-3: Remove and Replace Trees Consistent with the City of Sacramento Tree Preservation Ordinance

Before commencement of tree removal and other site preparation and demolition activities, DGS will complete a survey of trees at the project site and any other areas affected by excavation (e.g., utility work), demolition, and construction, and prepare and submit a detailed tree removal, protection, replanting, and replacement plan to the City arborist. The tree removal plan will be developed by a certified arborist. The plan shall include the following elements:

- ▶ The number, location, species, health, and sizes of all trees to be removed, relocated, and/or replaced will be identified. This information will also be provided on a map/design drawing to be included in the in the project plans.
- ▶ Planting techniques, necessary maintenance regime, success criteria, and a monitoring program for all trees planted on, or retained on the project site will be described.

DGS will ensure implementation of the tree removal, protection, replanting, and replacement plan during project construction and operation.

Finding: Implementation of Mitigation Measure 4.11-3, which has been required, will reduce potentially significant impacts associated with tree removal to a less-than-significant level by providing replacement trees and complying with the City's Tree Preservation Ordinance. DGS, therefore, finds that changes or alterations have been required in,

or incorporated into, the project that avoid or substantially lessen the significant environmental impact identified in the Final EIR. (Draft EIR page 4.11-14)

Cumulative Impacts to Archaeological Resources, Tribal Cultural Resources, and Human Remains

Mitigation Measures

Implement Mitigation Measures 4.3-1, 4.3-2, and 4.3-3 (see findings above regarding these mitigation measures).

Finding: Implementation of Mitigation Measures 4.3-1, 4.3-2, and 4.3-3, which have been required, will reduce the project's contribution to cumulative archaeological resource impacts to a less-than-cumulatively-considerable level. Specifically, these mitigation measures require cultural resources awareness training for all construction personnel active on the project site during earth moving activities, construction monitoring and, in the case of a discovery, preservation options (including data recovery, mapping, capping, or avoidance) and proper curation if significant artifacts are recovered. By providing an opportunity to avoid disturbance, disruption, or destruction of archaeological resources, implementation of the project would result in a less-than-significant contribution to the cumulative impact. DGS, therefore, finds that changes or alterations have been required in, or incorporated into, the project that avoid or substantially lessen the significant environmental impact identified in the Final EIR. (Draft EIR page 5-8)

5.3 SIGNIFICANT AND UNAVOIDABLE IMPACTS

The Director agrees with the characterization in the Final EIR with respect to all impacts identified as significant and unavoidable. For this project, the following impact was identified as significant and unavoidable. That is, this impact remains significant, despite the incorporation of all feasible mitigation measures to substantially lessen or avoid the impact. In accordance with CEQA Guidelines Section 15091(a), a specific finding is made for the single significant and unavoidable impact and its associated mitigation measures in the discussions below.

5.3.1 Archaeological, Historical, and Tribal Cultural Resources, EIR Section 4.3

IMPACT 4.3-4: POTENTIAL FOR IMPACTS ON HISTORIC ARCHITECTURAL RESOURCES

Resources Building

Mitigation Measure 4.3-4d: Preparation of Archival Recordation Documentation

DGS shall ensure that prior to any building alteration or demolition activities, the Resources Building shall be the subject of recordation by photography and written historical data following the standards of the Historic American Buildings Survey (HABS). HABS Level II documentation shall be implemented, which includes large-format archival photographs and written data and shall include historic plans of the building and associated landscape features. Archival photographs to sufficiently document the property shall include approximately 30 views of the Resources Building including contextual views of the building within its setting, along with exterior, interior, and detail views of character-defining features. The HABS documentation shall be completed by a qualified professional who meets the standards for History or Architectural History set forth by the Secretary of the Interior's Professional Qualification Standards (36 CFR, Part 61). The draft documentation shall be submitted for review and approval by DGS. The final documentation shall be distributed or offered to the SHPO, DGS, and the appropriate interested parties, which may include, but is not limited to historical organizations.

Mitigation Measure 4.3-4e: Interpretive Panels and/or Signage

DGS shall prepare two or more interpretive exhibits, signs, and or plaques that provide information regarding the history, construction, and subsequent use of the Resources Building and the California State Capitol Plan, and shall include information regarding the Modernism and International architectural styles. The interpretive exhibits would use images, narrative history, drawings, or other material produced for the archival recordation documentation mitigation (Mitigation 4.3-4d), oral histories (Mitigation Measure 4.3-4f), documentation collected from the time capsule embedded in the cornerstone of the building, or other archival resources. DGS will reuse existing building materials, as feasible, in the exhibits to create a tangible link between the existing building and the renovated building. The interpretive exhibits may be in the form of, but are not necessarily limited to, interpretive display panels, and/or printed material for dissemination to the public. The interpretive exhibits shall be installed within interior public spaces of the renovated Resources Building and shall integrated into the design of the outdoor public areas. Interpretive displays and the signage/plaques installed outdoors shall be sufficiently durable to withstand inclement weather conditions of the site for at least ten years, like fiber-glass embedment panels, that meet National Park Service signage standards. Displays and signage/plaques shall be lighted, installed at pedestrian-friendly locations, and be of adequate size to attract the interested pedestrian. Maintenance of displays and signage/plaques shall be included in the management of the common area maintenance program on the property.

Mitigation Measure 4.3-4f: Oral History Project

Prior to any structural demolition and construction activities, one or more persons meeting the Secretary of the Interior's Professional Qualification Standards under History and Architectural History shall assemble important personal histories of persons knowledgeable about history and Modernism and International design of the Resources Building, and the design, adoption, and implementation of the California State Capitol Plan. An oral history project to record their stories would be a valuable resource and assist with interpretative and educational exhibits, (Mitigation 4.3-4e, and archival recordation documentation (Mitigation 4.3-4d). The Center for Sacramento History, and other local museum and historical societies, shall be given the opportunity to comment on the research design for any oral history project. The research design would identify anticipated informants, research goals, and protocols. Any oral history research and interviews shall be conducted in conformance with the Principles for Oral History and Best Practices for Oral History (October 2009). CDs prepared during any oral history project shall be recorded on archive quality discs, such as archival gold CD-Rs, and disseminated to local repositories. The oral history project shall be available at the Resources Building when occupancy begins.

Finding: Implementation of Mitigation Measures 4.3-4a through 4.3-4f, which have been required, will reduce the impact caused by the proposed project on the Resources Building to the degree feasible; however, this mitigation will not reduce the impact of the comprehensive tear-down of the building to a less-than-significant level. The comprehensive tear down of the Resources Building will result in a substantial adverse change to the building, and the impact to historic architectural resources will be significant and unavoidable. DGS finds that although changes or alterations have been required in, or incorporated into, the project that substantially lessen the significant environmental impact, this impact would remain significant and unavoidable. (Draft EIR pages 4.3-23 through 4.3-26)

5.4 FINDINGS REGARDING PROJECT ALTERNATIVES

Public Resources Code section 21002 provides that "public agencies should not approve projects as proposed if there are feasible alternatives or feasible mitigation measures available which would substantially lessen the significant environmental effects of such projects[.]" The same statute states that the procedures required by CEQA "are intended to assist public agencies in systematically identifying both the significant effects of proposed projects and the feasible alternatives or feasible mitigation measures which will avoid or substantially lessen such significant effects."

Where a lead agency has determined that, even after the adoption of all feasible mitigation measures, a project as proposed will still cause one or more significant environmental effects that cannot be substantially lessened or

avoided, the agency, prior to approving the project as mitigated, must first determine whether, with respect to such impacts, there remain any project alternatives that are both environmentally superior and feasible within the meaning of CEQA. Although an EIR must evaluate this range of potentially feasible alternatives, an alternative may ultimately be deemed by the lead agency to be “infeasible” if it fails to fully promote the lead agency’s underlying goals and objectives with respect to the project. (*City of Del Mar v. City of San Diego* (1982) 133 Cal.App.3d 401, 417.)

“‘[F]easibility’ under CEQA encompasses ‘desirability’ to the extent that desirability is based on a reasonable balancing of the relevant economic, environmental, social, and technological factors.” (*Ibid*; see also *Sequoyah Hills Homeowners Assn. v. City of Oakland* (1993) 23 Cal.App.4th 704, 715.) Thus, even if a project alternative will avoid or substantially lessen any of the significant environmental effects of the project, the decision-makers may reject the alternative if they determine that specific considerations make the alternative infeasible, or if the alternative does not meet the objectives for the project.

