Final

RICHARDS BOULEVARD OFFICE COMPLEX PROJECT

CEQA Findings of Fact and Statement of Overriding Considerations
SCH No. 2018122034

Prepared for
California Department of General Services

June 2019

Final

RICHARDS BOULEVARD OFFICE COMPLEX PROJECT

CEQA Findings of Fact and Statement of Overriding Considerations
SCH No. 2018122034

Prepared for
California Department of General Services

June 2019

2600 Capitol Avenue
Suite 200
Sacramento, CA 95816
916.564.4500
esassoc.com

D180722.00

OUR COMMITMENT TO SUSTAINABILITY | ESA helps a variety of public and private sector clients plan and prepare for climate change and emerging regulations that limit GHG emissions. ESA is a registered assessor with the California Climate Action Registry, a Climate Leader, and founding reporter for the Climate Registry. ESA is also a corporate member of the U.S. Green Building Council and the Business Council on Climate Change (BC3). Internally, ESA has adopted a Sustainability Vision and Policy Statement and a plan to reduce waste and energy within our operations. This document was produced using recycled paper.

TABLE OF CONTENTS

Richards Boulevard Office Complex Project - CEQA Findings of Fact and Statement of Overriding Considerations

This page intentionally left blank

RICHARDS BOULEVARD OFFICE COMPLEX PROJECT

CEQA Findings of Fact and Statement of Overriding Considerations

1 Introduction

These findings have been prepared on behalf of the California Department of General Services (DGS) (the lead agency) for the Richards Boulevard Office Complex (RBOC), 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. CEQA Guidelines Section 15092(b) requires that one of the following findings or actions be completed for each significant impact of a project: (1) the significant impact is mitigated to a less-than-significant level pursuant to the mitigation measures identified in the EIR; or (2) if there is a residual significant impact after implementation of mitigation measures identified in the EIR, a Statement of Overriding Consideration is completed, supported by substantial evidence in the administrative record, which includes the documents, materials, and other evidence.

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 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 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 RBOC 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 RBOC 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 the State's authority to implement for the approved project become part of the MMRP. The State will enforce implementation of the mitigation measures. The DGS Director, 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 Description of the Project

2.1 Background and Need for the Project

DGS proposes to construct a new office building complex on the site currently occupied by the State printing plant located on North 7th Street in the River District of the city of Sacramento. The site is bounded by Richards Boulevard on the north, North 7th Street on the east, and North B Street on the south, and is immediately east of the Coastline Equipment Crane Division Building and the Capital Investments & Loans Building.

As part of the 2014-15 State budget, the Governor proposed and the legislature approved funding for a study of State office buildings in the Sacramento area, which included assessing the condition of State facilities, preparing a plan for sequencing the renovation or replacement of State office buildings in Sacramento (Ten Year Sequencing Plan), and preparing a plan for funding these activities. The State Facility Long-Range Planning Study[1] found that nine State buildings in the Sacramento region were in poor condition and were nearing the end of their serviceable lives. In order to address these deficiencies, DGS completed the Ten Year Sequencing Plan in March 2016 and made some minor revisions to it in 2018.[2]

The Ten Year Sequencing Plan includes building three new State office building projects and renovating eight existing State office buildings within approximately ten years. The new buildings proposed were (1) the 1215 O Street Office Building (also known as the Clifford B. Allenby Building), (2) a New Natural Resources Headquarters Building (also known as the P Street Building), and (3) a new office building complex at the State printing plant site on Richards Boulevard (referred to as the Richards Boulevard Office Complex project).[3]

The demolition and relocation of the printing plant was considered and approved in May 2018. An initial study/mitigated negative declaration (IS/MND) evaluated the environmental effects of the State's demolition of the existing structures, site cleanup, and activities related to relocation of the State printing plant and Facilities Maintenance Division (FMD) operations.

The purpose of the RBOC project is to consolidate State office space and address State office space deficiencies in downtown Sacramento and to provide a modern, efficient, and safe environment for State employees and the public they serve.

---

1 Department of General Services, 2015 (July). *State Facility Long-Range Planning Study*. Available: https://www.documents.dgs.ca.gov/dgs/pio/building/executivesummary.pdf. Accessed December 4, 2018.

2 Department of General Services, 2018 (April). *Ten Year Sequencing Plan.* Available: https://www.documents.dgs.ca.gov/dgs/pio/sequencingplan.pdf. Accessed December 4, 2018.

3 Legislative Analyst's Office, 2018 (February 20). *The 2018-19 Budget. Department of General Services*. Available: https://lao.ca.gov/Publications/Report/3758. Accessed December 4, 2018.

2.2 Project Objectives

Consistent with, and in furtherance of the Ten Year Sequencing Plan[4] and the 2018 Five-Year Infrastructure Plan,[5] the objectives of the project are to:

- consolidate State office space and address State office space deficiencies in downtown Sacramento, prioritizing building on underutilized State property;
- accommodate staff from State-owned office buildings targeted for renovation or replacement in such a way as to facilitate the vacation, eventual renovation, and re-occupation of these structures while minimizing disruption to State agencies;
- 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;
- encourage and support the use of alternative commute modes by designing the project to have easy access to multiple transit modes;
- maximize the effectiveness of the design-build project delivery method by maintaining sufficient flexibility in the performance criteria to support innovation in the design competition.

2.3 Characteristics of the Project

This project will include the design and construction of a new office complex on the 17-acre State-owned site located between Richards Blvd and North 7th Street. The project includes up to 1.375 million gross square feet (GSF) of office space. The complex would provide up to 1.225 million GSF of workspace (approximately 920,000 net usable square feet) and up to 150,000 GSF of amenity space. Amenities could include lobbies, cafeteria(s), fitness center, an auditorium, up to 15,000 sf of retail space, training and conference rooms, daycare (up to 15,000 sf of space), and up to 5,000 sf of bike storage (for approximately 500 bikes). The work station and office sizes would be based on DGS' Recommended State Administrative Manual standards for workstations and offices by job category.

While the exact design will be developed through a design-build process, DGS anticipates that the project will include approximately 1.4 million gross square feet of office and related use across three mid-rise office buildings and one high-rise office building. Other project elements could include a parking garage and surface parking spaces, open space, and pedestrian walkways. Buildings will be designed to meet or exceed U.S. Green Building Council's Leadership in Energy and Environmental Design (LEED) Silver level, including Zero Net Energy.

4 Department of General Services, 2018 (April). *Ten Year Sequencing Plan.* Available: https://www.documents.dgs.ca.gov/dgs/pio/sequencingplan.pdf. Accessed December 4, 2018.

5 Department of Finance, 2018 (June 27). *2018-19 State Budget. 2018 Five-Year Infrastructure Plan.* Available: http://www.ebudget.ca.gov/2018-19/pdf/BudgetSummary/Infrastructure.pdf. Accessed December 4, 2018.

Project construction is anticipated to begin as early as March 2020. Completion of construction and tenant occupancy is anticipated sometime in 2024. The phasing of demolition and construction is as follows:

- site preparation,
- grading,
- excavation/shoring,
- utilities installation,
- building construction,
- architectural coating, and
- paving and landscaping.

The construction labor force will fluctuate depending on the phase of work. Building construction will range from approximately 20 workers during initial phases and up to approximately 700 workers during the peak of construction.

2.4 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

2.5 Trustee and 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 project.

State Agencies

- California Air Resources Board (CARB)
- California Highway Patrol, Capitol Protection Section
- California Department of Fish and Wildlife (CDFW)
- California State Parks, Office of Historic Preservation
- Central Valley Regional Water Quality Control Board (Region 5)

Regional and Local Agencies

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

3 Procedural Findings

- DGS prepared and filed a Notice of Preparation (NOP) for an EIR on December 14, 2018 for the RBOC 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://www.dgs.ca.gov/resd/Programs/Environmental ServicesSection/CaliforniaEnvironmentalQualityAct.aspx.

- An open house format scoping meeting was held from 4:00 PM to 7:00 PM on Thursday, January 10, 2017 at the Smythe Academy Middle School Cafeteria, located at 700 Dos Rios Street, Sacramento, CA 95811 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 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 project; it was released on March 12, 2019 for public review and comment for a 45-day period, which concluded on April 26, 2019. The Draft EIR was posted at the State Clearinghouse and the Notice of Availability of the EIR was mailed to relevant public agencies, responsible agencies, and all interested parties. The Draft EIR 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://www.dgs.ca.gov/resd/Programs/EnvironmentalServicesSection/ CaliforniaEnvironmentalQualityAct.aspx, and availability of the Draft EIR was advertised in the Sacramento Bee.

- DGS held an informational meeting on the project and Draft EIR on April 9, 2019, from 4:30 p.m. to 5:30 p.m. in the first floor auditorium at 707 3rd Street, West Sacramento, CA 95605. Although the public was provided the opportunity to submit comments at these meetings, no public comments were received during the meeting.

- DGS received 10 written comment letters during the comment period on the Draft EIR for the project listed in Table 1-1 of the Final EIR. The Final EIR contains responses to these comments, including a summary of each comment and the complete comment letter. 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 on May 31, 2019.

4 Record of Proceedings

In accordance with CEQA Section 21167.6(e), the record of proceedings for DGS's decision on the RBOC project includes, without limitation, the following documents:

- The NOP (December 14, 2018) and all other public notices issued by DGS in conjunction with the scoping period for the 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 12, 2019) for the project (State Clearinghouse No. 2018122034);
- 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 May 31, 2019.
- The Final EIR for the project as posted on the DGS website (https://www.dgs.ca.gov/RESD/Resources/Page-Content/Real-Estate-Services-Division-Resources-List-Folder/Information-and-Resources-for-CEQA) on June 10, 2019, 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 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;
- All minutes and/or verbatim transcripts, as available, of all public meetings held by DGS in connection with the project;
- Any documentary or other evidence submitted to DGS at such public meetings;
- 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 DGS Director agrees with the characterization in the Final EIR with respect to issue areas identified as "no impact" and those impacts identified as "less than significant" 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 the Draft EIR "Issues or Potential Impacts Not Discussed Further" sections that identified issue areas or thresholds of significance either are not applicable to the RBOC project and that no impact related to the issue area or threshold of significance would occur. This finding applies to the following impacts evaluated in the Final EIR and determined to result in "no impact" or determined to be "less than significant."

Air Quality, EIR Section 3.1

Impact 3.1-5: The project, in conjunction with other planned projects, could cumulatively expose sensitive receptors to substantial pollutant concentrations.

Biological Resources, EIR Section 3.2

Impact 3.2-3: Implementation of the Project, in combination with other development in the Central Sacramento Valley, would contribute to cumulative loss of nesting habitat for burrowing owl.

Energy, EIR Section 3.4

Impact 3.4-1: The RBOC could result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation.

Impact 3.4-2: The RBOC could conflict with or obstruct a state or local plan for renewable energy or energy efficiency.

Impact 3.4-3: Implementation of the project, in combination with other development, could contribute to wasteful, inefficient, or unnecessary consumption of energy resources.

Impact 3.4-4: Implementation of the project, in combination with other development, could conflict with or obstruct a state or local plan for renewable energy or energy efficiency.

Greenhouse Gas Emissions and Climate Change, EIR Section 3.5

Impact 3.5-1: The project could generate greenhouse gas emissions, either directly or indirectly, that may have significant impact on the environment.

Impact 3.5-2: The project could conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases.

Hydrology and Water Quality, EIR Section 3.6

Impact 3.6-1: Implementation of the project could violate water quality standards or waste discharge requirements and degrade water quality.

Impact 3.6-2: Implementation of the project could substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin.

Impact 3.6-3: Implementation of the project could result in erosion, sedimentation, and flood flow impacts from changes in site drainage patterns.

Impact 3.6-4: Implementation of the project could conflict with or obstruct implementation of water quality control plans or sustainable groundwater management plans.

Impact 3.6-5: Implementation of the project, in combination with other development, would not violate water quality standards or waste discharge requirements and degrade water quality.

Impact 3.6-6: Implementation of the project, in combination with other development, could substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin.

Impact 3.6-7: Implementation of the Project, in combination with other development, could result in erosion and sedimentation impacts from changes in site drainage patterns.

Impact 3.6-8: Implementation of the Project, in combination with other development, could conflict with or obstruct implementation of water quality control plans or sustainable groundwater management plans.

Land Use and Planning, EIR Section 3.7

Impact 3.7-1: Implementation of the project would not physically divide an established community.

Impact 3.7-2: Implementation of the project would not cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect.

Impact 3.7-3: Implementation of the project, in combination with other development, would not contribute to cumulative impacts in relation to physically dividing an established community.

Impact 3.7-4: Implementation of the project, in combination with other development, would not conflict with an applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to, the General Plan and zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect.

Noise and Vibration, EIR Section 3.8

Impact 3.8-2: Construction of the project would not result in a substantial temporary or periodic increase in ambient noise levels in the RBOC vicinity above levels existing without the RBOC.

Impact 3.8-3: Operation of project could increase local traffic that could result in a substantial permanent increase in ambient exterior noise levels in the project vicinity or conflict with the City of Sacramento noise standards.

Impact 3.8-4: Operation of the project could introduce new stationary noise sources that could conflict with the City of Sacramento noise standards.

Impact 3.8-5: The project could result in residential interior noise levels of 45 dBA Ldn or greater caused by noise level increases due to RBOC operation.