All of the environmental impacts associated with the project would be substantially lessened or avoided with the adoption of the mitigation measures set forth in these findings, with the exception of Impact 4.3-4 (Potential for Impacts on Historic Architectural Resources). DGS’ goal in evaluating the project alternatives was to select an alternative that feasibly attains the project objectives, while further reducing the project’s significant and unavoidable impacts.

CEQA Guidelines require that an EIR “describe a range of reasonable alternatives to the project, or to the location of the project, which could feasibly obtain the basic objectives of the project...” (CEQA Guidelines Section 15126.6[a]). The lead agency has the discretion to determine how many alternatives constitute a reasonable range and that an EIR need not present alternatives that are incompatible with fundamental project objectives. Additionally, CEQA Guidelines Section 15126.6(a) provides that an EIR need not consider alternatives that are infeasible. CEQA Guidelines Section 15126.6(f)(1) provides that among the factors that may be taken into account when addressing the feasibility of alternatives are “site suitability, economic viability, availability of infrastructure, general plan consistency, other plans or regulatory limitations, jurisdictional boundaries, and whether the proponent can reasonably acquire, control or otherwise have access to the alternative site.” CEQA Guidelines Section 15126.6(f) states that the range of alternatives required in an EIR is governed by a “rule of reason” that requires the EIR to set forth only those alternatives necessary to permit a reasoned choice. The EIR analysis considered a reasonable range of alternatives.

5.4.1 Alternatives Considered but not Evaluated in Detail in the EIR

The EIR disclosed that there was one alternative considered by DGS, but rejected during the planning or scoping process (see discussion in Draft EIR in Chapter 7, “Project Alternatives,” Section 7.3 Alternatives Considered but not Evaluated Further”). DGS considered an alternative that would involve renovating the Resources Building while occupied. Similar to the proposed project, this alternative would involve a comprehensive renovation of the Resources Building, but would allow for tenant occupancy during construction. Under this concept, sections of the building would be vacated, with employees temporarily relocated to other State buildings, to allow for a renovation of a portion of the building while the remainder of the building remains occupied and operational. There would be significant phasing and feasibility issues related to concurrent building occupation and construction of renovations, including fire code requirements for occupant protection during construction. Measures required to protect building occupants during construction would severely hamper the construction process. In early discussions with the Office of the State Fire Marshal, it was indicated that a maximum of three floors could be permitted to be under construction while renovations of the building took place, and that a minimum of a three-floor buffer zone (i.e., three floors that are neither occupied nor under construction) between occupants and building construction would be required (DGS 2014). Any building code corrections related to fire containment at each of the three 17-story existing stair towers would need to be completed prior to removal of building fireproofing. A 17-story stair tower would need to be constructed to provide adequate egress while the central stair tower is under renovation. Although technically feasible to achieve the project goals, this alternative would substantially increase fire/life safety risks, project costs, and construction duration compared to the proposed project. Therefore, this alternative was rejected.

5.4.2 Alternatives Evaluated in the EIR

The following two alternatives were analyzed in the Draft EIR to determine whether they could meet the project's objectives while avoiding or substantially lessening any of its significant impacts:

- ▶ **Alternative 1: No Project–No Development Alternative** assumes no demolition of the existing structure nor construction of a new building. The project site would remain in its current condition.
- ▶ **Alternative 2: Replacement Building Alternative** assumes the existing Resources Building would be completely demolished and then rebuilt in its current location.

In compliance with CEQA, these Findings examine these two alternatives and the extent to which they lessen or avoid the project's significant environmental effects while meeting the project objectives.

In addressing the No Project Alternative, DGS followed the direction of the State CEQA Guidelines which provide that the no project analysis shall discuss the existing conditions, as well as what would be reasonably expected to occur in the foreseeable future if the project were not approved, based on current plans and consistent with available infrastructure and community services (CEQA Guidelines Section 15126[d][4]).

The Director finds that a good faith effort was made to evaluate all reasonable alternatives to the project that could feasibly obtain its basic objectives, even when the alternatives might impede the attainment of the objectives or might be more costly. The Director also finds that all reasonable alternatives were reviewed, analyzed, and discussed in the review process of the Final EIR and the ultimate decision on the project.

ALTERNATIVE 1: NO PROJECT - NO DEVELOPMENT ALTERNATIVE

Description: Under Alternative 1, the No Project–No Development Alternative, no actions would be taken by DGS and the project site would remain unchanged from current conditions. The Resources Building would remain in its current condition. The building's seismic deficiencies and absence of modern high-rise fire, and life and safety elements would continue to put the building's occupants at high risk should an earthquake, fire, or any other emergency event occur. The No Project – No Development Alternative would not meet the project objectives. However, as required by CEQA, the No Project – No Development Alternative is evaluated in this Draft EIR.

Summary of Impacts: Alternative 1, the No Project – No Development Alternative, would avoid the project's significant mitigable impacts and significant unavoidable impacts, and overall, the environmental impacts would be less than those that would occur with the project because no redevelopment would occur. Because this alternative would not tear down much of the existing Resources Building and would not involve any reconstruction of the building, it would avoid the project's significant and unavoidable impact on historic architectural resources (Impact 4.3-4). However, the No Project – No Development Alternative would not meet the project objectives because it would not extend the life and viability of the building, improve tenant safety and comfort, upgrade existing building systems (including fire and life safety), remove hazardous materials, meet current ADA standards, or improve energy efficiencies. Pursuant to Public Resources Code Section 21081(a)(3) and CEQA Guidelines Section 15091(a)(3), the Director finds that because Alternative 1 would not meet the project objectives, the Director rejects Alternative 1.

Finding: Under Alternative 1, the No Project – No Development Alternative, the project would not be approved, and no development would occur. This would avoid all environmental effects of the project. Accordingly, Alternative 1 is the environmentally superior alternative. (CEQA Guidelines, § 15126.6; see Draft EIR, p. 6-20.) However, the No Project – No Development Alternative would not meet the project objectives because it would not extend the life and viability of the building, improve tenant safety and comfort, upgrade existing building systems (including fire and life safety), remove hazardous materials, meet current ADA standards, or improve energy efficiencies. Pursuant to Public Resources Code Section 21081(a)(3) and CEQA Guidelines Section 15091(a)(3), the Director finds that because Alternative 1 would not meet the project objectives, the Director rejects Alternative 1.

CEQA Guidelines Section 15126.6(e)(2) states that if the environmentally superior alternative is the No Project alternative, the EIR must also identify an environmentally superior alternative among the other alternatives; here, that would be Alternative 2: Replacement Building Alternative, which is addressed below.

ALTERNATIVE 2: REPLACEMENT BUILDING ALTERNATIVE

Description: Similar to the proposed project, under Alternative 2, all occupants of the Resources Building would be relocated to the P Street Office Building (under construction) in downtown Sacramento. Once the building has been vacated, the building would then be entirely demolished and rebuilt. Full demolition would result in greater site disturbance than the proposed project. Due to provisions identified in the Capitol View Protection Act, a replacement building at the project site would not be permitted to exceed 150 feet in height (OHP 2005). This would result in a reduced building size compared to the existing Resources Building. It is anticipated that the a new/replacement building would be 30 percent smaller. Therefore, Alternative 2 would not accommodate the same number building occupants in the new building. It is assumed for this analysis that those employees would be relocated to other existing State buildings. Once operational, the new building would have a smaller mass, height, and total square footage, while maintaining the same building footprint as the existing Resources Building. It is assumed that, similar to the proposed project, Alternative 2 would be designed to exceed the 2019 Building Energy Efficiency Standards, to achieve Zero Net Energy, and to achieve LEED Silver certification. This building would be served electricity from 100 percent renewables through the State's contract with SMUD, would not directly use natural gas, and would be heated and cooled by steam and chilled water from the State's Central Utility Plant.

Summary of Impacts: Alternative 2, the Replacement Building Alternative, would be the environmentally superior action alternative because although the environmental impacts would be similar to the proposed project and no significant impacts or significant and unavoidable impacts would be avoided, the reduced building size would reduce utility and energy demands and would reduce air pollutant emissions and GHG emissions.