Impact 3.8-6: Construction of the project could expose existing and/or planned buildings, and persons within, to vibration that could disturb people and damage buildings.

Impact 3.8-7: The project, in conjunction with other planned projects, could result in exposure of people to cumulative increases in construction noise levels.

Impact 3.8-8: The project, in conjunction with other planned projects, could contribute to cumulative construction that could expose existing and/or planned buildings, and persons within, to significant vibration.

Impact 3.8-9: The project, in conjunction with other planned projects, could contribute to cumulative increases in traffic noise levels.

Population and Housing, EIR Section 3.9

Impact 3.9-1: Implementation of the project would not induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure).

Impact 3.9-2: Development facilitated by the project, in conjunction with potential past, present, and future development in the surrounding region, would not result in substantial unplanned population, housing, or employment growth, or the displacement of existing residents or housing units on a regional level.

Public Services, EIR Section 3.10

Impact 3.10-1: Implementation of the project could result in the provision of or need for increased demand for law enforcement resources.

Impact 3.10-2: Implementation of the project could result in the provision of or need for increased demand for fire protection resources.

Impact 3.10-3: Implementation of the project could result in the provision of or need for increased demand for public school services.

Impact 3.10-4: Implementation of the project could result in the provision of or need for increased demand for parks and recreational resources and facilities.

Impact 3.10-5: Implementation of the project, in conjunction with other development, could result in the provision of or need for increased demand for law enforcement resources.

Impact 3.10-6: Implementation of the project, in conjunction with other development, could result in the provision of or need for increased demand for fire protection resources.

Impact 3.10-7: Implementation of the project, in conjunction with other development, could result in the provision of or need for increased demand for public school services.

Impact 3.10-8: Implementation of the project, in conjunction with other development, could result in the provision of or need for increased demand for parks and recreational resources and facilities.

Transportation and Circulation, EIR Section 3.11

Impact 3.11-3: Implementation of the Project could substantially increase VMT per service population (total residents and employees) within the Sacramento Core Area.

Impact 3.11-6: Implementation of the project could adversely affect existing or planned pedestrian facilities or fail to provide for access for pedestrians.

Impact 3.11-10: Implementation of the project could substantially increase VMT per service population (total residents and employees) within the Sacramento Core Area under cumulative conditions.

Impact 3.11-13: Implementation of the project could adversely affect existing or planned pedestrian facilities or fail to provide for access for pedestrians under cumulative conditions.

Utilities and Infrastructure, EIR Section 3.12

Impact 3.12-1: Implementation of the project would have sufficient water supplies available to serve the project and reasonably foresee future development during normal, dry, and multiple dry years.

Impact 3.12-2: Implementation of the project could require or result in the interruption of existing infrastructure, or in the relocation or construction of new or expanded infrastructure, the interruption, construction, or relocation of which could cause significant environmental effects.

Impact 3.12-4: Implementation of the project could result in a determination by the wastewater treatment provider which serves or may serve the project that it does not have adequate capacity to serve the project's projected demand in addition to the provider's existing commitments.

Impact 3.12-5: Implementation of the project could require or result in the construction of new or expanded storm water drainage facilities.

Impact 3.12-6: Implementation of the project could require or result in the construction of new or expanded energy transmission or distribution facilities that could result in significant environmental effects.

Impact 3.12-7: Implementation of the project could require or result in the construction of new or expanded telecommunications facilities.

Impact 3.12-8: Implementation of the project could generate solid waste in excess of State or local standards or the capacity of local infrastructure, or could otherwise impair the attainment of solid waste reduction goals.

Impact 3.12-10: Implementation of the project, in combination with other development, could contribute to cumulative increases to discharge flows or water conveyance demand, such that the relocation or construction of new or expanded water conveyance infrastructure or facilities could cause significant environmental effects.

Impact 3.12-11: Implementation of the project, in combination with other development, could result in a determination by the wastewater treatment provider which serves or may serve the development area that it does not have adequate capacity to serve the development's cumulative project demand in addition to the provider's existing commitments.

Impact 3.12-12: Implementation of the project, in combination with other development, could contribute to cumulative increases to surface runoff flows, such that the relocation or construction of new or expanded stormwater drainage infrastructure or facilities could cause significant environmental effects.

Impact 3.12-13: Implementation of the project, in combination with other development, could contribute to cumulative increases to energy demand, such that the relocation or construction of new or expanded electrical transmission and distribution infrastructure or facilities could cause significant environmental effects.

Impact 3.12-14: Implementation of the project, in combination with other development, could contribute to cumulative increases to telecommunications demand, such that the relocation or construction of new or expanded telecommunications infrastructure or facilities could cause significant environmental effects.

Impact 3.12-15: Implementation of the project, in combination with other development, could contribute to cumulative increases in solid waste generation in excess of State or local standards or in excess of the capacity of local infrastructure, or could otherwise impair the attainment of solid waste reduction goals.

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.

Air Quality, EIR Section 3.1

Impact 3.1-1: Implementation of the project could conflict with or obstruct implementation of an applicable air quality plan.

> **Mitigation Measure 3.1-1:**
>
> The State has provided an AQMP (Appendix D2) which shows that the project analyzed by this EIR meets the required reductions due to the VMT reductions and air quality benefits obtained mainly due to State staff consolidation within the RBOC.

Finding: The RBOC would be consistent with the growth projections for the project area included in the City's 2035 General Plan and the SACOG MTP/SCS. Because the RBOC project would exceed the minimum 15 percent reduction in operational mobile source emissions by facilitating higher-density, transit-oriented development, the reduction would be achieved by project design and location within the Sacramento urban core with access to a variety of transportation options. The RBOC would be consistent with the land use parameters established for the project site in the SACOG MTP/SCS and would incorporate provisions that would reduce unmitigated emissions by at least 15 percent. SMAQMD recommends that lead agencies require projects exceeding their significance thresholds of ROG and/or NO_X reduce their ozone precursor emissions by 15 percent. Using SMAQMD's Recommended Guidance for Land Use Emission Reduction, an AQMP was prepared demonstrating that the RBOC project will achieve the requisite percent reduction of NO_Xe and ROG after design features have been implemented; the AQMP can be found in Appendix D2.

With the implementation of Mitigation Measure 3.1-1 and as shown in Table 3.1-6, the RBOC project will result in a 12.9 tons per year reduction of ROG emissions and a 48.0 tons per year reduction of NO_X emissions after mitigation. The RBOC project will be consistent with the land use parameters established in the SACOG MTP/SCS and will incorporate provisions that reduce unmitigated emissions by at least 15 percent. The Director, 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 3.1-22 through 3.1-24; Final EIR pages 2-13 through 2-17)

Impact 3.1-3: The project could expose sensitive receptors to substantial pollutant concentrations.

Mitigation Measure 3.1-3(a):

Implement Mitigation Measure 3.1-2(b).

Mitigation Measure 3.1-3(b):

The contractor shall utilize one of the following strategies to reduce the cancer risk related to TAC construction emissions to no greater than 10 people in one million.

- Use Tier 4 engines on all construction equipment; or
- Use Tier 3 engines equipped with Level 3 Diesel Particulate Filters (DPF) on all construction equipment; or
- Use a combination of Tier 4 engines and Tier 3 engines equipped with Level 3 DPF on all construction equipment; or
- Use a combination of technological solutions to ensure that construction-related emissions do not exceed a cancer risk of 10 people in one million.

Finding: Implementation of Mitigation Measures 3.1-3(a) and 3.1-3(b), which have been required, will reduce the potential this impact to a less-than-significant level. Specifically, with implementation of these mitigation measures, sensitive receptors will have reduced exposure to TAC emissions during the construction period and fall below the significance thresholds. The Director, 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 3.1-32 through 3.1-35).

Biological Resources, EIR Section 3.2

Impact 3.2-1: Implementation of the project could impact valley elderberry longhorn beetle.

Mitigation Measure 3.2-1:

a) Activities that may damage or kill an elderberry shrub (e.g. trenching, paving, etc.) will have an avoidance area of at least 20 feet from the drip-line of the elderberry shrubs. If activities must occur within 20 feet, the State shall consult with the USFWS to determine potential effects and mitigation requirements.

b) All areas within 165 feet of the elderberry shrubs to be avoided during construction activities will be fenced using high visibility construction fencing, followed by silt fencing, as close to construction limits as feasible. The silt fencing shall be installed to prevent migration of soils into the protected zone around the elderberry shrubs.

c) A qualified biologist will provide training for all contractors, work crews, and any onsite personnel on the status of the VELB, its host plant and habitat, the need to avoid damaging the elderberry shrubs, and the possible penalties for non-compliance.

d) During work within 165 feet of the elderberry shrubs, a qualified biologist will monitor the work area on a weekly basis to ensure that all avoidance and minimization measures are implemented. Time spent onsite will be sufficient to verify that no damage to elderberry shrubs has occurred, to ensure that protective fencing is in place and in good working order, and to coordinate any concerns with the client/contractor.

e) As much as feasible, all activities that occur within 165 feet of an elderberry shrub will be conducted outside the flight season of the VELB (March – July).

f) Herbicides will not be used within the drip-line of any elderberry shrubs. Insecticides will not be used within 98 feet of an elderberry shrub. All chemicals will be applied using a backpack sprayer or similar direct application method.

g) Mechanical weed removal within the drip-line of the shrub will be limited to the season when adults are not active (August – February) and will avoid damaging the elderberry.

Finding: Implementation of Mitigation Measure 3.2-1, which has been required, will reduce the potential impacts to valley elderberry longhorn beetles to a less-than-significant level. Specifically, Mitigation Measure 3.2-1 would ensure that the project avoids or mitigates for impacts to VELB through implementation of a no-work buffer for activities that may damage or kill an elderberry shrub, and minimizes project activities which could impact the shrubs. The Director, 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 3.2-14 through 3.2-15).

Impact 3.2-2: Implementation of the project could result in impacts to nesting migratory birds and birds of prey.

Mitigation Measure 3.2-2:

a) Project construction shall occur outside of the nesting season to the extent feasible. If project construction begins during the nesting season (Table 3.2-2), a qualified biologist shall conduct a preconstruction survey for active nests on and adjacent to the project site. The pre-construction survey shall be conducted within 7 days prior to commencement of ground disturbing activities. If no active nests are found during the pre-construction survey, no additional mitigation measures are required. If construction does not commence within 7 days of the pre-construction survey, or halts for more than 7 days, an additional pre-construction survey is required. Additional survey requirements for Swainson's hawk and burrowing owl are provided below.

TABLE 3.2-2
NESTING SEASON FOR SPECIAL-STATUS AND COMMON NESTING BIRDS

Species	Nesting Season
White-tailed kite	February 1 to September 30
Swainson's hawk	March 1 to September 15
Burrowing owl	Year-round: February 1 to August 31 (nesting); September 1 to January 31 (wintering)
Common nesting birds (raptors, passerines, herons and egrets)	February 1 to August 31

b) If an active nest is located on or adjacent to the construction footprint, an appropriate buffer zone shall be established around the nest, as determined by the qualified biologist. The biologist shall mark the buffer zone with construction tape or pin flags and maintain the buffer zone until the end of breeding season or until the young have successfully fledged or the nest is determined to no longer be active. Buffer zones are typically 50-100 feet for migratory bird nests and 250-500 feet for bird of prey nests (excluding Swainson's hawk). Buffer size will be determined by the qualified biologist based on the species of bird, the location of the nest relative to the project, project activities during the time the nest is active, and other project-specific conditions.

c) If establishing the typical buffer zone is impractical, the qualified biologist may reduce the buffer depending on the species and daily monitoring will be required to ensure that the nest is not disturbed and no forced fledging occurs. Daily monitoring shall occur until the qualified biologist determines that the nest is no longer active.

Additional Measures for Burrowing Owl

d) Prior to project initiation, a qualified biologist will conduct preconstruction Take Avoidance Surveys in accordance with Appendix D of the CDFW *Staff Report on Burrowing Owl Mitigation.* One survey will be conducted no less than 14 days prior to initiating ground disturbance activities. A second survey will be conducted within 24 hours prior to ground disturbance. If no burrowing owls are identified on or in the vicinity of the project site, no additional mitigation measures are required.

e) If burrowing owls are discovered on the project site or in the vicinity of the project site, a qualified biologist shall establish a fenced exclusion zone around each occupied burrow. No construction activities shall be allowed within the exclusion buffer zone until such time that the burrows are determined to be unoccupied by a qualified biologist. The buffer zones shall be a minimum of 160 feet from an occupied burrow during the non-breeding season (September 1 through January 31), and a minimum of 500 feet from an occupied burrow during the breeding season (February 1 through August 31). If work will occur within the buffer zones, construction will be monitored daily by a qualified biologist to ensure no disturbance occurs to the burrowing owl.

f) A biologist monitor will conduct weekly monitoring of the burrowing owl during construction activities.

g) If complete avoidance is not feasible, the CDFW shall be consulted regarding the implementation of avoidance or passive relocation methods. All activities that will result in a disturbance to burrows shall be approved by the CDFW prior to implementation.