Finding: The Director finds that Alternative 2, Replacement Building Alternative, would construct a new office building that protects the health and safety of the Resources Building occupants and extends the useful life and viability of the building by correcting the fire/life safety deficiencies and completely upgrading all infrastructure systems. Alternative 2 would address code-required improvements, including seismic upgrade, installation of a building-wide fire sprinkler system, reconstruction of exit stair towers, and replacement of asbestos-containing fireproofing. Antiquated mechanical, plumbing, electrical, security, and telecommunication systems would be replaced. Alternative 2 would make the building safe while honoring the building's historic qualities would aim to achieve Zero Net Energy and Leadership in Energy and Environmental Design (LEED) Silver certification. However, due to provisions identified in the Capitol View Protection Act, a replacement building at the project site would not be permitted to exceed 150 feet in height (OHP 2005). This would result in a reduced building size compared to the existing Resources Building. It is anticipated that the a new/replacement building would be 30 percent smaller. Therefore, Alternative 2 would not accommodate the same number building occupants in the new building. Alternative 2 would result in similar impacts to the project, but the reduction in building size would reduce to some degree the severity of the project's impacts to transportation, utilities, air quality, GHGs, and Energy. However, Alternative 2 would result in similar impacts to noise/vibration, hazards/hazardous materials, biological resources, and aesthetics. Furthermore, Alternative 2 would result in greater archaeological and tribal cultural resources impacts due to increase ground disturbance and would not avoid the project's significant and unavoidable impact on historic architectural resources (Impact 4.3-4).

The State CEQA Guidelines (Section 21002) state that "public agencies should not approve projects as proposed if there are feasible alternatives or feasible mitigation measures available which would substantially lessen the significant environmental effects of such projects." In the case of the project, Alternative 2 is a feasible alternative that would reduce the significant effects of the project to excavation. Alternative 2, however, would not avoid the project's significant and unavoidable impact on historic architectural resources.

The Director finds that Alternative 2 is feasible, meaning that it is capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, social, and technological factors. The Director also finds that Alternative 2 would meet all the project objectives and would not avoid but would

reduce the severity of the impacts for a multiple resources affected by the project. The Director finds that Alternative 2 would not avoid the significant and unavoidable historic architectural resources impact that would also occur with the project. After consideration of the project objectives, alternatives, environmental analysis in the Final EIR, and comments submitted, the Director determines to not approve Alternative 2, but rather to approve the project as proposed.

5.4.3 Alternative Considered in Responses to Comments

REHABILITATION OF THE RESOURCES BUILDING TO SECRETARY OF INTERIOR STANDARDS ALTERNATIVE

DGS has determined that the Resources Building needs a major renovation to correct serious seismic and fire/life safety code deficiencies and replace antiquated infrastructure systems (see Draft EIR Chapter 3, Section 3.1, "Project Background and Need"). The compulsory code-required improvements include: seismic upgrade, installation of a building-wide fire sprinkler system, reconstruction of three 17-story exit stair towers, and asbestos-free fireproofing. Extensive demolition is required to replace the antiquated mechanical, plumbing, electrical, security, and telecommunication systems. The project would include removal of architectural barriers in accordance with the Americans with Disabilities Act (ADA) and the California Building Code (CBC). Replacement of the building envelope (roof, windows, and exterior pre-cast concrete panels) is necessary to correct seismic deficiencies, alleviate water intrusion, and to increase energy efficiency. Finally, hazardous materials are present in existing building materials and require abatement.

In addition to the alternatives considered but not evaluated in detail in the EIR and Alternative 1, the No Project–No Development Alternative, and Alternative 2, the Replacement Building Alternative, as addressed in the findings above, a comment on the Draft EIR recommended that a "rehabilitation" alternative should also be evaluated. DGS assumes that the term "rehabilitation" is referring to rehabilitation of the Resources Building based on the Secretary of the Interior's Rehabilitation Standards (SOIS) and the California Historical Building Code (CHBC). Rehabilitation is defined by the Secretary of the Interior as the act or process of making possible a compatible use for a property through repair, alterations, and additions while preserving those portions or features which convey its historical, cultural, or architectural values. The Rehabilitation Standards acknowledge the need to alter or add to a historic building to meet continuing or new uses while retaining the building's historic character (U.S. Department of the Interior, National Park Service, Technical Preservation Services 2017).

Finding: The Director has considered rehabilitation of the Resources Building; however, rehabilitation has been ruled out as infeasible because the key building systems and materials would be impacted to address the code, seismic, fire/life safety, and hazardous material issues. Due to the type, age, and anticipated disturbance to building materials and systems, the ability to reuse building elements is mostly very limited. The following issues make rehabilitation of the building infeasible.

- ▶ Hazardous Materials Abatement
 - All fireproofing in the building contains asbestos. Fireproofing is installed to the underside of all decks, within elevator shafts, piping insulation, and potentially other residual locations. The necessary removal of asbestos-containing materials would require demolition and removal of materials throughout the entire building.
 - There are PCBs confirmed in the exterior sealants between the exterior precast panels and there is potential that PCBs have leached into the panels; this is still being investigated. The removal of PCBs would impact the exterior of the building and may make reuse of the exterior panels unsafe.
- ▶ Deficient Mechanical, Electrical, Piping, and IT/AV Cabling Systems
 - These systems are obsolete. They were designed to rely on abundant and inexpensive energy and are inefficient.

- The IT/AV systems do not adequately accommodate current communication needs.
- The equipment for these systems has far exceeded the life cycle outlined by each manufacturer.
- Because of the prevalence of asbestos-containing materials throughout the building, the systems have not been maintained and upgraded over the years. Full replacement is necessary.
- These systems are installed throughout the entire building. The first floor is the entry point with mechanical, data, and electrical rooms housing equipment/panels with the systems then distributed throughout each floor. To access, remove, and replace these systems, the interior of the building needs to be gutted (i.e., remove walls, ceilings, partitions etc.).
- ▶ Structural and Seismic Upgrades
 - The original building was designed 50+ years ago; it does not meet current seismic code requirements as dictated in the California Building Code.
 - The building must be retrofitted to ensure performance during a seismic event and to bring it into compliance with current codes.
 - The exterior panels' seismic capacity is not up to current standards. In a seismic event, panels could be damaged, displaced, or could even fail and fall off the building. If panels were to remain in place, they would need seismic retrofitting. However, the exterior panels have been a source of leaks over the years and cannot be adequately repaired.
 - The weight of the exterior panels is an issue; the panels currently represent approximately 20 percent of the building weight. The building requires a lighter-weight exterior envelope due to the structural and seismic requirements. Removal of the panels would take a large load off the building structure. If some type of similar paneling were replaced, the building structure would need additional improvements to address the gravity load, which is not anticipated to be needed for the proposed building design.
 - To address the necessary structural and seismic upgrades, the steel beams need to be accessed for bracing and structural dampers.
- ▶ Building Performance
 - To achieve the State's sustainability/energy efficiency goals of LEED and Green Certification, it requires new energy efficient building materials rather than reusing existing materials, which would hinder this goal. A modern-high-performance building envelope is necessary and would be more durable and will save energy.
 - If the existing pre-cast exterior panels were reinstalled, they would not be warranted by the design-builder because the weather-proofing and seismic performance could not be guaranteed.
 - The State and the building occupants identified good daylighting (bringing natural light as far into the building space as possible) as a very high priority. To achieve this goal, additional window area must be provided. If the existing pre-cast exterior panels were reinstalled, it would inhibit the desired daylighting, which is part of the LEED and Green Certification.
 - It is a goal of the project to have a safe/comfortable/efficient workspace for State workers. This includes interior program requirements, including acoustics, temperature control, and air quality, which are controlled by the choice and design of construction materials. The reuse of existing building materials would hinder this goal.
 - The existing layouts of internal building spaces are inefficient. New open layouts would be designed to maximize daylighting and minimize noise.
- ▶ Costs
 - Attempting to remedy the feasibility issues above with more expensive building treatments would not be impossible. However, such treatments would increase the project costs by at least 25 percent, and likely more, making the cost of the project infeasible for the State.

- ▶ The design-build team shall be directed to design the Resources Building Renovation in the post-war International Style, to fit within the modern Sacramento landscape, and the key historic character defining features of the existing Resources Building have been documented. The design-build team must follow the post-war International Style for all new design that replaces character defining features. The characteristics of this style include:
 - Honest expression of structure
 - Simple geometric forms
 - Horizontal massing
 - Flat roofs
 - Use of mass-produced materials and industrial technologies
 - Smooth wall surfaces
 - Minimal ornamentation, emphasizing building elements
 - Horizontal bands of flush windows
 - Floor-to-ceiling windows
 - Open interior spaces
 - Integration of indoor and outdoor spaces
- ▶ Integrated designed landscapes are characteristic of government buildings constructed in the post-war International Style. All new landscape design that replaces character defining features shall be required to reflect the following characteristics:
 - Design and materials emphasis on accessibility, circulation, and ease of maintenance
 - For post-war International Style, hardscaped plazas of concrete, aggregate paving, and/or brick typically predominate over softscape
 - Simple geometric configurations with strong visual connection to building
 - Open plaza and walkway elements
 - Integral geometric planters and otherwise constrained/defined planting areas
 - Integral site furnishings and other hardscape elements (e.g. fountains) as pragmatic sculptural accents
 - Freestanding light fixtures
- ▶ The Director has determined that the following project objectives are critical and meeting these project objectives outweighs meeting the rehabilitation standards:
 - protect the health and safety of the Resources Building occupants;
 - correct fire and life safety deficiencies and provide a complete upgrade of all the building's infrastructure systems;
 - extend the useful life and viability of the Resources Building;
 - provide a modern, efficient, and safe environment for State employees and the public they serve;
 - integrate the new State development with the existing neighborhood;
 - develop a sustainable and energy-efficient building;
 - design a building that is respectful of the existing historic Leland Stanford Mansion State Historic Park; and
 - make the building safe while honoring the historical qualities of the building.