Additional Measures for Swainson's Hawk

h) If construction activities are anticipated to commence during the Swainson's hawk nesting season (March 1 to September 15), a qualified biologist shall conduct a minimum of two pre-construction surveys during the recommended

survey periods in accordance with the *Recommended Timing and Methodology for Swainson's Hawk Nesting Surveys in California's Central Valley.* All potential nest trees within 0.25 mile of the project footprint shall be visually examined for potential Swainson's hawk nests, as accessible. If no active Swainson's hawk nests are identified on or within 0.25-mile of the project site, no additional mitigation measures are required.

i) If an active Swainson's hawk nest is found within 0.25 mile of the project site, the following measures will be implemented to avoid and minimize impacts to the nest:

   a. A Worker Awareness Training Program will be conducted prior to the start of construction;

   b. A no-disturbance buffer zone will be established and work will be scheduled to avoid impacting the nest during critical periods. To the extent feasible, no work will occur within 500 feet of the nest while it is in active use. If work will occur within 500 feet of the nest, then construction will be monitored daily by a qualified biologist to ensure no disturbance occurs to the nest;

   c. A biological monitor will conduct weekly monitoring of the nest during construction activities; and

   d. The biologist may halt construction activities if s/he determines that the construction activities are disturbing the nest. CDFW will be consulted prior to re-initiation of activities that maybe disturb the nest.

Finding: Implementation of Mitigation Measure 3.2-2, which has been required, will reduce the potential impacts to nesting migratory birds and birds of prey to a less-than-significant level. Specifically, Mitigation Measure 3.2-2 will ensure that the project avoids impacts to migratory birds and other birds of prey through clearing vegetation outside of the nesting season or conducting preconstruction surveys. No-work buffers will be established if birds are observed nesting in the vicinity of the construction footprint. The Director, 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 3.2-14 through 3.2-15; Final EIR page 2-20)

Cultural Resources, EIR Section 3.3

Impact 3.3-1: Implementation of the project could cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5.

Mitigation Measure 3.3-1(a):

If evidence of any subsurface archaeological features or deposits are discovered during construction-related earth-moving activities (e.g., lithic scatters, midden soils, historic era farming or construction materials), all ground-disturbing activity in the area of the discovery shall be halted until a qualified archaeologist and Native American representative, as appropriate, 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 Public Resources Code 21084.3,

including possible capping, data recovery, mapping, or avoidance of the resource. If artifacts are recovered from significant prehistoric archaeological resources or tribal cultural resources, the first option shall be to transfer the artifacts to an appropriate tribal representative. If possible, accommodations shall be made to re-inter the artifacts at the project site. Only if no other options are available will recovered prehistoric archaeological material be housed at a qualified curation facility. 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.

Mitigation Measure 3.3-1(b):

A cultural resources awareness training program will be provided to all construction personnel active on the project site during earth moving activities. The first training will be provided prior to the initiation of ground disturbing activities. The training will be developed and conducted in coordination with a qualified archaeologist meeting the United States Secretary of Interior guidelines for professional archaeologists. 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 United Sates Secretary of Interior guidelines for professional archaeologists will monitor ground-disturbing activities, as needed. If evidence of any historic-era subsurface archaeological features or deposits are discovered during construction-related earth-moving activities (e.g., ceramic shard, trash scatters), all ground-disturbing activity in the area of the discovery shall be halted until a qualified archaeologist can access 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. 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 Measures 3.3-1(a) and 3.3-1(b), which have been required, will reduce potential impacts to archeological resources to less-than-significant levels. Specifically, implementation of Mitigation Measure 3.3-1(a) will require that work halt in the vicinity of a find until it can be evaluated by a qualified archaeological consultant, and Mitigation Measure 3.3-1(b) requires cultural resources awareness training for all construction personnel active on the project site during earth moving activities. The Director, 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 3.3-12 through 3.3-14)

Impact 3.3-2: Implementation of the project could cause a substantial adverse change in the significance of tribal cultural resources, as defined in PRC section 21074(a).

Mitigation Measure 3.3-2:

Implement Mitigation Measures 3.3-1(a) and 3.3-1(b).

Finding: Implementation of Mitigation Measure 3.3-2, which has been required, will reduce potential impacts to tribal cultural resources to less-than-significant levels. Specifically, implementation of Mitigation Measure 3.3-1(a) will require that work halt in the vicinity of a find until it can be evaluated by a qualified archaeological consultant and Native American representative, and Mitigation Measure 3.3-1(b) requires cultural resources awareness training for all construction personnel active on the project site during earth moving activities. The Director, 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 3.3-14)

Impact 3.3-3: Implementation of the project could disturb any human remains, including those interred outside of formal cemeteries.

Mitigation Measure 3.3-3: Inadvertent Discovery of Human Remains:

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 Native American Heritage Commission (NAHC) by phone within 24 hours of making that determination (Health and Safety Code Section 7050[c]). The NAHC shall then assign a Most Likely Descendent (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 3.3-3, 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 suspected 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. The Director, 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 3.3-14 and 3.3-15)

Impact 3.3-4: Implementation of the project, in combination with other development, will contribute to cumulative adverse impacts on archaeological resources.

Mitigation Measure 3.3-4

Implement Mitigation Measure 3.3-1(a) and Mitigation Measure 3.3-1(b).

Finding: Implementation of Mitigation Measure 3.3-4, which has been required, will reduce the project's contribution to cumulative archaeological resource impacts to a less-than-cumulatively considerable level. Specifically, implementation of Mitigation Measure 3.3-1(a) will require protocol to follow in the event of an inadvertent discovery of archaeological resources. Mitigation Measure 3.3-1(b) will require that construction personnel receive proper training regarding how to address potential discoveries of previously unknown cultural resources. By providing an opportunity to avoid disturbance, disruption, or destruction of archaeological resources, implementation of the project will result in a less-than-significant contribution to the cumulative impact. The Director, 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 3.3-15 and 3.3-16)

Impact 3.3-5: Implementation of the project, in combination with other development, will contribute to cumulative adverse impacts on tribal cultural resources.

Mitigation Measure 3.3-5

Implement Mitigation Measure 3.3-1(a) and Mitigation Measure 3.3-1(b).

Finding: Implementation of Mitigation Measure 3.3-5, which has been required, will reduce the project's contribution to cumulative tribal cultural resource impacts to a less-than-cumulatively considerable level. Specifically, implementation of Mitigation Measure 3.3-1(a) will require protocol to follow in the event of an inadvertent discovery of archaeological resources or tribal cultural resources. Mitigation Measure 3.3-1(b) will require that construction personnel receive proper training regarding how to address potential discoveries of unknown cultural resources. By providing an opportunity to avoid disturbance, disruption, or destruction of archaeological resources, implementation of the project will result in a less-than-significant contribution to the cumulative impact. The Director, 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 3.3-16)

Impact 3.3-6: Implementation of the project, in combination with other development, will contribute to cumulative adverse impacts on human remains.

Mitigation Measure 3.3-6

Implement Mitigation Measure 3.3-3.

Finding: Implementation of Mitigation Measure 3.3-6, which has been required, will reduce the project's contribution to cumulative loss of undiscovered or unknown human remains to a less-than-cumulatively considerable level. Implementation of this mitigation measure will require implementation of legally-required appropriate treatment of human remains. Specifically, this mitigation measure will offset the project's contribution through avoidance and protection of undiscovered or unknown human remains. The Director, 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 3.3-16 and 3.3-17)

Transportation and Circulation, EIR Section 3.11

Impact 3.11 2: Implementation of the project could worsen conditions on freeway facilities maintained by Caltrans.

> **Mitigation Measure 3.11-2:**
>
> Prior to building occupancy, the State shall pay its fair-share contribution towards the I-5/ Richards Boulevard interchange through the I-5 Subregional Mitigation Program as outlined in the *Nexus Study for the I-5 Subregional Corridor Mitigation Program* published in 2016 by DKS on behalf of the cities of West Sacramento, Elk Grove, and Sacramento; and Caltrans.

Finding: Implementation of Mitigation Measure 3.11-2, which has been required, will reduce the potential impacts to the State highway system to a less-than-significant level. Specifically, Mitigation Measure 3.11-2 will reduce potential significant impacts by requiring the State to pay the I-5 Subregional Mitigation Program fee which Caltrans has agreed will be adequate mitigation for impacts to the State highway system in this area. The Director, 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 3.11-51; Final EIR page 2-25)

Impact 3.11-5: Implementation of the project could adversely affect existing or planned bicycle facilities or fail to provide for access by bicycle.

> **Mitigation Measure 3.11-5:**
>
> Prior to building occupancy, the State shall coordinate with the City of Sacramento to identify and implement a mutually acceptable set of bicycle network improvements along the project frontage. This may include the system described above, or could take the form of a series of one-way or two-way ‘protected bike lanes’ similar to what has recently been constructed in downtown. Other considerations involve bicycle/light rail, and bicycle/bus stop, and bicycle/signalized driveway interactions and design treatments.

Finding: Implementation of Mitigation Measure 3.11-5, which has been required, will reduce the potential impacts to existing or planned bicycle facilities to a less-than-significant level. Specifically, Mitigation Measure 3.11-5 will reduce potential significant impacts by requiring coordination with City staff which is expected to result in a design along the project frontages that reduces conflicts with other modes of travel, and will lessen the impact to less-than-significant. The Director, 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 3.11-54; Final EIR pages 2-26 and 2-27)

Impact 3.11-7: The project could cause construction-related traffic impacts.

Mitigation Measure 3.11-7:

Before start of construction activities on the project site, the State shall prepare a detailed Construction Traffic Management Plan that will be subject to review and approval by the City Department of Public Works, in consultation with affected transit providers, and local emergency service providers including the City of Sacramento Fire and Police departments. The plan shall ensure that acceptable operating conditions on local roadways are maintained. At a minimum, the plan shall include:

- The number of truck trips, time, and day of street closures
- Time of day of arrival and departure of trucks
- Limitations on the size and type of trucks, provision of a staging area with a limitation on the number of trucks that can be waiting
- Provision of a truck circulation pattern
- Identification of detour routes and signing plan for street/lane closures
- Provision of driveway access plan so that safe vehicular, pedestrian, and bicycle movements are maintained (e.g., steel plates, minimum distances of open trenches, and private vehicle pick up and drop off areas)
- Maintain safe and efficient access routes for emergency vehicles and transit
- Manual traffic control when necessary
- Proper advance warning and posted signage concerning street closures
- Provisions for pedestrian and bicycle safety

A copy of the construction traffic management plan shall be submitted to local emergency response agencies and transit providers, and these agencies shall be notified at least 30 days before the commencement of construction that will affect roadways.

Finding: Implementation of Mitigation Measure 3.11-7, which has been required, will reduce the potential impacts to construction-related traffic to a less-than-significant level. Specifically, Mitigation Measure 3.11-7 will reduce potential significant impacts by requiring the preparation of a detailed Construction Traffic Management Plan to ensure that acceptable operating conditions on local roadways are maintained. The Director, 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 3.11-55 and 3.11-56)

Impact 3.11-9: Implementation of the project, in combination with other development, could contribute to cumulatively worsened conditions on freeway facilities maintained by Caltrans.

Mitigation Measure 3.11-9:

a) Implement Mitigation Measure 3.11-2.

b) The ongoing I-5/Richards Boulevard Interchange Project Approval/ Environmental Document studies (being led by the City of Sacramento, and in partnership with Caltrans) for an upgraded interchange should consider the travel demands of the project when analyzing traffic forecasts and preferred geometric improvements for the reconstructed interchange.

Finding: Implementation of Mitigation Measure 3.11-9, which has been required, will reduce the potential impacts to the State highway system to a less-than-significant level. Specifically, Mitigation Measure 3.11-2 will reduce potential significant impacts by requiring the State to pay the I-5 Subregional Mitigation Program fee which Caltrans has agreed will be adequate mitigation for impacts to the State highway system in this area. The Director, 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 3.11-58; Final EIR page 2-29)

Impact 3.11-12: Implementation of the project could adversely affect existing or planned bicycle facilities or fail to provide for access by bicycle under cumulative conditions.

Mitigation Measure 3.11-12:

Implement Mitigation Measure 3.11-5.

Finding: Implementation of Mitigation Measure 3.11-12, will reduce the potential impacts to existing or planned bicycle facilities to a less-than-significant level. Specifically, Mitigation Measure 3.11-5 will reduce potential significant impacts by requiring coordination with City staff which is expected to result in a design along the project frontages that reduces conflicts with other modes of travel, and would lessen the impact to less-than-significant. The Director, 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 3.11-60; Final EIR pages 2-29 and 2-30)

Impact 3.11-14: The project, in combination with other development, could contribute to cumulatively considerable construction-related traffic impacts.

Mitigation Measure 3.11-14:

Implement Mitigation Measure 3.11-7 (Develop and Implement Construction Traffic Management Plan), and consider other planned construction activities in the area when developing the plan.

Finding: Implementation of Mitigation Measure 3.11-14, which has been required, will reduce the project's contribution to cumulative construction-related traffic impacts to a less-than-

cumulatively considerable level. Specifically, implementation of Mitigation Measure 3.11-7 will require the preparation of a detailed Construction Traffic Management Plan to ensure that acceptable operating conditions on local roadways are maintained. The Director, 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 3.11-61 and 3.11-62)

Utilities and Infrastructure, EIR Section 3.12

Impact 3.12-3: Implementation of the project could require or result in the relocation or construction of new or expanded water conveyance infrastructure.

Mitigation Measure 3.12-3:

The water supply infrastructure must be able to accommodate an estimated water demand of 240 AFY and a fire flow requirement of up to 8,000 gallons per minute (gpm) for a four-hour duration, with an automatic fire sprinkler system flow demand of 300-500 gpm and associated standpipe system demand of 1,000 gpm.

a) Prior to approval for connection to the City of Sacramento's water supply infrastructure, the State shall conduct a water study to be submitted to the Department of Utilities, to ensure the condition and capacity of the City of Sacramento's water supply infrastructure relative to the project site and ensure that infrastructure is sufficient to serve the needs to of the project. However, relative construction information pertaining to the two existing water mains at the project site should be discussed with the Department of Utilities prior to implementation of this study.

b) Prior to the issuance of a building occupancy permit, the California State Fire Marshall shall confirm test fire flow to ensure that the water supply infrastructure serving the RBOC meets fire flow standards.

c) If water infrastructure is found insufficient to meet the needs of the project, the water study shall identify improvements necessary to meet the project's demands and fire flow requirements.

Finding: Implementation of Mitigation Measure 3.12-3, which has been required, will reduce the potential impact on water supply infrastructure to a less-than-significant level. Specifically, the water study required by this mitigation measure will ensure that the water supply infrastructure associated with the project could meet water demand and fire flow pressure requirements to adequately serve the project. Any improvements required to meet these requirements will be identified and carried out by the State in order to ensure the quality and ability of the infrastructure to adequately supply water to the project. The Director, 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 3.12-27 and 3.12-28; Final EIR page 2-31)

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 impacts were identified as significant and unavoidable. That is, the impacts remain 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 significant and unavoidable impacts and their associated mitigation measures in the discussions below. As described further in Section 6, the Director finds that specific overriding economic, legal, social, technological, or other benefits of the project outweigh the significant effects on the environment.

Air Quality, EIR Section 3.1

Impact 3.1-2: Implementation of the project could result in a net increase of criteria pollutants for which the project region is non-attainment under an applicable federal or state ambient air quality standard.

Mitigation Measure 3.1-2(a):

The State shall require all construction plans to include the following basic construction emission control practices:

- Water all exposed surfaces as necessary to prevent dust. Exposed surfaces include, but are not limited to soil piles, graded areas, unpaved parking areas, staging areas, and access roads.
- Cover or maintain at least two feet of free board space on haul trucks transporting soil, sand, or other loose material on the site. Any haul trucks that would be traveling along freeways or major roadways shall be covered.
- Use wet power vacuum street sweepers to remove any visible track-out mud or dirt onto adjacent public roads as necessary. Use of dry power sweeping is prohibited.
- Limit vehicle speeds on unpaved roads to 15 miles per hour (mph).
- Pave all roadways, driveways, sidewalks, parking lots as soon as possible. In addition, building pads shall be laid immediately after grading unless seeding or soil binders are used.
- Minimize idling time either by shutting equipment off when not in use or reducing the time of idling to 5 minutes (as required by the state airborne toxics control measure [Title 13, Section 2485 of the California Code of Regulations]). Provide clear signage that posts this requirement for workers at the entrances to the site.
- Maintain all construction equipment in proper working condition according to manufacturer's specifications. The equipment shall be checked by a certified mechanic and determine to be running in proper condition before it is operated.

Mitigation Measure 3.1-2(b):

The State shall require all construction plans to include the following SMAQMD Enhanced Exhaust Control Practices:

- Provide a comprehensive inventory of all off-road construction equipment, equal to or greater than 50 horsepower, that will be used an aggregate of 40 or more hours during any portion of the project to the State and SMAQMD. The inventory shall include the horsepower rating, engine model year, and projected hours of use for each piece of equipment. The construction contractor shall provide the anticipated construction timeline including start date, and name and phone number of the project manager and on-site foreman. This information shall be submitted at least four business days prior to the use of subject heavy-duty off-road equipment. The inventory shall be updated and submitted monthly throughout the duration of construction, except that an inventory shall not be required for any 30-day period in which no construction activity occurs.

- Provide a plan in conjunction with the equipment inventory, approved by SMAQMD, demonstrating that the heavy-duty (50 horsepower or more) off-road vehicles to be used in the construction project, including owned, leased, and subcontractor vehicles, will achieve a project wide fleet-average 20 percent NOx reduction and 45 percent particulate reduction compared to the most recent CARB fleet average. Acceptable options for reducing emissions may include use of late model engines, low-emission diesel products, alternative fuels, engine retrofit technology, after-treatment products, and/or other options as they become available.

- Emissions from all off-road diesel powered equipment used on the project site shall not exceed 40 percent opacity for more than three minutes in any one hour. Any equipment found to exceed 40 percent opacity (or Ringelmann 2.0) shall be repaired immediately, and the State and SMAQMD shall be notified within 48 hours of identification of non-compliant equipment. A visual survey of all in-operation equipment shall be made at least weekly, and a monthly summary of the visual survey results shall be submitted throughout the duration of the project, except that the monthly summary shall not be required for any 30-day period in which no construction activity occurs. The monthly summary shall include the quantity and type of vehicles surveyed as well as the dates of each survey. SMAQMD and/or other officials may conduct periodic site inspections to determine compliance. Nothing in this measure shall supersede other SMAQMD or state rules or regulations.

- If at the time of starting construction on each building, SMAQMD has adopted a more restrictive regulation applicable to construction emissions, the State may completely or partially replace this mitigation with compliance with the new regulation. Consultation with SMAQMD prior to construction will be necessary to make this determination.

Mitigation Measure 3.1-2(c):

The State shall require grading or improvement plans to include the following fugitive dust control practices:

- Water exposed soil with adequate frequency for continued moist soil.
- If the sustained wind speed (the wind speed obtained by averaging the measured values over a one-minute period) exceeds 20 miles per hour, it is a "high wind condition." When there is a high wind condition, all dust-disturbing activities must cease until the sustained wind speed declines to 20 miles per hour or lower for at least 15 consecutive minutes. Non-dust producing activities (equipment maintenance, etc.) may still be conducted during these periods.
- Install wind breaks (e.g., solid fencing) on windward side(s) of construction areas.
- Install wheel washers for all exiting trucks, or wash off all trucks and equipment leaving the site.
- Treat site accesses to a distance of 100 feet from the paved road with a 6 to 12-inch layer of wood chips, mulch, or gravel to reduce generation of road dust and road dust carryout onto public roads.
- Post a publicly visible sign with the telephone number and person to contact at the lead agency regarding dust complaints. This person shall respond and take corrective action within 48 hours. The phone number of the District shall also be visible to ensure compliance.

Mitigation Measure 3.1-2(d):

Prior to construction authorization, the contractor shall quantify the construction emissions of NO_X. The State shall require all construction plans to include the following SMAQMD off-site fee mitigation:

- The State shall pay into SMAQMD's construction mitigation fund to offset construction-generated emissions of NO_X that exceed SMAQMD's daily emission threshold of 85 ppd. The State shall coordinate with SMAQMD for payment of fees into the Heavy-Duty Low-Emission Vehicle Program designed to reduce construction related emissions within the region. Fees shall be paid based upon the applicable current SMAQMD Fee. The State shall keep track of actual equipment use and their NOX emissions so that mitigation fees can be adjusted accordingly for payment to SMAQMD.

Finding: Implementation of Mitigation Measures 3.1-2(a), (b), (c), and (d), which have been required, will reduce project-related construction emissions of NO_X, PM_{10}, and $PM_{2.5}$ to less than significant. However, related to long-term impacts, there are no approved mitigation measures for PM_{10} so that remains significant with the implementation of the AQMP. In terms of NO_x, even with achievement of SMAQMD-required 15 percent reduction in operational mobile source NOx emissions associated with the RBOC, it will exceed SMAQMD threshold of 65 ppd. Because PM_{10}, and NOx emissions will exceed the significance thresholds, the Director finds that although

changes or alterations have been required in, or incorporated into, the project that substantially lessen the significant environmental impact, this impact will remain significant and unavoidable. (Draft EIR pages 3.1-25 through 3.1-32; Final EIR pages 2-17 through 2-19)

Impact 3.1-4: The project, in conjunction with other planned projects, could cumulatively impact a net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard.

Mitigation Measure 3.1-4:

Implement Mitigation Measures 3.1-2(a), (b), (c), and (d).

Finding: Implementation of Mitigation Measures 3.1-2(a), (b), (c), and (d), which have been required, will reduce project-related construction emissions of NO_X, PM_{10}, and $PM_{2.5}$ to less than significant. In terms of long-term impacts, as is described under Impact 3.1-2, above, the traffic reduction and other emission reductions that will occur with the project will exceed 15 percent reduction in NO_X emissions after mitigation. However, there are no approved mitigation measures for PM_{10} so that remains significant even with the implementation of Mitigation Measure 3.1-4 and the AQMP. Much of the reduction will be achieved by the project's location within the Sacramento urban core with access to a variety of transportation options. Nonetheless, PM_{10} emissions will still exceed the applicable SMAQMD threshold. Because the contribution from the project will result in an unavoidable considerable contribution to the significant cumulative impact, the Director finds that although changes or alterations have been required in, or incorporated into, the project that substantially lessen the significant environmental impact, this impact will remain significant and unavoidable. (Draft EIR pages 3.1-35 through 3.1-37)

Noise and Vibration, EIR Section 3.8

Impact 3.8-1: Construction of the project could generate noise that will conflict with City of Sacramento's noise standards.

Mitigation Measure:

None available.

Finding: Since the construction schedule for the RBOC has not yet been finalized, construction activities associated with site preparation, building construction or paving could occur beyond the allowed hours specified in the City of Sacramento Municipal Code. Therefore, RBOC-related construction activities during nighttime hours could conflict with the City of Sacramento Municipal Code. Because there are no mitigation measures available, the Director finds that this impact will remain significant and unavoidable. (Draft EIR page 3.8-14)

Transportation and Circulation, EIR Section 3.11

Impact 3.11-1: Implementation of the project could worsen conditions at intersections in the City of Sacramento.

Mitigation Measure 3.11-1:

a) The State/architect shall refine the project design to provide an optimal amount of parking that minimizes baseline vehicular trip generation.

b) The State shall investigate and, if feasible, implement strategies that increase employee telecommuting and workday start/end time flexibility.

c) The State shall consider the following site design modifications and Transportation Demand Management (TDM) strategies to:

   i. Increase the cost to drive alone and park onsite to at least $150 per month.

   ii. Implement a fair value commuting program, where fees charged to SOV commuters (e.g., through parking pricing) are tied to State vehicle trip reduction targets and fee revenue is rebated to non-SOV commuters.

   iii. Incentivize use of carpool/vanpool modes through matching programs, preferred parking, and other incentives.

   iv. Increase monthly transit subsidy to $100.

d) Prior to building occupancy, the State shall increase the capacity of the North 7th Street/North B Street intersection by widening and improving traffic signal phasing efficiency.

e) The State/architect shall refine the project design to provide dedicated space for passenger pick-up and drop-off activity along Bannon Street.

f) Prior to building occupancy, the State shall install traffic signals at the new Bannon Street intersection with North 7th Street and the new north-south roadway intersection with Richards Boulevard, with location/design to the satisfaction of the City of Sacramento who will own/operate the signals.

g) The State shall pay its fair share of fees based on its proportional contribution to the identified significant environmental effects, and the extent to which the fee will contribute to mitigating those effects. The State will collaborate with the City of Sacramento with the expectation of entering into a Memorandum of Understanding (MOU) agreement to identify the State's fair share of fees for the River District Specific Plan and Transportation Development Impact Fee, as applicable, that contribute to mitigating the project's environmental effects, in conformance with State and federal laws.

Finding: Implementation of Mitigation Measure 3.11-1, which has been required, will implement strategies that are intended to shift RBOC employees' travel choices to more efficient travel modes, increase capacity at critical intersections, and provide adequate project ingress/egress. In combination, these strategies could produce major changes in vehicle trips generated by the site

and improve traffic operations. However, it is not known whether the strategies included within Mitigation Measure 3.11-1 will be able to reduce the impact at the affected intersections to a less-than significant level. Notably, while the State has committed to pursuing transportation demand strategies and incentives to reduce vehicle trips, DGS cannot unilaterally require the implementation of specific strategies by future tenants or employees. Due to uncertainty regarding whether this mitigation measure will achieve the level of traffic relief within the study area to reduce impacts to a less-than-significant level, the Director finds that although changes or alterations have been required in, or incorporated into, the project that lessen the significant environmental impact, this impact will remain significant and unavoidable. (Draft EIR pages 3.11-48 through 3.11-51; Final EIR pages 2-22 through 2-25)

Impact 3.11-4: Implementation of the project could adversely affect public transit operations or fail to adequately provide access to transit.

Mitigation Measure 3.11-4:

a) Implement Mitigation Measure 3.11-1.

b) Prior to building occupancy, the State shall coordinate with SacRT to expand Green Line service (i.e., more cars, more frequent headways, extended hours of operation).

c) Prior to building occupancy, the State shall coordinate with SacRT to investigate the potential for modifying existing bus routes to improve service to the project site.

d) Prior to building occupancy, the State shall coordinate with other transit service providers to provide commute bus service to the project site.

e) Prior to building occupancy, the State shall develop and implement a shuttle service plan that transports employees between the project site and the planned new Blue Line Dos Rios station near 12th Street and Richards Boulevard. This shuttle may include other stops if there is sufficient demand or if this is shown to be a cost-effective method to reduce vehicle miles traveled.

f) The State will include a requirement in the bid documents to require the design-build teams to adhere to the requirements of Sacramento City Code Section 17.600.160.