Therefore, this rehabilitation alternative is rejected.

6 STATEMENT OF OVERRIDING CONSIDERATIONS

Pursuant to CEQA section 21081 and CEQA Guideline 15093, the Director hereby finds, after consideration of the Final EIR and the evidence in the record, that each of the specific overriding economic, legal, social, technological and other benefits of the project, as set forth below, independently and collectively outweighs these significant and unavoidable impacts and is an overriding consideration warranting approval of the project. Any one of the reasons for approval cited below is sufficient to justify approval of the project. The substantial evidence supporting the various benefits can be found in the preceding findings, which are incorporated by reference into this section, and in the documents found in the Record of Proceedings.

On the basis of the above findings and the substantial evidence in the whole record of this proceeding, the Director specially finds that there are significant benefits of the project to support approval of the project in spite of the unavoidable significant impacts, and therefore makes this Statement of Overriding Considerations.

The Resources Building Renovation Project would result in one significant and unavoidable impact related to historic architectural resources (Impact 4.3-4).

Although the Director finds that the project will result in this significant and unavoidable impact, the Director also finds that the project benefits outweigh this impact.

The Director finds that, as part of the process of obtaining project approval, all significant effects on the environment from implementation of the project have been eliminated or substantially lessened, where feasible. All mitigation measures proposed in the Final EIR that are applicable to the project are adopted as part of this approval action. Furthermore, the Director has determined that any remaining significant effects on the environment found to be unavoidable are acceptable due to the following specific overriding economic, technical, legal, social and other considerations. Any other alternatives are rejected for the reasons set forth in the EIR and the reasons set forth herein.

Project benefits include the following:

- ▶ The project will protect the health and safety of future Resources Building occupants.
- ▶ The project will correct fire and life safety deficiencies and provide a complete upgrade of all the building's infrastructure systems.
- ▶ The project will extend the useful life and viability of the Resources Building.
- ▶ The project will provide a modern, efficient, and safe environment for State employees and the public they serve.
- ▶ This project will develop a sustainable and energy-efficient building.
- ▶ This project will design a building that is respectful of the existing historic Leland Stanford Mansion State Historic Park and the surrounding neighborhood.
- ▶ This project will make the building safe while honoring the historical qualities of the building.

Having considered these benefits, the Director finds that the benefits of the project outweigh the unavoidable adverse environmental effects, and that the adverse environmental effects are therefore acceptable. The Director further finds that each of the above considerations is sufficient to approve the project. For each of the reasons stated above, and all of them, the project should be implemented notwithstanding the significant unavoidable adverse impacts identified in the EIR.

7 MITIGATION MONITORING AND REPORTING PROGRAM

DGS has prepared a Mitigation Monitoring and Reporting Program (MMRP) for the project. The Director, in adopting these findings, also approves the MMRP. DGS will use the MMRP to track compliance with project mitigation measures. The MMRP will remain available for public review during the compliance period. The MMRP is attached to and incorporated into the proposed project and is approved in conjunction with certification of the EIR and adoption of these Findings of Fact. In the event of any conflict between these findings and the MMRP with respect to the requirements of an adopted mitigation measure, the more stringent measure shall control, and shall be incorporated automatically into both the findings and the MMRP.

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Attachment A

Mitigation Monitoring and
Reporting Program

Mitigation Monitoring and Reporting Program
for the
Resources Building Renovation Project
State Clearinghouse No. 2019120011

Prepared for

CALIFORNIA DEPARTMENT OF GENERAL SERVICES
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November 30, 2020

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1 INTRODUCTION

The California Environmental Quality Act (CEQA) requires public agencies to adopt a mitigation reporting or monitoring program for all projects for which an environmental impact report has been prepared (Public Resources Code, Section 21081.6; State CEQA Guidelines, Section 15091). This is intended to ensure the implementation of all mitigation measures adopted through the CEQA process. Specifically, Section 21081.6(a)(1) of the Public Resources Code requires a lead or responsible agency to "... adopt a reporting or monitoring program for changes made to the project or conditions of project approval, adopted to mitigate or avoid significant effects on the environment."

The California Department of General Services (DGS) proposes a comprehensive tear-down of the Resources Building located at 1416 9th Street, in downtown Sacramento, leaving the building's steel frame, then reinforcement/rebuild matching the current footprint, mass, and height. The project site encompasses approximately three quarters of the block bounded by N Street on the north, 9th Street on the east, O Street on the south, and 8th Street on the west. The building covers most of the southern half of the block, south of Neighbors Alley. The northeastern portion of the block, which is occupied by trees and bicycle lockers, is included in the project site as is Neighbors Alley; however, the northwestern portion, which supports the Leland Stanford Mansion State Historic Park, is not part of the project and are not included in the project site. The goal of the project is to protect the health and safety of the Resources Building occupants and to extend the useful life and viability of the building by correcting the fire/life safety deficiencies and completely upgrading all infrastructure systems. The project will address code-required improvements, including seismic upgrade, installation of a building-wide fire sprinkler system, reconstruction of three 17-story exit stair towers, and replacement of asbestos-containing fireproofing. Antiquated mechanical, plumbing, electrical, security, and telecommunication systems will be replaced. The project will make the building safe while honoring the building's historic qualities. The project goal is to achieve Zero Net Energy and Leadership in Energy and Environmental Design (LEED) Silver certification.

DGS is the lead agency for this project under CEQA. A Final Environmental Impact Report (Final EIR) for the project was certified; Findings of Fact, a Statement of Overriding Considerations, and this mitigation monitoring and reporting program (MMRP) were adopted; and the project was approved on November 30, 2020, by the Deputy Director of DGS. DGS filed a Notice of Determination with the State Clearinghouse on December 1, 2020.

This MMRP includes all mitigation measures adopted in the Final EIR.

2 PROGRAM MANAGEMENT

The MMRP for the Resources Building Renovation Project will be in place through all phases of the project including design, construction, and operation. As lead agency under CEQA, DGS is responsible for the overall implementation and management of the MMRP, including those measures applicable to the project design and construction phases of work, and the long-term operation and maintenance of the project.

DGS is responsible for ensuring that the following procedures and measures are implemented by the appropriate entities. Where noted, DGS shall include appropriate mitigation measures or conditions in contracts to which the agency is party.

1. An implementation plan has been prepared for each mitigation measure that identifies the responsible party for implementation; the timing of compliance, including the applicable project phase(s) and monitoring frequency; and specific details about compliance verification. The mitigation measure implementation plan is attached as Appendix A of this MMRP. A MMRP Reporting Form will be prepared for each mitigation measure. A sample form is attached as Appendix B.
2. A qualified specialist(s) will perform or monitor mitigation activities requiring particular expertise or professional licenses and certifications.
3. Mitigation measures will be included as appropriate in applicable design-build and construction bid packages.
4. The MMRP Reporting Forms will be distributed to appropriate parties so that specific actions can be developed to carry out the necessary mitigation.
5. The DGS Director or an assignee will approve by signature and date the completion of each item identified on the MMRP Reporting Form.
7. All MMRP Reporting Forms for an impact issue requiring no further monitoring will be signed off as completed by the DGS Director or an assignee, at the bottom of the MMRP Reporting Form.
8. Unanticipated circumstances requiring the modification or addition of mitigation measures may arise. The DGS Director or an assignee will be responsible for approving any such modifications or additions. A MMRP Reporting Form will be completed for any such modifications. The completed form will be provided to the appropriate design, construction, or operations personnel for implementation.
10. The DGS Director has the authority to stop the work of contractors if compliance with any aspects of the MMRP is not occurring after appropriate notifications have been issued.