Finding: Implementation of Mitigation Measure 3.11-4, which has been required, will require coordination with transit service providers and development and implementation of a shuttle service plan. Because it is unknown whether agreements can be reached with the various transit service providers to achieve the service expansions described above, the Director finds that although changes or alterations have been required in, or incorporated into, the project that lessen the significant environmental impact, this impact will remain significant and unavoidable. (Draft EIR pages 3.11-52 and 3.11-53; Final EIR page 2-25 and 2-26)

Impact 3.11-8: Implementation of the project, in combination with other development, could contribute to cumulatively worsened conditions at intersections in the City of Sacramento.

Mitigation Measure 3.11-8:

Implement Mitigation Measure 3.11-1 (portions thereof that are applicable under cumulative conditions).

Finding: Implementation of Mitigation Measure 3.11-8, which has been required, will implement strategies that are intended to shift RBOC employees' travel choices to more efficient travel modes, increase capacity at critical intersections, and provide adequate project ingress/egress. Due to uncertainty regarding the level of reduction that the strategies included in Mitigation Measure 3.11-1 will achieve, the Director finds that although changes or alterations have been required in, or incorporated into, the project that lessen the significant environmental impact, this impact will remain cumulatively significant and unavoidable. (Draft EIR pages 3.11-56 through 3.11-58; Final EIR page 2-28)

Impact 3.11-11: Implementation of the project, in combination with other development, could adversely affect public transit operations or fail to adequately provide access to transit under cumulative conditions.

Mitigation Measure 3.11-11:

Implement Mitigation Measure 3.11-1 (portions thereof that are applicable under cumulative conditions).

Finding: Implementation of Mitigation Measure 3.11-11, which has been required, will implement strategies that are intended to shift RBOC employees' travel choices to more efficient travel modes, increase capacity at critical intersections, and provide adequate project ingress/ egress. By improving operations on the surrounding roadway network, this measure will reduce delays to light rail trains and buses. However, due to uncertainty regarding the level of traffic relief that the strategies included in Mitigation Measure 3.11-1 will achieve, , the Director finds that although changes or alterations have been required in, or incorporated into, the project that lessen the significant environmental impact, this impact will remain cumulatively significant and unavoidable. (Draft EIR pages 3.11-59 and 3.11-60)

Utilities and Infrastructure, EIR Section 3.12

Impact 3.12-9: Implementation of the project, in combination with other development, could contribute to cumulative impacts to water supplies available to the City's service area during normal, dry, and multiple dry years.

Mitigation Measure 3.12-9:

In order to ensure that the City has adequate water supply available to meet cumulative demands under buildout of the 2035 General Plan, the City shall implement, to the extent required to secure adequate supply, one or more of the following measures:

a) In order to comply with the Green Building Initiative under Executive Order B-18-12, which, among other things, requires urban water agencies to reduce statewide per capita water consumption 20 percent by 2020, Chapter 9 of the City of Sacramento 2015 UWMP suggests implementation of key water conservation measures, or Demand Management Measures (DMMs). Six of these DMMs,

which may also be considered Best Management Practices (BMPs) pertain to retail agencies, while three measures apply to wholesale agencies, including:

i. Water Waste Prevention Ordinances;

ii. Metering;

iii. Conservation Pricing;

iv. Public Education and Outreach;

v. Programs to Assess and Manage Distribution System Real Loss;

vi. Water Conservation Program Coordination and Staffing Support;

vii. Residential High Efficiency Toilet Rebate;

viii. Residential High Efficiency Washing Machine Rebate;

ix. Residential River-Friendly Landscape Rebate;

x. Residential Water Wise House Calls;

xi. Commercial Water Wise Business Calls;

xii. Commercial Rebates.

b) Implement Additional Groundwater Pumping

As discussed above, additional groundwater pumping facilities could be constructed to increase groundwater production capacity when American River diversions to FWTP when river flows fall below Hodge flow levels. Under Hodge flow conditions, even full capacity pumping of current groundwater facilities would not provide sufficient water supply to accommodate full buildout under the 2035 General Plan. However, the City could construct additional wells to provide additional groundwater production capacity.

Implementation of this mitigation measure would require environmental analysis to determine the potential for substantial adverse environmental impacts resulting from the construction or operation of these new wells. These impacts could include:

i. Construction-related impacts to soil, such as topsoil erosion;

ii. Construction-related air emissions;

iii. Disturbance of sub-surface cultural artifacts;

iv. Impacts to hydrology and natural drainage;

v. Noise impacts resulting from construction and operation of the wells;

vi. Visual impacts and effects of light trespass;

vii. Conversion of existing agricultural lands or resources;

viii. Drawdown of groundwater in the North American Subbasin;

ix. Exposure to hazardous materials resulting from construction and operational activities.

In addition to these significant environmental impacts, groundwater pumping activities could also contribute to drawdown of groundwater resources and the violation of groundwater management practices, and could adversely affect other regional groundwater pumping activities.

Mitigation measures would need to be specifically tailored to reduce any potentially significant impacts resulting from construction and operation of increased groundwater production facilities to less-than-significant levels. The lead agency would be required to identify and implement mitigation measures for each specific mitigation project.

Finding: Implementation of Mitigation Measure 3.12-9, which has been required, will implement key water conservation measures and additional groundwater pumping facilities to ensure that adequate water supply exists to adequately serve cumulative development under complete buildout of the 2035 General Plan. However, because water supply is under the jurisdiction of the City, and as a specific method has not been determined by the City and since several of the methods could still potentially result in substantial adverse environmental effects under implementation of the aforementioned mitigation options, the Director finds that although changes or alterations have been required in, or incorporated into, the project that lessen the significant environmental impact, this impact will remain significant and unavoidable. (Draft EIR pages 3.12-36 through 3.12-38)

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 will 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 there are any "feasible" project alternatives that would substantially lessen such effect. (*City of Del Mar v. City of San Diego* (1982) 133 Cal.App.3d 401, 417 (*City of Del Mar*).) For purposes of CEQA, "feasible" means "capable of being accomplished in a reasonable period of time taking into account economic, environmental, legal, social and technological factors" (CEQA Guidelines, § 15364). The concept of "feasibility" also encompasses whether a particular alternative promotes the project's underlying goals and objectives, and whether an alternative is impractical or undesirable from a policy standpoint. (See *City of Del Mar v. City of San Diego* (1982) 133 Cal.App.3d 410, 417; *California Native Plant Society v. City of Santa Cruz* (2009) 177 Cal.App.4th 957, 1001.)) 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.

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.

Alternatives Considered but not Evaluated Further

State CEQA Guidelines Section 15126.6(c) provides that the range of potential alternatives for the project shall include those that could feasibly accomplish most of the basic objectives of the project, and could avoid or substantially lessen one or more of the significant effects. Alternatives that fail to meet the fundamental project purpose need not be addressed in detail in an EIR.

In determining what alternatives should be considered in the EIR, it is important to acknowledge the objectives of the project, the project's significant effects, and unique project considerations. These factors are crucial to the development of alternatives that meet the criteria specified in Section 15126.6(a). Although EIRs must contain a discussion of "potentially feasible" alternatives, the ultimate determination as to whether an alternative is feasible or infeasible is made by lead agency decisionmaker(s).[6] At the time of action on the project, the decisionmaker(s) may consider evidence beyond that found in this EIR in addressing such determinations. The decision-maker(s), for example, may conclude that a particular alternative is infeasible (i.e., undesirable) from a policy standpoint, and may reject an alternative on that basis provided that the decision-maker(s) adopts a finding, supported by substantial evidence, to that effect, and provided that such a finding reflects a reasonable balancing of the relevant economic, environmental, social, and other considerations supported by substantial evidence.

The EIR should also identify any alternatives that were considered by the lead agency, but were rejected during the planning or scoping process and briefly explain the reasons underlying the lead agency's determination. There were no alternatives considered by DGS that are not evaluated in the EIR.

6 Public Resources Code, Section 21081(a)(3).

Alternatives Evaluated in the EIR

The following alternatives were evaluated in the Draft EIR.

- **Alternative 1: No Project Alternative** assumes that the project site will remain a vacant fenced lot, with no structures or other facilities, other than a small pump house on the northwest corner of the site. The project site would remain as it is left after the State Printing Plant and Textbook Warehouse Relocation and Demolition Project (Demolition Project) is complete.

- **Alternative 2: Reduced Employees Alternative** assumes that the project would retain the same uses but the site would be less intensely developed. In this alternative, it is assumed that only the California Department of Tax and Fee Administration (CDTFA) would be relocated to the project site, with accommodations for up to 2,400 staff onsite.

- **Alternative 3: More Onsite Parking Alternative** assumes that the site design would include enough additional parking to reduce the mode share of ride hailing trips to zero.

- **Alternative 4: River District Specific Plan Street Network Alternative** assumes that the site design will include two east-west extensions across the project site to accommodate extended Bannon Street and North C Street, and one north-south extension of North 6th Street through the project site.

In compliance with CEQA, these Findings examine these 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 costlier. 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 Alternative

Description: Under Alternative 1, the No Project Alternative, no action would be taken by DGS and the project site would remain unchanged from baseline conditions. The lot would remain dirt and would be fenced off to prevent trespassing. Although the Ten Year Sequencing Plan identifies this location for a new office complex, no development would occur. The staff that are currently in locations that need to be renovated would need to be relocated to other locations throughout the Sacramento region. The site would remain undeveloped.

Summary of Impacts: Alternative 1, the No Project 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 development would occur. Because this alternative would not develop the dirt lot, it would avoid the project's significant and unavoidable operational air quality impact related to net increase of criteria pollutants (Impact 3.1-1) and construction-related noise impacts (Impact 3.8-1). Similarly, all significant and unavoidable impacts to transportation and circulation topics under project and/or cumulative conditions would be avoided (i.e., intersection level of service; transit operations and access). Because the No Project Alternative would have no new demand for potable water, the relocation or construction of new or expanded water conveyance infrastructure would not be required; significant and unavoidable impacts to utilities and infrastructure (Impact 3.12-9) would be avoided. However, the No Project Alternative would not support the Sacramento Region Blueprint, 2016 MTS/SCS, City of Sacramento 2035 General Plan, Central City Community Plan, or River District Specific Plan. This alternative would not address State office space deficiencies in downtown Sacramento, increase use of underutilized State property, develop an energy-efficient office complex near transit lines, or allow for relocation of State employees from other downtown buildings that are in need of renovation or replacement (such as the building at 450 N Street). Because the No Project Alternative would conflict with the goals for infill and more connectivity, the land use impacts of this alternative would be greater than those of the project.

Finding: Under Alternative 1, the No Project 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 Alternative would not meet the project objectives because it would not create functional office space at the existing dirt lot, consolidate and address State office space deficiencies in downtown Sacramento, increase use of underutilized state property, develop an energy-efficient office building near transit lines, allow for relocation of State employees from other State-owned office buildings that are in need of renovation or replacement, or integrate the new State development with the existing neighborhood. The No Project- Alternative would also result in greater land use impacts than the project because it would not be consistent with the objectives of local land use plans. 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.

Alternative 2: Reduced Employees Alternative

Description: Under Alternative 2, the Reduced Employees Alternative, DGS would design and build an office complex to provide for only the employees of CDTFA. The 2,400 employees under this alternative would require approximately 479,000 gross square feet of office space. The amenity space would also decrease to 72,500 square feet for a total buildout of 551,000 gross square feet of buildings. While the overall program would decrease, the project would still include four buildings, one of which could be a high-rise of up to 29 stories and 418 feet tall. Parking would remain at 1,420 spaces which would include a garage and surface parking. Other

than the overall decrease in square footage and employees, the rest of the project description would remain substantially similar.

Summary of Impacts: Although no significant impacts or significant and unavoidable impacts would be avoided under Alternative 2, the reduced degree of construction and reduced number of employees would reduce the operational air quality impact related to net increase of criteria pollutants (Impact 3.1-1) and construction-related noise impacts (Impact 3.8-1). Operations- and transportation-related air emissions would be less than the project because the number of employees would be less than half of the project's, as would the size of the child-care and ancillary facilities. Similarly, because there would be less construction and fewer trips from a reduction in the number of employees, the transportation impacts for this alternative would be less than the project. The Reduced Employees Alternative would create less demand for potable water, the relocation or construction of new or expanded water conveyance infrastructure than the project (Impact 3.12-9).

Finding: Under Alternative 2, the Reduced Employees Alternative, DGS would be able to move employees from buildings (such as 450 N Street) that are to be renovated into a modern, efficient, and safe working environment. This alternative would still allow the State to integrate the development into the existing River District neighborhood and develop sustainable and energy-efficient buildings while encouraging alternative commute modes. While the alternative would allow the State to consolidate some office space and partially address deficiencies, the benefits would be less than the project as fewer employees could be moved from existing spaces (2,400 compared to 6,000 for the project). Because this alternative would accommodate fewer employees, it would likely result in a delay for the State on when the other office projects in the Ten Year Sequencing Plan could be accomplished. Any delays in implementing the Ten Year Sequencing Plan has the potential to increase costs to the State due to increased costs for construction materials, labor, and ongoing rents for leased space. Under this alternative, employees in leased spaces would not be accommodated in the RBOC. Executive Order (EO) W-18-91, issued October 31, 1991, directs the State to consolidate its operations in joint-use facilities where possible and feasible. The EO stresses ownership over leasing to meet long-term needs where economically advantageous over the life of the facility. This alternative would be inconsistent with this EO. Also, Government Code Section 65041.1 includes the encouragement of efficient development patterns that consider existing growth plans as well as efficient use of land. In addition, consolidating State employees into the RBOC would result in a more efficient workspace; agencies/departments moving into the office complex would have well-designed spaces that would enable them to reduce the overall space used by approximately 25 percent below existing, resulting in cost reductions to the State. By not moving as many employees into the RBOC, the State would not gain the benefit of the cost savings resulting from the reduction of office space.

Under Alternative 2, the reduced degree of construction and reduced building size would reduce the employee population and reduce the emissions of criteria air pollutants, construction-related noise impacts, transportation impacts, and demand for potable water. This alternative would also reduce impacts to energy, greenhouse gas emissions, noise and vibration, population and housing,

and public services. While Alternative 2 would reduce impacts in these areas, it would not avoid the project's significant unavoidable impacts.

Additionally, the Reduced Employees Alternative would not meet the basic project objectives to the extent of the project. Specifically, the alternative would be a much less efficient use of the site, falling short compared to the project of the State's goal to increase and maximize the use of underutilized State property. The project would accommodate approximately 3,600 fewer employees and amenity space would decrease to 72,500 square feet. The Director finds that Alternative 2 would not avoid or substantially lessen the project's significant and unavoidable impacts, would not fulfill the project objectives to the extent to which the project would, and is infeasible from a policy standpoint. Pursuant to Government Code Section 65041.1, EO W-18-91 Government Code Section 14682, Public Resources Code Section 21081(a)(3) and CEQA Guidelines Section 15091(a)(3), and for each of the reasons stated above, the Director rejects Alternative 2.

Alternative 3: More Onsite Parking Alternative

Description: Under Alternative 3, the More Onsite Parking Alternative, DGS would continue to build the RBOC project on the underutilized State property, and consolidate State office space while addressing State office space deficiencies in downtown Sacramento. The main difference between the project and this alternative would be that additional onsite parking would be developed. DGS would continue to design and build an office complex to provide for the same number of employees (6,000), as was assumed under the project, and accommodate staff from other State-owned office buildings targeted for renovation or replacement.

Summary of Impacts: Alternative 3, the More Onsite Parking Alternative, would result in similar environmental impacts as the project, and no significant impacts or significant and unavoidable impacts would be avoided, because the same project elements would be constructed and operated on the same project site. This alternative includes the same number of employees, with an additional number of parking spaces, which would result in a higher percentage of employees parking onsite, more drive alone trips, and less use of alternative modes of travel. Alternative 3 would reduce the impacts on: transit operations and access; intersection LOS; freeway facility impacts; and existing bicycle facilities. With site design assumed to include enough additional parking to reduce the mode share of ride haling trips to zero, the transportation-related air quality impacts for this alternative would be slightly less than the project, though they would remain significant and unavoidable. Significant and unavoidable impacts related to construction-related noise impacts and the demand for potable water would remain the same.

Finding: Under Alternative 3, the overall program for the project would remain the same and would still include four buildings, one of which could be a high-rise of up to 29 stories. Parking would increase by 436 spaces to approximately 1,856 spaces. Other than the overall increase in onsite parking, the rest of the project description would remain substantially similar; therefore, Alternative 3 would result in impacts that are virtually identical to the project, although impacts to air quality and transportation would be slightly less. However, Alternative 3 would not avoid the project's significant and unavoidable impacts. Additionally, although Alternative 3 would still have easy access to multiple transit modes, the additional parking included under this alternative

would likely result in less use of those modes and more drive alone trips, and therefore, this alternative would not encourage and support the use of alternative commute modes as well as the project. One of the objectives of this project is to encourage and support the use of alternative commute modes by designing the project to have easy access to multiple transit modes. Adding parking does not achieve this objective.

The Director finds that Alternative 3 would not avoid or substantially lessen the project's significant and unavoidable impacts, would not fulfill the objective of encouraging and supporting the use of alternative commute modes to the extent to which the project would, and is infeasible. Pursuant to Government Code Section 65041.1, EO W-18-91, and Public Resources Code Section 21081(a)(3) and CEQA Guidelines Section 15091(a)(3), and for each of the reasons stated above, the Director rejects Alternative 3.

Alternative 4: River District Specific Plan Street Network Alternative

Description: Under Alternative 4, the River District Specific Plan Street Network Alternative, DGS would continue to build the RBOC project on the underutilized State property, and consolidate State office space while addressing State office space deficiencies in downtown Sacramento. The main difference between the project and this alternative would be that under the alternative, the project would include the entire street network for the site specified in the River District Specific Plan. This includes the two east-west extensions for Bannon Street and North C Street, and one north-south extension of North 6th Street. Parking would remain at approximately 1,420 spaces which would include a garage and surface parking.

Summary of Impacts: Alternative 4 would result in similar environmental impacts as the project, and no significant impacts or significant and unavoidable impacts would be avoided, because the same project elements would be constructed and operated on the same project site. As with the project, the River District Specific Plan Street Network Alternative would be served by a wide range of commute travel modes, including by extensive transit use. Both this alternative and the project include most of the same street network. It is assumed that impacts related to alternative transportation modes would remain similar to the project. Although this alternative could provide greater access and transportation connectivity to and from the site, overall impacts would likely remain the same for: intersection LOS; freeway facility impacts; and existing bicycle facilities. Significant and unavoidable impacts related to operational air quality impact related to net increase of criteria pollutants (Impact 3.1-1), construction-related noise impacts (Impact 3.8-1), and potable water (Impact 3.12-9) would remain the same.

Finding: Under Alternative 4, the overall program for the project would remain the same and would still include four buildings, one of which could be a high-rise of up to 29 stories. Parking would include approximately 1,420 spaces. This alternative includes an extension of North 6th Street from Bannon Street to North B Street which the project does not include and includes North C Street which the project does not include. Other than the roadway network, the rest of the project description would remain substantially similar; therefore, Alternative 4 would result in impacts that are virtually identical to the project. Although impacts to transportation could be slightly less, Alternative 4 would not avoid or substantially lessen the project's significant and unavoidable impacts. Therefore, this the impact remains significant and unavoidable.

The project does not include the full extension of a north-south roadway which connects to North B Street because the State does not own the adjacent parcel through which access would need to be made. Moreover, the project design, as described in the Final EIR, includes adequate access and connectivity to and from the site, and including the entire street network under this alternative would result in a less efficient use of the site and increase the overall cost of the project. The Director finds that Alternative 4 would not avoid or substantially lessen the project's significant and unavoidable impacts and is infeasible. Pursuant to Public Resources Code Section 21081(a)(3) and CEQA Guidelines Section 15091(a)(3), and for each of the reasons stated above, the Director rejects Alternative 4.

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 the project's 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.

Eight significant and unavoidable environmental impacts resulting from the project (four project-level and four cumulative) were identified. (1) Because there are no approved mitigation measures for PM_{10} and even with achievement of SMAQMD-required 15 percent reduction in operational mobile source NOx emissions, the project would exceed SMAQMD threshold, air quality impacts are considered significant and unavoidable (Impacts 3.1-2 and 3.1-4). (2) Since the construction schedule for the RBOC has not yet been finalized, construction activities could occur beyond the allowed hours specified in the City of Sacramento Municipal Code, construction-related noise is considered a significant and unavoidable impact (Impact 3.8-1). (3) Due to the uncertainty regarding whether the strategies included within Mitigation Measure 3.11-1 will achieve the level of traffic relief within the study area to result in a less-than-significant impact, and whether agreements can be reached with the various transit service providers, impacts related to intersection level of service and to transit operations would remain significant and unavoidable (Impacts 3.11-1, 3.11-4, 3.11-8, and 3.11-11). (4) In addition, water supply is under the jurisdiction of the City, and as a specific method has not been determined by the City and since several of the methods could still potentially result in substantial adverse environmental effects, impacts related to potable water demand and the relocation or construction of new or expanded water conveyance infrastructure will remain significant an unavoidable (Impact 3.12-9).

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

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.

Project benefits include the following:

- The project will consolidate State office space and address State office space deficiencies in downtown Sacramento, prioritizing building on underutilized State property and resulting in cost efficiencies by moving up to 6,000 State employees from high-cost leased spaces to a State-owned office complex.

- The project will integrate the new State development with the existing neighborhood.

- The project will accommodate staff from State-owned office buildings targeted for renovation or replacement in such a way as to facilitate the vacation, eventual renovation, and re-occupation of these structures while minimizing disruption to State agency functions.

- The project will provide a modern, efficient, and safe environment for State employees and the public they serve.

- The project will develop a sustainable and energy-efficient building;

- The project will encourage and support the use of alternative commute modes by designing the project to have easy access to multiple transit modes;

- The project will maximize the effectiveness of the design-build project delivery method by maintaining sufficient flexibility in the performance criteria to support innovation in the design competition.

- The project will be designed to perform better than the 2019 Building Energy Efficiency Standards, to meet or perform better than U.S. Green Building Council's LEED Silver certification, which will result in high performing buildings and campus from an efficiency standpoint. Additionally, the types of measures required to meet the Building Efficiency Standard and the LEED requirements will be consistent with the City's Climate Action Plan policies that require efficient and non-wasteful energy use and performance.

- The project will get 100 percent of its energy through renewable sources through participation in SMUD's Greenergy program.

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 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.

Attachment A

Mitigation Monitoring and Reporting Program

CHAPTER 4
Mitigation Monitoring and Reporting Program

4.1 Introduction

Public Resources Code section 21081.6 and section 15097 of the California Environmental Quality Act (CEQA) Guidelines require public agencies to establish monitoring or reporting programs for projects approved by a public agency whenever approval involves the adoption of either a mitigated negative declaration or specified environmental findings related to environmental impact reports.

The following is the Mitigation Monitoring and Reporting Program (MMRP) for the Richards Boulevard Office Complex (RBOC). The intent of the MMRP is to track and successfully implement the mitigation measures identified within the Draft Environmental Impact Report (Draft EIR) for the proposed project.

4.2 Mitigation Measures

The mitigation measures are taken from the RBOC Draft EIR and are assigned the same number as in the Draft EIR. The MMRP describes the actions that must take place to implement each mitigation measure, the timing of those actions, and the entities responsible for implementing and monitoring the actions.

4.3 MMRP Components

The components of the attached tables, which contain applicable mitigation measures, are addressed briefly, below.

Impact: This column summarizes the impact stated in the Draft EIR.

Mitigation Measure: All mitigation measures identified in the RBOC Draft EIR will be presented, as revised in the Final EIR, and numbered accordingly.

Action(s): For every mitigation measure, one or more actions are described. The actions delineate the means by which the mitigation measures will be implemented, and, in some instances, the criteria for determining whether a measure has been successfully implemented. Where mitigation measures are particularly detailed, the action may refer back to the measure.

Implementing Party: This item identifies the entity that will undertake the required action.

Timing: Implementation of the action must occur prior to or during some part of project approval, project design or construction or on an ongoing basis. The timing for each measure is identified.

Monitoring Party: The California State Department of General Services (DGS) is primarily responsible for ensuring that mitigation measures are successfully implemented. 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. In addition, DGS is responsible for ensuring that the specified procedures and measures are implemented by the appropriate entities. Within the State, a number of departments and divisions would have responsibility for monitoring some aspect of the overall project. Other agencies, such as the Sacramento Metropolitan Air Quality Management District, may also be responsible for monitoring the implementation of mitigation measures. As a result, more than one monitoring party may be identified.

TABLE 4-1
MITIGATION MONITORING AND REPORTING PROGRAM

Mitigation Measure		Responsible Party for Implementation	Verification of Implementation (Responsible Party)		Timing of Compliance				Verification of Compliance				Comments
			Initials	Date	Design	Construction	Operation	Frequency	Name and Affiliation	Method of Compliance Verification	Signature	Date	
3.1 Air Quality													
3.1-1	The State has provided an AQMP (Appendix D2) which shows that the project analyzed by this EIR meets the required reductions due to the VMT reductions and air quality benefits obtained mainly due to State staff consolidation within the RBOC.	The State to consolidate staff as part of the project's design.			X			Prior to operation.					
3.1-2(a)	The State shall require all construction plans to include the following basic construction emission control practices:	The State shall require the contractor to submit off-road construction equipment inventory and NOx reduction plan to the State and SMAQMD.			X			During development of design-build contract.					
	• Water all exposed surfaces as necessary to prevent dust. Exposed surfaces include, but are not limited to soil piles, graded areas, unpaved parking areas, staging areas, and access roads. • Cover or maintain at least two feet of free board space on haul trucks transporting soil, sand, or other loose material on the site. Any haul trucks that would be traveling along freeways or major roadways shall be covered. • Use wet power vacuum street sweepers to remove any visible track-out mud or dirt onto adjacent public roads as necessary. Use of dry power sweeping is prohibited. • Limit vehicle speeds on unpaved roads to 15 miles per hour (mph). • Pave all roadways, driveways, sidewalks, parking lots as soon as possible. In addition, building pads shall be laid immediately after grading unless seeding or soil binders are used. • Minimize idling time either by shutting equipment off when not in use or reducing the time of idling to 5 minutes (as required by the state airborne toxics control measure [Title 13, Section 2485 of the California Code of Regulations]). Provide clear signage that posts this requirement for workers at the entrances to the site. • Maintain all construction equipment in proper working condition according to manufacturer's specifications. The equipment shall be checked by a certified mechanic and determine to be running in proper condition before it is operated.	Contractor			X		As needed during construction.					
3.1-2(b)	The State shall require all construction plans to include the following SMAQMD Enhanced Exhaust Control Practices: • Provide a comprehensive inventory of all off-road construction equipment, equal to or greater than 50 horsepower, that will be used an aggregate of 40 or more hours during any portion of the project to the State and SMAQMD. The inventory shall include the horsepower rating, engine model year, and projected hours of use for each piece of equipment. The construction contractor shall provide the anticipated construction timeline including start date, and name and phone number of the project manager and on-site foreman. This information shall be submitted at least four business days prior to the use of subject heavy-duty off-road equipment. The inventory shall be updated and submitted monthly throughout the duration of construction, except that an inventory shall not be required for any 30-day period in which no construction activity occurs.	Contractor to implement measures during construction.				X		Update and submit inventory monthly during construction.					