All active and completed MMRP Reporting Forms will be kept on file at the DGS headquarters. Forms will be available upon request at the following address:

Department of General Services
707 3rd Street, MS-509
West Sacramento, California 95605
Contact: Stephanie Coleman

3 PROGRAM PHASES

This MMRP is intended to provide focused yet flexible guidelines for monitoring the implementation of the mitigation measures discussed in the EIR and adopted by DGS. Appendix A lists, by number, each mitigation measure adopted for the project. Table 1 correlates each measure by its assigned number to the specific phase of the project (i.e., design, construction, and/or operation) to which the measure applies. An MMRP Reporting Form (Appendix B) will be completed by the DGS Director or an assignee for each mitigation measure identified in Appendix A.

3.1 DESIGN PHASE

The design phase includes preparation of engineering design, architectural design, and construction drawings by project design engineers and architects. Bid packages are also compiled for release to prospective construction contractors. Prior to initiation of design phase activities, the measure(s) applicable to each design phase activity are identified by the DGS Director or assignee and reviewed with the design engineer, architect, or other responsible parties. If the DGS Director or assignee determines that there is noncompliance with any of the mitigation measures to be implemented during the design phase, corrective actions are required and a follow-up review is conducted after the design documents are modified in response to the DGS comments. Reporting Forms are completed after each activity is performed.

3.2 CONSTRUCTION PHASE

A pre-construction meeting will be held with each contractor prior to the initiation of any construction activity for which a mitigation measure is required. The DGS Director or assignee will attend the meeting to explain the MMRP, roles and responsibilities, and implementation requirements. Construction activities will be monitored as conditions dictate to ensure that required mitigation measures are implemented. Applicable measures will be discussed with construction contractors periodically as needed to facilitate their implementation.

3.3 OPERATIONAL PHASE

After project construction, the operational aspects of the MMRP will be the sole responsibility of DGS in coordination with building occupants/management. The DGS Director or assignee will review the MMRP annually to confirm compliance of the project operation with mitigation measures.

Table 1 Applicable Project Phases for Implementation of Mitigation Measures

Mitigation Measure	Applicable Phase Design	Applicable Phase Construction	Applicable Phase Operation
MM 4.3-1 – Archeological, Historical, and Tribal Cultural Resources	X	X	
MM 4.3-2 – Archeological, Historical, and Tribal Cultural Resources	X	X	
MM 4.3-3 – Archeological, Historical, and Tribal Cultural Resources	X	X	
MM 4.3-4a – Archeological, Historical, and Tribal Cultural Resources	X	X	
MM 4.3-4b – Archeological, Historical, and Tribal Cultural Resources	X	X	
MM 4.3-4c – Archeological, Historical, and Tribal Cultural Resources	X	X	
MM 4.3-4d – Archeological, Historical, and Tribal Cultural Resources	X	X	
MM 4.3-4e – Archeological, Historical, and Tribal Cultural Resources	X	X	
MM 4.3-4f – Archeological, Historical, and Tribal Cultural Resources	X	X	
MM 4.4-5 – Transportation and Circulation	X	X	
MM 4.9-2 – Noise and Vibration	X	X	
MM 4.11-1 – Biological Resources		X	
MM 4.11-2 – Biological Resources		X	
MM 4.11-3 – Biological Resources	X	X	X

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Appendix A

Mitigation Measure Implementation Plan

Mitigation Measure No.	Mitigation Measure	Responsible Party for Implementation	Verification of Implementation (Responsible Party) Initials	Verification of Implementation (Responsible Party) Date	Timing of Compliance Design ¹	Timing of Compliance Construction	Timing of Compliance Operation	Timing of Compliance Frequency	Verification of Compliance Name and Affiliation	Method of Compliance Verification	Verification of Compliance Signature	Verification of Compliance Date	Comments	
Archaeological, Historical, and Tribal Cultural Resources														
4.3-1:	<p>Monitoring and Response Measures for Potential Unknown Historic Archaeological Resources.</p> <p>A cultural resources awareness training program shall be provided to all on-site personnel active on the project site during earthmoving activities.</p> <p>The first training shall be provided prior to the initiation of ground-disturbing activities. The training shall be developed and conducted in coordination with a qualified archaeologist meeting the U.S. Secretary of the Interior guidelines for professional archaeologists and consulting Native American tribes.</p> <p>The program shall include relevant information regarding sensitive cultural resources, including applicable regulations, protocols for avoidance, and consequences of violating State laws and regulations. The worker cultural resources awareness program shall also describe appropriate avoidance and minimization measures for resources that have the potential to be located on the project site and shall outline what to do and whom to contact if any potential archaeological resources or artifacts are encountered.</p> <p>Where ground-disturbing activities occur in native soils, or there is no evidence of extensive past ground disturbances, a qualified archaeologist meeting the U.S. Secretary of the Interior guidelines for professional archaeologists shall monitor ground-disturbing activities.</p> <p>If evidence of any historic-era subsurface archaeological features or deposits is discovered during construction-related earthmoving activities (e.g., ceramic shard, trash scatters, brick walls), all ground-disturbing activity in the area of the discovery shall be halted until a qualified archaeologist can assess the significance of the find. If after evaluation, a resource is considered significant, all preservation options shall be considered as required by CEQA, including possible data recovery, mapping, capping, or avoidance of the resource.</p> <p>If artifacts are recovered from significant historic archaeological resources, they shall be housed at a qualified curation facility. However, if historic-era artifacts are found to be associated with Native American tribal members, they shall be evaluated and treated consistent with the process identified in Mitigation Measure 4.3-2. The results of the identification, evaluation, and/or data recovery program for any unanticipated discoveries shall be presented in a professional-quality report that details all methods and findings, evaluates the nature and significance of the resources, analyzes and interprets the results, and distributes this information to the public.</p>	DGS to confirm compliance prior to and during construction.			X	X		Once, or as needed during construction.						
		DGS to retain qualified archaeologist and tribal monitors, if needed.				X		Once, or as needed prior to construction.						
		Contractor to halt work as stipulated and notify DGS.					X	As needed during construction.						
		Archaeologist to store any significant historic archaeological resources at qualified curation facility or transfer materials to appropriate tribal representative.					X	As needed during construction						

Agency Approval

California Department of General Services, Director or Assignee

	Mitigation Measure Mitigation Measure No.	Responsible Party for Implementation	Verification of Implementation (Responsible Party) Initials	Verification of Implementation (Responsible Party) Date	Timing of Compliance Design ¹	Timing of Compliance Construction	Timing of Compliance Operation	Timing of Compliance Frequency	Verification of Compliance Name and Affiliation	Method of Compliance Verification	Verification of Compliance Signature	Verification of Compliance Date	Comments
Archaeological, Historical, and Tribal Cultural Resources													
	<p>4.3-2: Monitoring and Response Measures for Potential Unknown Precontact Archaeological Resources and Tribal Cultural Resources. This mitigation measure expands on the actions included in Mitigation Measure 4.3-1 to also address encountering unknown precontact archaeological and tribal cultural resources.</p> <p>A representative or representatives from a culturally affiliated Native American Tribe(s) will be invited to participate in the development and delivery of the cultural resources awareness training program included in Mitigation Measure 4.3-1. The program will include relevant information regarding sensitive tribal cultural resources, including applicable regulations, protocols for avoidance, and consequences of violating State laws and regulations. The program will also underscore the requirement for confidentiality and culturally appropriate treatment of any find of significance to Native Americans and behaviors, consistent with Native American Tribal values.</p> <p>Where ground disturbing activities occur in native soils, or there is no evidence of extensive past ground disturbances, or evidence suggests that imported soils have a high probability of containing artifacts and materials of importance to tribal entities, a qualified archaeologist and Native American tribal monitor(s) will monitor ground-disturbing activities. Interested Native American Tribes will be provided at least seven days' notice prior to the initiation of ground disturbing activities. If any previously undisturbed native soil is imported to the project site for fill or other purposes, the archaeologist and the tribal monitor(s) will also monitor handling and placement of this material to determine if archaeological material may be imported with the native soil. The determination for initiating or ending monitoring disturbance of imported soils will be made based on coordination between the qualified archeologist and tribal monitor(s), with a final determination made by DGS.</p> <p>If evidence of any precontact subsurface archaeological features or deposits are discovered during construction-related earth-moving activities (e.g., lithic scatters, midden soils), all ground-disturbing activity in the vicinity of the discovery shall be halted until a qualified archaeologist and Native American representative can assess the significance of the find. If after evaluation, a resource is considered significant, or is considered a tribal cultural resource, all preservation options shall be considered as required by CEQA, including possible data recovery, mapping, capping, or avoidance of the resource. If artifacts must be recovered from significant precontact archaeological resources, they shall be transferred to an appropriate tribal representative, or housed at a qualified curation facility.</p> <p>If artifacts or other materials must be removed, preference shall be given to transferring materials to an appropriate tribal representative and re-interring the material at a location on the project site. The results of the identification, evaluation, and/or data recovery program for any unanticipated discoveries shall be presented in a professional-quality report that details all methods and findings, evaluates the</p>	<p>DGS to prepare and conduct cultural resources awareness training program.</p> <p>DGS to retain qualified archaeologist and tribal monitors, if needed.</p> <p>Contractor to halt work as stipulated and notify DGS.</p> <p>Archaeologist to store any significant historic archaeological resources at qualified curation</p>			X			X		Once prior to construction.			
					X	X				Monitoring as needed during construction.			
						X				As needed during construction.			
										As needed during construction.			

	Mitigation Measure Mitigation Measure No.	Responsible Party for Implementation	Verification of Implementation (Responsible Party) Initials	Verification of Implementation (Responsible Party) Date	Timing of Compliance Design ¹	Timing of Compliance Construction	Timing of Compliance Operation	Timing of Compliance Frequency	Verification of Compliance Name and Affiliation	Method of Compliance Verification	Verification of Compliance Signature	Verification of Compliance Date	Comments
	nature and significance of the resources, analyzes and interprets the results, and distributes this information to the public.	facility or transfer materials to appropriate tribal representative.											
	<p>Monitoring and Response Measures for Potential Unknown Precontact Archaeological Resources and Tribal Cultural Resources. This mitigation measure expands on the actions included in Mitigation Measure 4.3-1 to also address encountering unknown precontact archaeological and tribal cultural resources.</p> <p>A representative or representatives from a culturally affiliated Native American Tribe(s) will be invited to participate in the development and delivery of the cultural resources awareness training program included in Mitigation Measure 4.3-1. The program will include relevant information regarding sensitive tribal cultural resources, including applicable regulations, protocols for avoidance, and consequences of violating State laws and regulations. The program will also underscore the requirement for confidentiality and culturally appropriate treatment of any find of significance to Native Americans and behaviors, consistent with Native American Tribal values.</p> <p>Where ground disturbing activities occur in native soils, or there is no evidence of extensive past ground disturbances, or evidence suggests that imported soils have a high probability of containing artifacts and materials of importance to tribal entities, a qualified archaeologist and Native American tribal monitor(s) will monitor ground-disturbing activities. Interested Native American Tribes will be provided at least seven days' notice prior to the initiation of ground disturbing activities. If any previously undisturbed native soil is imported to the project site for fill or other purposes, the archaeologist and the tribal monitor(s) will also monitor handling and placement of this material to determine if archaeological material may be imported with the native soil. The determination for initiating or ending monitoring disturbance of imported soils will be made based on coordination between the qualified archeologist and tribal monitor(s), with a final determination made by DGS.</p> <p>If evidence of any precontact subsurface archaeological features or deposits are discovered during construction-related earth-moving activities (e.g., lithic scatters, midden soils), all ground-disturbing activity in the vicinity of the discovery shall be halted until a qualified archaeologist and Native American representative can assess the significance of the find. If after evaluation, a resource is considered significant, or is considered a tribal cultural resource, all preservation options shall be considered as required by CEQA, including possible data recovery, mapping, capping, or avoidance of the resource.</p> <p>If artifacts must be recovered from significant precontact archaeological resources, they shall be transferred to an appropriate tribal representative, or housed at a qualified curation facility. If artifacts or other materials must be removed, preference shall be given to transferring materials to an appropriate tribal representative and re-interring the material at a location on the project site. The results of the</p>	<p>DGS to prepare and conduct cultural resources awareness training program.</p> <p>DGS to retain qualified archaeologist and tribal monitors, if needed.</p> <p>Contractor to halt work as stipulated and notify DGS.</p> <p>Archaeologist to store any significant historic archaeological resources at qualified curation facility or transfer</p>			X			Once prior to construction.					
					X	X		Monitoring as needed during construction.					
							X	As needed during construction.					
							X	As needed during construction.					

	Mitigation Measure	Responsible Party for Implementation	Verification of Implementation (Responsible Party) Initials	Verification of Implementation (Responsible Party) Date	Timing of Compliance Design ¹	Timing of Compliance Construction	Timing of Compliance Operation	Timing of Compliance Frequency	Verification of Compliance Name and Affiliation	Method of Compliance Verification	Verification of Compliance Signature	Verification of Compliance Date	Comments
	Mitigation Measure No.												
	identification, evaluation, and/or data recovery program for any unanticipated discoveries shall be presented in a professional-quality report that details all methods and findings, evaluates the nature and significance of the resources, analyzes and interprets the results, and distributes this information to the public.	materials to appropriate tribal representative.											

Agency Approval

California Department of General Services, Director or Assignee

Mitigation Measure Mitigation Measure No.	Responsible Party for Implementation	Verification of Implementation (Responsible Party) Initials	Verification of Implementation (Responsible Party) Date	Timing of Compliance Design ¹	Timing of Compliance Construction	Timing of Compliance Operation	Timing of Compliance Frequency	Verification of Compliance Name and Affiliation	Method of Compliance Verification	Verification of Compliance Signature	Verification of Compliance Date	Comments
Archaeological, Historical, and Tribal Cultural Resources												
4.3-3: Response Protocol In Case Human Remains Are Uncovered. Consistent with the California Health and Safety Code and the California Native American Historical, Cultural, and Sacred Sites Act, if suspected human remains are found during project construction, all work shall be halted in the immediate area, and the county coroner shall be notified to determine the nature of the remains. The coroner shall examine all discoveries of suspected human remains within 48 hours of receiving notice of a discovery on private or State lands (Health and Safety Code Section 7050.5[b]). If the coroner determines that the remains are those of a Native American, he or she shall contact the NAHC by phone within 24 hours of making that determination (Health and Safety Code Section 7050[c]). The NAHC shall then assign an MLD to serve as the main point of Native American contact and consultation. Following the coroner's findings, the MLD, in consultation with the State, shall determine the ultimate treatment and disposition of the remains.	Contractor to halt work as stipulated and notify DGS and Coroner. Qualified archaeological and/or tribal monitor to notify CHP upon discovery of suspected human remains. Coroner to contact NAHC if remains are determined to be those of a Native American.				X		As needed during construction.					
4.3-4a: Protection and Stabilization Measures The State shall establish protection and stabilization measures for the Leland Stanford Mansion, which is immediately adjacent to the project site, prior to demolition or construction activities. The protection measures shall ensure that impacts on this historic resource will be minimized and/or avoided to the extent possible. To avoid inadvertent damage from debris falling and damaging the Stanford Mansion during project demolition and construction, contractors shall implement protection methods, such as scaffolding and/or movable metal nets held by cranes that are moved into place as necessary to prevent debris and materials falling onto the Stanford Mansion. Physical barriers shall also be placed to protect the Stanford Mansion from demolition or construction activities, including concrete barriers and/or use of screens and netting, to avoid inadvertent damage to the historic building or a feature of the historic landscape. Windows of the Leland Stanford Mansion subject to damage shall be covered (e.g., plywood or other protective material) to prevent damage. Protective barriers shall be installed prior to demolition or construction activities, and shall remain in place through the end of demolition or construction activities. A qualified architectural historian shall monitor implementation of these protection measures to support proper implementation by the construction contractors and ensure protection of the Leland Stanford Mansion.	DGS to include appropriate provisions in design-build contract. DGS to confirm compliance during construction. Qualified architectural historian.			X			Once during design.					
					X		As needed during construction.					
						X	Monitoring as needed during construction.					