TABLE 4-1 (CONT.)
MITIGATION MONITORING AND REPORTING PROGRAM

Mitigation Measure	Responsible Party for Implementation	Verification of Implementation (Responsible Party)		Timing of Compliance				Verification of Compliance				Comments
		Initials	Date	Design	Construction	Operation	Frequency	Name and Affiliation	Method of Compliance Verification	Signature	Date	
3.1-2(b) (cont.) • Provide a plan in conjunction with the equipment inventory, approved by SMAQMD, demonstrating that the heavy-duty (50 horsepower or more) off-road vehicles to be used in the construction project, including owned, leased, and subcontractor vehicles, will achieve a project wide fleet-average 20 percent NOx reduction and 45 percent particulate reduction compared to the most recent CARB fleet average. Acceptable options for reducing emissions may include use of late model engines, low-emission diesel products, alternative fuels, engine retrofit technology, after-treatment products, and/or other options as they become available. • Emissions from all off-road diesel powered equipment used on the project site shall not exceed 40 percent opacity for more than three minutes in any one hour. Any equipment found to exceed 40 percent opacity (or Ringelmann 2.0) shall be repaired immediately, and the State and SMAQMD shall be notified within 48 hours of identification of non-compliant equipment. A visual survey of all in-operation equipment shall be made at least weekly, and a monthly summary of the visual survey results shall be submitted throughout the duration of the project, except that the monthly summary shall not be required for any 30-day period in which no construction activity occurs. The monthly summary shall include the quantity and type of vehicles surveyed as well as the dates of each survey. SMAQMD and/or other officials may conduct periodic site inspections to determine compliance. Nothing in this measure shall supersede other SMAQMD or state rules or regulations. • If at the time of starting construction on each building, SMAQMD has adopted a more restrictive regulation applicable to construction emissions, the State may completely or partially replace this mitigation with compliance with the new regulation. Consultation with SMAQMD prior to construction will be necessary to make this determination.	The State to confirm compliance during construction.				X		Update and submit inventory monthly during construction.				
3.1-2(c) The State shall require grading or improvement plans to include the following fugitive dust control practices: • Water exposed soil with adequate frequency for continued moist soil. • If the sustained wind speed (the wind speed obtained by averaging the measured values over a one-minute period) exceeds 20 miles per hour, it is a "high wind condition." When there is a high wind condition, all dust-disturbing activities must cease until the sustained wind speed declines to 20 miles per hour or lower for at least 15 consecutive minutes. Non-dust producing activities (equipment maintenance, etc.) may still be conducted during these periods. • Install wind breaks (e.g., solid fencing) on windward side(s) of construction areas. • Install wheel washers for all exiting trucks, or wash off all trucks and equipment leaving the site. • Treat site accesses to a distance of 100 feet from the paved road with a 6 to 12-inch layer of wood chips, mulch, or gravel to reduce generation of road dust and road dust carryout onto public roads. • Post a publicly visible sign with the telephone number and person to contact at the lead agency regarding dust complaints. This person shall respond and take corrective action within 48 hours. The phone number of the District shall also be visible to ensure compliance.	Contractor to implement measures. The State to confirm compliance.				X		As needed during construction.				

TABLE 4-1 (CONT.)
MITIGATION MONITORING AND REPORTING PROGRAM

Mitigation Measure	Responsible Party for Implementation	Verification of Implementation (Responsible Party)		Timing of Compliance				Verification of Compliance				Comments
		Initials	Date	Design	Construction	Operation	Frequency	Name and Affiliation	Method of Compliance Verification	Signature	Date	
3.1-2(d) Prior to construction authorization, the contractor shall quantify the construction emissions of NO_X. The State shall require all construction plans to include the following SMAQMD off-site fee mitigation: • The State shall pay into SMAQMD's construction mitigation fund to offset construction-generated emissions of NO_X that exceed SMAQMD's daily emission threshold of 85 ppd. The State shall coordinate with SMAQMD for payment of fees into the Heavy-Duty Low-Emission Vehicle Program designed to reduce construction related emissions within the region. Fees shall be paid based upon the applicable current SMAQMD Fee. The State shall keep track of actual equipment use and their NO_X emissions so that mitigation fees can be adjusted accordingly for payment to SMAQMD.	The State to include appropriate provisions in design-build contract			X								
3.1-3(b) The contractor shall utilize one of the following strategies to reduce the cancer risk related to TAC construction emissions to no greater than 10 people in one million. • Use Tier 4 engines on all construction equipment; or • Use Tier 3 engines equipped with Level 3 Diesel Particulate Filters (DPF) on all construction equipment; or • Use a combination of Tier 4 engines and Tier 3 engines equipped with Level 3 DPF on all construction equipment; or • Use a combination of technological solutions to ensure that construction-related emissions do not exceed a cancer risk of 10 people in one million.	The State to include appropriate provisions in design-build contract			X								
3.2 Biological Resources												
3.2-1												
a) Activities that may damage or kill an elderberry shrub (e.g. trenching, paving, etc.) will have an avoidance area of at least 20 feet from the drip-line of the elderberry shrubs. If activities must occur within 20 feet, the State shall consult with the USFWS to determine potential effects and mitigation requirements.	The State to coordinate consultation with USFWS. Contractor to implement measures. The State to confirm compliance.			X	X		Consultation to occur prior to construction if needed. Avoidance to occur throughout construction.					
b) All areas within 165 feet of the elderberry shrubs to be avoided during construction activities will be fenced using high visibility construction fencing, followed by silt fencing, as close to construction limits as feasible. The silt fencing shall be installed to prevent migration of soils into the protected zone around the elderberry shrubs.	Contractor to implement measures. The State to confirm compliance.				X		Prior to work within 165 feet of elderberry shrubs.					
c) A qualified biologist will provide training for all contractors, work crews, and any onsite personnel on the status of the VELB, its host plant and habitat, the need to avoid damaging the elderberry shrubs, and the possible penalties for non-compliance.	Biologist to conduct training. The State to confirm compliance.				X		As needed during construction.					

TABLE 4-1 (CONT.)
MITIGATION MONITORING AND REPORTING PROGRAM

Mitigation Measure	Responsible Party for Implementation	Verification of Implementation (Responsible Party)		Timing of Compliance				Verification of Compliance				
		Initials	Date	Design	Construction	Operation	Frequency	Name and Affiliation	Method of Compliance Verification	Signature	Date	Comments
3.2-1 (cont.)												
d) During work within 165 feet of the elderberry shrubs, a qualified biologist will monitor the work area on a weekly basis to ensure that all avoidance and minimization measures are implemented. Time spent onsite will be sufficient to verify that no damage to elderberry shrubs has occurred, to ensure that protective fencing is in place and in good working order, and to coordinate any concerns with the client/contractor.	Biologist to conduct monitoring. The State to confirm compliance.				X		Weekly during work within 165 feet of elderberry shrubs.					
e) As much as feasible, all activities that occur within 165 feet of an elderberry shrub will be conducted outside the flight season of the VELB (March – July).	Contractor to implement measures. The State to confirm compliance.				X		As feasible during construction.					
f) Herbicides will not be used within the drip-line of any elderberry shrubs. Insecticides will not be used within 98 feet of an elderberry shrub. All chemicals will be applied using a backpack sprayer or similar direct application method.	Contractor to implement measures. The State to confirm compliance.				X	X	Throughout construction and operation.					
g) Mechanical weed removal within the drip-line of the shrub will be limited to the season when adults are not active (August – February) and will avoid damaging the elderberry.	Contractor to implement measures. The State to confirm compliance.				X	X	From August through February during construction and operation.					
3.2-2												
a) Project construction shall occur outside of the nesting season to the extent feasible. If project construction begins during the nesting season (see table below), a qualified biologist shall conduct a preconstruction survey for active nests on and adjacent to the project site. The pre-construction survey shall be conducted within 7 days prior to commencement of ground disturbing activities. If no active nests are found during the pre-construction survey, no additional mitigation measures are required. If construction does not commence within 7 days of the pre-construction survey, or halts for more than 7 days, an additional pre-construction survey is required. Additional survey requirements for Swainson's hawk and burrowing owl are provided below.	Biologist to conduct survey. The State to confirm compliance.				X		Within 7 days prior to commencement of ground disturbing activities, and after a lapse in construction of 7 days or more.					

NESTING SEASON FOR SPECIAL-STATUS AND COMMON NESTING BIRDS

Species	Nesting Season
White-tailed kite	February 1 to September 30
Swainson's hawk	March 1 to September 15
Burrowing owl	Year-round: February 1 to August 31 (nesting); September 1 to January 31 (wintering)
Common nesting birds (raptors, passerines, herons and egrets)	February 1 to August 31

TABLE 4-1 (CONT.)
MITIGATION MONITORING AND REPORTING PROGRAM

Mitigation Measure	Responsible Party for Implementation	Verification of Implementation (Responsible Party)		Timing of Compliance				Verification of Compliance				Comments
		Initials	Date	Design	Construction	Operation	Frequency	Name and Affiliation	Method of Compliance Verification	Signature	Date	
3.2-2 (cont.)												
b) If an active nest is located on or adjacent to the construction footprint, an appropriate buffer zone shall be established around the nest, as determined by the qualified biologist. The biologist shall mark the buffer zone with construction tape or pin flags and maintain the buffer zone until the end of breeding season or until the young have successfully fledged or the nest is determined to no longer be active. Buffer zones are typically 50-100 feet for migratory bird nests and 250-500 feet for bird of prey nests (excluding Swainson's hawk). Buffer size will be determined by the qualified biologist based on the species of bird, the location of the nest relative to the project, project activities during the time the nest is active, and other project-specific conditions.	Biologist to determine buffer distance. Contractor to avoid buffer zone. The State to confirm compliance.				X		As needed during construction.					
c) If establishing the typical buffer zone is impractical, the qualified biologist may reduce the buffer depending on the species and daily monitoring would be required to ensure that the nest is not disturbed and no forced fledging occurs. Daily monitoring shall occur until the qualified biologist determines that the nest is no longer active.	Biologist to conduct monitoring. The State to confirm compliance.				X		Daily while the nest is active.					
Additional Measures for Burrowing Owl												
d) Prior to project initiation, a qualified biologist will conduct preconstruction Take Avoidance Surveys in accordance with Appendix D of the CDFW *Staff Report on Burrowing Owl Mitigation.* One survey will be conducted no less than 14 days prior to initiating ground disturbance activities. A second survey will be conducted within 24 hours prior to ground disturbance. If no burrowing owls are identified on or in the vicinity of the project site, no additional mitigation measures are required.	Biologist to conduct survey. The State to confirm compliance.				X		First survey to be conducted no less than 14 days prior to initiation of ground disturbance. Second to survey to be conducted within 24 hours prior to ground disturbance.					
e) If burrowing owls are discovered on the project site or in the vicinity of the project site, a qualified biologist shall establish a fenced exclusion zone around each occupied burrow. No construction activities shall be allowed within the exclusion buffer zone until such time that the burrows are determined to be unoccupied by a qualified biologist. The buffer zones shall be a minimum of 160 feet from an occupied burrow during the non-breeding season (September 1 through January 31), and a minimum of 500 feet from an occupied burrow during the breeding season (February 1 through August 31). If work will occur within the buffer zones, construction will be monitored daily by a qualified biologist to ensure no disturbance occurs to the burrowing owl.	Biologist to establish exclusion zone and conduct monitoring. Contractor to avoid exclusion zone. The State to confirm compliance.				X		Buffers to be established as needed during construction. Monitoring to occur daily during work within buffer zones.					
f) A biologist monitor will conduct weekly monitoring of the burrowing owl during construction activities.	Biologist to conduct monitoring. The State to confirm compliance.				X		Weekly during construction activities when a burrowing owl occurs on-site or nearby.					
g) If complete avoidance is not feasible, the CDFW shall be consulted regarding the implementation of avoidance or passive relocation methods. All activities that will result in a disturbance to burrows shall be approved by the CDFW prior to implementation.	The State to coordinate consultation with the CDFW.				X		Prior to disturbance to burrowing owls (as applicable).					