Mitigation Measure Mitigation Measure No.	Responsible Party for Implementation	Verification of Implementation (Responsible Party) Initials	Verification of Implementation (Responsible Party) Date	Timing of Compliance Design ¹	Timing of Compliance Construction	Timing of Compliance Operation	Timing of Compliance Frequency	Verification of Compliance Name and Affiliation	Method of Compliance Verification	Verification of Compliance Signature	Verification of Compliance Date	Comments
<p>4.3-4b: Vibration Monitoring</p> <p>Although there is no anticipated substantial adverse change to the Stanford Mansion from vibration impacts from the project, Mitigation Measure 4.9-2 of this Draft EIR requires the development and implementation of a vibration control plan, which shall be applicable to construction activities located within 30 feet of any building or within 80 feet of an occupied building, such as the Leland Stanford Mansion.</p> <p>A vibration control plan shall be developed by a vibration control consultant with documented expertise designing projects in sensitive historic settings to be submitted to and approved by DGS before initiating any construction activities within the type and distance parameters identified above. Applicable elements of the plan will be implemented before, during, and after construction activity.</p> <p>The plan shall consider all potential vibration-inducing activities that would occur and require implementation of sufficient mitigation measures to ensure that the existing Leland Stanford Mansion State Historic Park, or other buildings, would not be exposed to vibration levels that would result in damage to the building.</p>	<p>Contractor to prepare/submit Vibration Control Plan developed by a vibration control consultant.</p> <p>DGS to include appropriate provisions in design-build contract.</p> <p>Contractor to implement measures during construction.</p> <p>DGS to confirm compliance during construction.</p>			X			Once during development of draft design-build contract.					
				X	X		Once during development of draft design-build contract.					
						X	Monitor, record, and submit data weekly during vibration-inducing activities.					
							As needed during construction.					
<p>4.3-4c: Repair Inadvertent Damage</p> <p>If project-related demolition or construction activities results in inadvertent damage of historic elements of the Stanford Mansion, the State shall repair them in accordance with the Secretary of the Interior's Standards for the Treatment of Historic Properties. Inadvertent damage is any damage that results in a significant impact to a historical resource within the meaning of CEQA Guidelines Section 15064.5(b)(2) or adverse effects to historic properties within the meaning of 36 C.F.R. Part 800.5(a)(1).</p> <p>All repairs shall be reviewed and approved by a qualified architectural historian under the supervision of a qualified preservation architect (both meeting the appropriate Secretary of Interior's Professional Qualification Standards) prior to determining that the treatment has been adequately implemented.</p>	<p>DGS to include appropriate provisions in design-build contract.</p> <p>DGS to confirm compliance during construction.</p> <p>Qualified architectural historian.</p>			X	X		Once during design.					
						X	Monitoring as needed during construction.					
<p>4.3-4d: Preparation of Archival Recordation Documentation</p> <p>DGS shall ensure that prior to any building alteration or demolition activities, the Resources Building shall be the subject of recordation by photography and written historical data following the standards of the Historic American Buildings Survey (HABS). HABS Level II documentation shall be implemented, which includes large-format archival</p>	<p>Qualified architectural historian to complete HABS Level II documentation for DGS.</p> <p>DGS to submit to SHPO.</p>			X			Once during design.					

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<p>photographs and written data and shall include historic plans of the building and associated landscape features.</p> <p>Archival photographs to sufficiently document the property shall include approximately 30 views of the Resources Building including contextual views of the building within its setting, along with exterior, interior, and detail views of character-defining features.</p> <p>The HABS documentation shall be completed by a qualified professional who meets the standards for History or Architectural History set forth by the Secretary of the Interior's Professional Qualification Standards (36 CFR, Part 61). The draft documentation shall be submitted for review and approval by DGS. The final documentation shall be distributed or offered to the SHPO, DGS, and the appropriate interested parties, which may include, but is not limited to historical organizations.</p>	<p>DGS to confirm compliance.</p> <p>Qualified architectural historian.</p>			X			Once during design.					
<p>4.3-4e: Interpretive Panels and/or Signage</p> <p>DGS shall prepare two or more interpretive exhibits, signs, and or plaques that provide information regarding the history, construction, and subsequent use of the Resources Building and the California State Capitol Plan, and shall include information regarding the Modernism and International architectural styles. The interpretive exhibits would use images, narrative history, drawings, or other material produced for the archival recordation documentation mitigation (Mitigation 4.3-4d), oral histories (Mitigation Measure 4.3-4f), documentation collected from the time capsule embedded in the cornerstone of the building, or other archival resources.</p> <p>DGS will reuse existing building materials, as feasible, in the exhibits to create a tangible link between the existing building and the renovated building.</p> <p>The interpretive exhibits may be in the form of, but are not necessarily limited to, interpretive display panels, and/or printed material for dissemination to the public. The interpretive exhibits shall be installed within interior public spaces of the renovated Resources Building and shall integrated into the design of the outdoor public areas. Interpretive displays and the signage/plaques installed outdoors shall be sufficiently durable to withstand inclement weather conditions of the site for at least ten years, like fiber-glass embedment panels, that meet National Park Service signage standards. Displays and signage/plaques shall be lighted, installed at pedestrian-friendly locations, and be of adequate size to attract the interested pedestrian. Maintenance of displays and signage/plaques shall be included in the management of the common area maintenance program on the property.</p>	<p>Qualified architectural historian to prepare exhibits/signs/plaques for DGS.</p> <p>DGS to include appropriate provisions in design-build contract.</p> <p>DGS to confirm compliance during design and construction.</p> <p>DGS to confirm maintenance of exhibits/signs/plaques.</p>			X	X		Once during design.					
				X			As needed during design and construction.					
						X	As needed during building operation.					

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<p>4.3-4f. Oral History Project</p> <p>Prior to any structural demolition and construction activities, one or more persons meeting the Secretary of the Interior's Professional Qualification Standards under History and Architectural History shall assemble important personal histories of persons knowledgeable about history and Modernism and International design of the Resources Building, and the design, adoption, and implementation of the California State Capitol Plan. An oral history project to record their stories would be a valuable resource and assist with interpretative and educational exhibits, (Mitigation 4.3-4e, and archival recordation documentation (Mitigation 4.3-4d). The Center for Sacramento History, and other local museum and historical societies, shall be given the opportunity to comment on the research design for any oral history project. The research design would identify anticipated informants, research goals, and protocols. Any oral history research and interviews shall be conducted in conformance with the Principles for Oral History and Best Practices for Oral History (October 2009).</p> <p>CDs prepared during any oral history project shall be recorded on archive quality discs, such as archival gold CD-Rs, and disseminated to local repositories. The oral history project shall be available at the Resources Building when occupancy begins.</p>	<p>Qualified architectural historian to prepare oral history project for DGS.</p> <p>DGS to include appropriate provisions in design-build contract.</p> <p>DGS to confirm availability of oral history project at the Resources Building.</p>			X			Once during design.					
						X	Once when occupancy begins and as needed during building operation.					

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Transportation and Circulation												
4.4-5: Mitigation Measure 4.4-5: Improve Pedestrian Crossings at the O Street/8th Street and O Street/9th Street Intersections												
<p>DGS shall construct the following improvements to pedestrian crossings at the O Street/8th Street and O Street/9th Street intersections:</p> <ul style="list-style-type: none"> ▶ O Street/8th Street <ul style="list-style-type: none"> ▪ East Leg – Install new marked crosswalk ▶ O Street/9th Street <ul style="list-style-type: none"> ▪ East Leg – Provide warning signage or devices to prevent pedestrian-light rail conflicts. In addition, modify traffic signal to include pedestrian heads. <p>Final designs for all pedestrian crossing improvements are subject to review and approval by the City of Sacramento Traffic Engineer. Pedestrian crossing improvements shall be completed before the State Fire Marshal issuance of a certificate of occupancy.</p>	<p>DGS to include appropriate provisions in design-build contract.</p> <p>DGS to consult with City of Sacramento for design review.</p> <p>DGS to confirm compliance during construction.</p>			X	X				<p>Once during development of draft design-build contract.</p> <p>Once during design review period.</p> <p>As needed during construction.</p>			

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Noise and Vibration													
<p>4.9-2: Develop and Implement a Vibration Control Plan.</p> <p>This mitigation measure shall be applicable to construction activities located within 30 feet of any building or within 80 feet of an occupied building, such as the Leland Stanford Mansion or a nearby office building.</p> <p>A vibration control plan shall be developed by a vibration control consultant with documented expertise designing projects in sensitive historic settings to be submitted to and approved by DGS before initiating any construction activities within the type and distance parameters identified above. Applicable elements of the plan will be implemented before, during, and after construction activity.</p> <p>The plan shall consider all potential vibration-inducing activities that would occur and require implementation of sufficient mitigation measures to ensure that the existing Leland Stanford Mansion State Historic Park, or other buildings, would not be exposed to vibration levels that would result in damage to the building or substantial human disturbance. Items that shall be addressed in the plan include, but are not limited to, the following:</p> <ul style="list-style-type: none"> ▶ Pile installation activities shall be limited to the daytime hours between 7:00 a.m. and 6:00 p.m. Monday through Saturday and between 9:00 a.m. and 6:00 p.m. on Sunday. No nighttime pile installation will be permitted. ▶ Pre-construction surveys shall be conducted to identify any pre-existing structural damage to the existing Leland Stanford Mansion State Historic Park, or other buildings, that may be affected by project-generated ground vibration. ▶ Identification of minimum setback requirements for different types of ground vibration-producing activities (e.g., pile drilling) for the purpose of preventing damage to nearby structures shall be established based on proposed construction activities and locations, once determined. Factors to be considered include the specific nature of the vibration producing activity (e.g., type and duration of pile drilling), local soil conditions, and the fragility/resiliency of the nearby structures. Setback requirements will be based on a project-specific/site-specific analysis conducted by a qualified geotechnical engineer, structural engineer familiar with the building(s) that may be affected, and a ground vibration specialist. The criteria for vibration setbacks, and any other vibration controls, is to generate no ground vibration during project construction that would result in structural damage at nearby buildings or structures. ▶ All construction-generated vibration levels shall be monitored and documented at the existing Leland 	<p>Contractor to prepare/submit Vibration Control Plan developed by a vibration control consultant.</p> <p>DGS to include appropriate provisions in design-build contract.</p> <p>Contractor to implement measures during construction.</p> <p>DGS to confirm compliance during construction.</p>			X									
				X		X							
									Once during development of draft design-build contract.				
									Once during development of draft design-build contract.				
									Monitor, record, and submit data weekly during vibration-inducing activities.				
									As needed during construction.				

Mitigation Measure Mitigation Measure No.	Responsible Party for Implementation	Verification of Implementation (Responsible Party) Initials	Verification of Implementation (Responsible Party) Date	Timing of Compliance Design ¹	Timing of Compliance Construction	Timing of Compliance Operation	Timing of Compliance Frequency	Verification of Compliance Name and Affiliation	Method of Compliance Verification	Verification of Compliance Signature	Verification of Compliance Date	Comments
<p>Stanford Mansion State Historic Park to ensure that applicable thresholds are not exceeded. Recorded data will be submitted on a weekly basis to DGS. If it is found at any time by the design-build team or DGS that thresholds are exceeded, the responsible construction activities will cease, and any affected buildings will be evaluated to assess any damage that has occurred. If vibration-induced damage has occurred, methods will be implemented to reduce vibration to less than applicable thresholds, such as changing construction methods or increasing setback distances.</p> <p>Controlling vibration sufficient to prevent structure damage is also likely to prevent substantial human disturbance from vibration. However, DGS shall identify a point of contact for vibration complaints who shall work with DGS and the construction team to resolve complaints.</p>												

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Biological Resources												
4.11-1: Protect Nesting Swainson's Hawks, White-Tailed Kites, Other Raptors, and Other Native Birds DGS shall require that the following measures are implemented before and during tree removal, demolition, and construction: <ul style="list-style-type: none"> ▶ To minimize the potential for loss of nesting raptors and other native nesting birds, tree and other vegetation removal will be conducted during the nonbreeding season (September 1-January 31). If all trees and other vegetation are removed during the nonbreeding season, no further mitigation will be required. ▶ If tree and other vegetation removal activities occur during the breeding season (February 1 through August 31), a qualified biologist will conduct a survey of all trees and vegetation planned for removal no more than 14 days prior to the start of tree and other vegetation removal, to assess whether Swainson's hawk, white-tailed kite, other raptor, or other native bird species (protected by Section 3503 of the Fish and Game Code) nests are present. Tree and other vegetation removal will only commence if the biologist verifies that no active nests are present. If an active nest is discovered, the tree or other vegetation will not be removed until young have fledged. If tree or other vegetation removal activities lapse for greater than 14 days during the breeding season, then an additional survey will be required prior to the restart of activities. ▶ To minimize the potential for disturbance or loss of nesting raptors and other native nesting birds, demolition or construction activities that could result in disturbance to nesting raptors (i.e., activities within the sightline of a raptor nest), to the maximum extent feasible, will be conducted during the nonbreeding season (September 1-January 31). If demolition and construction activities commence during the nonbreeding season, and no lapse in activities greater than 14 days occurs, no further mitigation will be required. ▶ If demolition and construction activities that could result in disturbance to nesting raptors commence during the breeding season (February 1 through August 31), a qualified biologist will conduct a survey of the trees within the sightline of the project site no more than 14 days prior to the start of demolition and construction activities, to assess whether any trees contain nesting Swainson's hawk, white-tailed kite, other nesting raptors, or other nesting native bird species (protected by Section 3503 of the Fish and Game Code). Demolition and construction activities will only commence if the biologist verifies that no active nests for any Swainson's hawks, white-tailed kites, or other raptor species are present. If an active raptor nest is present, demolition and construction will not start until young have 	DGS to confirm compliance prior to and during construction.				X		Ongoing throughout construction.					
	DGS to retain a qualified biologist, if necessary. Contractor to halt construction, if necessary.				X		Once, prior to the initiation of ground-disturbing activities. Ongoing throughout construction.					

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<p>fledged. If demolition and construction activities that could result in disturbance to nesting raptors lapse for greater than 14 days during the breeding season, then an additional survey will be required prior to the restart of activities.</p> <ul style="list-style-type: none"> If a species other than a raptor species is found nesting within the sightline of the project site, DGS will coordinate with CDFW regarding the best approach for compliance with Section 3503 of the Fish and Game Code. For example, common species in urban environments, such as house finch, may tolerate some increase in noise or other construction activities within close proximity of the nest, and presence of these nests may have no effect on nearby construction activity. 												
<p>4.11-2: Conduct Preconstruction Surveys for Bats and Exclude Bats from Roosting Site DGS shall require that the following measures are implemented before building demolition:</p> <ul style="list-style-type: none"> Prior to commencement of demolition activities, a qualified biologist will conduct a survey of the exterior and interior of the Resources Building for roosting bats. If evidence of bat use is observed, the species and number of bats using the roost will be determined. Bat detectors may be used to supplement survey efforts. If no evidence of bat roosts is found, then no further study and no further mitigation will be required. If bat roosts or a maternity colony are found, bats will be excluded from the roosting site before demolition begins. Exclusion efforts may be restricted during periods of sensitive activity (e.g., during hibernation or while females in maternity colonies are nursing young). Once, it is confirmed that bats are not present in the original roost site, demolition activities may commence. 	DGS to retain a qualified biologist, if necessary.				X		Once, prior to demolition					
<p>4.11-3: Remove and replace trees consistent with the City of Sacramento Tree Preservation Ordinance. Before commencement of tree removal and other site preparation and demolition activities, DGS will complete a survey of trees at the project site and any other areas affected by excavation (e.g., utility work), demolition, and construction, and prepare and submit a detailed tree removal, protection, replanting, and replacement plan to the City arborist. The tree removal plan will be developed by a certified arborist. The plan shall include the following elements:</p> <ul style="list-style-type: none"> The number, location, species, health, and sizes of all trees to be removed, relocated, and/or replaced will be identified. This information will also be provided on a map/design drawing to be included in the in the project plans. 	<p>DGS to include appropriate provisions in design-build contract. City Arborist to approve plan.</p> <p>Contractor to implement measures during construction.</p>			X			<p>Complete survey of trees and prepare/submit tree removal, protection, replanting, and replacement plan to City arborist during development of draft design-build contract.</p> <p>As needed during construction.</p>					

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<ul style="list-style-type: none"> ▶ Planting techniques, necessary maintenance regime, success criteria, and a monitoring program for all trees planted on, or retained on the project site will be described. ▶ DGS will ensure implementation of the tree removal, protection, replanting, and replacement plan during project construction and operation. 	DGS to confirm compliance during construction operation.				X	X	As needed during construction and operation.					

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Appendix B

Mitigation Monitoring and Reporting
Program and Reporting Form

California Department of General Services
MITIGATION MONITORING AND REPORTING PROGRAM
REPORTING FORM

Project:

Date:

Location: Onsite
 Offsite (give location)

Project Phase: Design
 Construction
 Operation

Impact Issue(s):

Archaeological, Historical, and Tribal Cultural Resources
 Transportation and Circulation
 Noise and Vibration
 Biological Resources

Applicable Mitigation Measure(s):

Description of Implementation Activity:

Specialist:	_____	_____	_____
	Name	Discipline	Firm
Specialist:	_____	_____	_____
	Name	Discipline	Firm

Implementation Action Items:	Scheduled for Completion	Completion Date	Approved by
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

Disposition:

- Mitigation measure(s) implemented. No further action required.
- Mitigation measure(s) partially implemented. Further action required.
Explain below; attach additional sheets if necessary.
- Mitigation measure(s) partially implemented. No further action required.
Explain below; attach additional sheets if necessary.
- Noncompliance with mitigation measures. Further action required.
Explain below; attach additional sheets if necessary.
- Mitigation unnecessary. No further action required.
Explain below; attach additional sheets if necessary.
- Verification of environmental compliance for project.

Comments/Revisions:

Completed by:	Approved by:
Name _____	Name _____
Title _____	Title _____
Date _____	Date _____