TABLE 4-1 (CONT.)
MITIGATION MONITORING AND REPORTING PROGRAM

Mitigation Measure	Responsible Party for Implementation	Verification of Implementation (Responsible Party)		Timing of Compliance				Verification of Compliance				Comments
		Initials	Date	Design	Construction	Operation	Frequency	Name and Affiliation	Method of Compliance Verification	Signature	Date	
3.2-2 (cont.)												
Additional Measures for Swainson's Hawk												
h) If construction activities are anticipated to commence during the Swainson's hawk nesting season (March 1 to September 15), a qualified biologist shall conduct a minimum of two pre-construction surveys during the recommended survey periods in accordance with the *Recommended Timing and Methodology for Swainson's Hawk Nesting Surveys in California's Central Valley*. All potential nest trees within 0.25 mile of the project footprint shall be visually examined for potential Swainson's hawk nests, as accessible. If no active Swainson's hawk nests are identified on or within 0.25-mile of the project site, no additional mitigation measures are required.	Biologist to conduct surveys. The State to confirm compliance.				X		At least twice during the recommended survey periods for Swainson's hawk prior to construction initiation.					
i) If an active Swainson's hawk nest is found within 0.25 mile of the project site, the following measures will be implemented to avoid and minimize impacts to the nest: a. A Worker Awareness Training Program will be conducted prior to the start of construction;	Biologist to conduct training. The State to confirm compliance.				X		Training to be conducted prior to the start of construction (as applicable).					
b. A no-disturbance buffer zone will be established and work will be scheduled to avoid impacting the nest during critical periods. To the extent feasible, no work will occur within 500 feet of the nest while it is in active use. If work will occur within 500 feet of the nest, then construction will be monitored daily by a qualified biologist to ensure no disturbance occurs to the nest;	Contractor to avoid buffer zone. Biologist to conduct monitoring. The State to confirm compliance.				X		Buffer to be established prior to the start of construction. Monitoring to occur daily during work within 500 feet of an active Swainson's hawk nest.					
c. A biological monitor will conduct weekly monitoring of the nest during construction activities; and	Biologist to conduct monitoring. The State to confirm compliance.				X		Weekly during construction activities (as applicable)					
d. The biologist may halt construction activities if s/he determines that the construction activities are disturbing the nest. CDFW will be consulted prior to re-initiation of activities that maybe disturb the nest.	Biologist to halt construction activities. The State to coordinate consultation with the CDFW.				X		During construction if activities are causing nest disturbance.					

TABLE 4-1 (CONT.)
MITIGATION MONITORING AND REPORTING PROGRAM

Mitigation Measure	Responsible Party for Implementation	Verification of Implementation (Responsible Party)		Timing of Compliance				Verification of Compliance				Comments
		Initials	Date	Design	Construction	Operation	Frequency	Name and Affiliation	Method of Compliance Verification	Signature	Date	
3.3 Cultural Resources												
3.3-1(a) If evidence of any subsurface archaeological features or deposits are discovered during construction-related earth-moving activities (e.g., lithic scatters, midden soils, historic era farming or construction materials), all ground-disturbing activity in the area of the discovery shall be halted until a qualified archaeologist and Native American representative, as appropriate, 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 Public Resources Code 21084.3, including possible capping, data recovery, mapping, or avoidance of the resource. If artifacts are recovered from significant prehistoric archaeological resources or tribal cultural resources, the first option shall be to transfer the artifacts to an appropriate tribal representative. If possible, accommodations shall be made to re-inter the artifacts at the project site. Only if no other options are available will recovered prehistoric archaeological material be housed at a qualified curation facility. 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.	The State to confirm compliance prior to and during construction. The State to retain qualified archaeologist, and Native American monitors, if needed, and the State to coordinate with SHPO.				X		Once prior to construction. Monitoring as needed during construction.					
3.3-1(b) A cultural resources awareness training program will be provided to all construction personnel active on the project site during earth moving activities. The first training will be provided prior to the initiation of ground disturbing activities. The training will be developed and conducted in coordination with a qualified archaeologist meeting the United States Secretary of Interior guidelines for professional archaeologists. 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 United States Secretary of Interior guidelines for professional archaeologists will monitor ground-disturbing activities, as needed. If evidence of any historic-era subsurface archaeological features or deposits are discovered during construction-related earth-moving activities (e.g., ceramic shard, trash scatters), all ground-disturbing activity in the area of the discovery shall be halted until a qualified archaeologist can access 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. 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.	The State to confirm compliance prior to and during construction.				X		Once prior to construction.					

TABLE 4-1 (CONT.)
MITIGATION MONITORING AND REPORTING PROGRAM

Mitigation Measure	Responsible Party for Implementation	Verification of Implementation (Responsible Party)		Timing of Compliance				Verification of Compliance				Comments
		Initials	Date	Design	Construction	Operation	Frequency	Name and Affiliation	Method of Compliance Verification	Signature	Date	
3.3-3 Inadvertent Discovery of Human Remains												
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 Native American Heritage Commission (NAHC) by phone within 24 hours of making that determination (Health and Safety Code Section 7050[c]). The NAHC shall then assign a Most Likely Descendent (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 the State.				X		As needed during construction					
3.11 Transportation and Circulation												
3.11-1												
a) The State/architect shall refine the project design to provide an optimal amount of parking that minimizes baseline vehicular trip generation.	The State to confirm compliance prior to and during construction.			X	X	X	Once during development of draft design-build contract.					
b) The State shall investigate and, if feasible, implement strategies that increase employee telecommuting and workday start/end time flexibility.				X	X	X	Monitoring as needed during construction.					
c) The State shall consider the following site design modifications and Transportation Demand Management (TDM) strategies to:												
i. Increase the cost to drive alone and park onsite to at least $150 per month.							Once during development of draft design-build contract.					
ii. Implement a fair value commuting program, where fees charged to SOV commuters (e.g., through parking pricing) are tied to State vehicle trip reduction targets and fee revenue is rebated to non-SOV commuters.												
iii. Incentivize use of carpool/vanpool modes through matching programs, preferred parking, and other incentives.												
iv. Increase monthly transit subsidy to $100.							Monitoring as needed during construction.					
d) Prior to building occupancy, the State shall increase the capacity of the North 7th Street/North B Street intersection by widening and improving traffic signal phasing efficiency.												
e) The State/architect shall refine the project design to provide dedicated space for passenger pick-up and drop-off activity along Bannon Street.												
f) Prior to building occupancy, the State shall install traffic signals at the new Bannon Street intersection with North 7th Street and the new north-south roadway intersection with Richards Boulevard, with location/design to the satisfaction of the City of Sacramento who will own/operate the signals.												
g) The State shall pay its fair share of fees based on its proportional contribution to the identified significant environmental effects, and the extent to which the fee will contribute to mitigating those effects. The State will collaborate with the City of Sacramento with the expectation of entering into a Memorandum of Understanding (MOU) agreement to identify the State's fair share of fees for the River District Specific Plan and Transportation Development Impact Fee, as applicable, that contribute to mitigating the project's environmental effects, in conformance with State and federal laws.												

TABLE 4-1 (CONT.)
MITIGATION MONITORING AND REPORTING PROGRAM

Mitigation Measure		Responsible Party for Implementation	Verification of Implementation (Responsible Party)		Timing of Compliance				Verification of Compliance				Comments
			Initials	Date	Design	Construction	Operation	Frequency	Name and Affiliation	Method of Compliance Verification	Signature	Date	
3.11-2	Prior to building occupancy, the State shall pay its fair-share contribution towards the I-5/Richards Boulevard interchange through the I-5 Subregional Mitigation Program as outlined in the *Nexus Study for the I-5 Subregional Corridor Mitigation Program* published in 2016 by DKS on behalf of the cities of West Sacramento, Elk Grove, and Sacramento; and Caltrans.	The State will pay the fee.				X		Once, prior to construction authorization.					
3.11-4	a) Implement Mitigation Measure 3.11-1. b) Prior to building occupancy, the State shall coordinate with SacRT to expand Green Line service (i.e., more cars, more frequent headways, extended hours of operation). c) Prior to building occupancy, State shall coordinate with SacRT to investigate the potential for modifying existing bus routes to improve service to the project site. d) Prior to building occupancy, the State shall coordinate with other transit service providers to provide commute bus service to the project site. e) Prior to building occupancy, the State shall develop and implement a shuttle service plan that transports employees between the project site and the planned new Blue Line Dos Rios station near 12th Street and Richards Boulevard. This shuttle may include other stops if there is sufficient demand or if this is shown to be a cost-effective method to reduce vehicle miles traveled. f) The State will include a requirement in the bid documents to require the design-build teams to adhere to the requirements of Sacramento City Code Section 17.600.160.	The State to include appropriate provisions in design-build contract			X	X		Once during development of draft design-build contract. Monitoring as needed during construction.					
3.11-5	Prior to building occupancy, the State shall coordinate with the City of Sacramento to identify and implement a mutually acceptable set of bicycle network improvements along the project frontage. This may include the system described above, or could take the form of a series of one-way or two-way 'protected bike lanes' similar to what has recently been constructed in downtown. Other considerations involve bicycle/light rail, and bicycle/bus stop, and bicycle/signalized driveway interactions and design treatments.	The State to include appropriate provisions in design-build contract			X	X		Once during development of draft design-build contract.					
3.11-7	Before start of construction activities on the project site, the State contractor shall prepare a detailed Construction Traffic Management Plan that will be subject to review and approval by the City Department of Public Works, in consultation with affected transit providers, and local emergency service providers including the City of Sacramento Fire and Police departments. The plan shall ensure that acceptable operating conditions on local roadways are maintained. At a minimum, the plan shall include: • The number of truck trips, time, and day of street closures • Time of day of arrival and departure of trucks • Limitations on the size and type of trucks, provision of a staging area with a limitation on the number of trucks that can be waiting • Provision of a truck circulation pattern • Identification of detour routes and signing plan for street/lane closures • Provision of driveway access plan so that safe vehicular, pedestrian, and bicycle movements are maintained (e.g., steel plates, minimum distances of open trenches, and private vehicle pick up and drop off areas) • Maintain safe and efficient access routes for emergency vehicles and transit	The State to confirm compliance prior to and during construction.			X	X		Once during development of draft design-build contract. Monitoring as needed during construction.					

TABLE 4-1 (CONT.)
MITIGATION MONITORING AND REPORTING PROGRAM

Mitigation Measure		Responsible Party for Implementation	Verification of Implementation (Responsible Party)		Timing of Compliance				Verification of Compliance				Comments
			Initials	Date	Design	Construction	Operation	Frequency	Name and Affiliation	Method of Compliance Verification	Signature	Date	
3.11-7 (cont.)	• Manual traffic control when necessary • Proper advance warning and posted signage concerning street closures • Provisions for pedestrian and bicycle safety A copy of the construction traffic management plan shall be submitted to local emergency response agencies and transit providers, and these agencies shall be notified at least 30 days before the commencement of construction that would affect roadways.												
3.11-8	Implement Mitigation Measure 3.11-1 (portions thereof that are applicable under cumulative conditions).	The State to confirm compliance prior to and during construction.			X	X	X	Once during development of draft design-build contract.					
3.11-9	a) Implement Mitigation Measure 3.11-2. b) The ongoing I-5/Richards Boulevard Interchange Project Approval/ Environmental Document studies (being led by the City of Sacramento, and in partnership with Caltrans) for an upgraded interchange should consider the travel demands of the project when analyzing traffic forecasts and preferred geometric improvements for the reconstructed interchange.	The State will pay the fee.				X	Once	Once, prior to construction authorization.					
3.12 Utilities and Infrastructure													
3.12-3	The water supply infrastructure must be able to accommodate an estimated water demand of 240 AFY and a fire flow requirement of up to 8,000 gallons per minute (gpm) for a four-hour duration, with an automatic fire sprinkler system flow demand of 300-500 gpm and associated standpipe system demand of 1,000 gpm. a) Prior to approval for connection to the City of Sacramento's water supply infrastructure, the State shall conduct a water study to be submitted to the Department of Utilities, to ensure the condition and capacity of the City of Sacramento's water supply infrastructure relative to the project site and ensure that infrastructure is sufficient to serve the needs to of the project. However, relative construction information pertaining to the two existing water mains at the project site should be discussed with the Department of Utilities prior to implementation of this study. b) Prior to the issuance of a building occupancy permit, the California State Fire Marshall shall confirm test fire flow to ensure that the water supply infrastructure serving the RBOC meets fire flow standards. c) If water infrastructure is found insufficient to meet the needs of the project, the water study shall identify improvements necessary to meet the project's demands and fire flow requirements.	The State to confirm compliance prior to and during construction.			X	X		Once during development of draft design-build contract. Monitoring as needed during construction.					
3.12-9	In order to ensure that the City has adequate water supply available to meet cumulative demands under buildout of the 2035 General Plan, the City shall implement, to the extent required to secure adequate supply, one or more of the following measures: a) In order to comply with the Green Building Initiative under Executive Order B-18-12, which, among other things, requires urban water agencies to reduce statewide per capita water consumption 20 percent by 2020, Chapter 9 of the City of Sacramento 2015 UWMP suggests implementation of key water conservation measures, or Demand Management Measures (DMMs). Six of these DMMs, which may also be considered Best Management Practices (BMPs) pertain to retail agencies, while three measures apply to wholesale agencies, including:	The State to confirm compliance prior to and during construction.			X	X		Once during development of draft design-build contract. Monitoring as needed during construction.					

TABLE 4-1 (CONT.)
MITIGATION MONITORING AND REPORTING PROGRAM

Mitigation Measure	Responsible Party for Implementation	Verification of Implementation (Responsible Party)		Timing of Compliance				Verification of Compliance				Comments
		Initials	Date	Design	Construction	Operation	Frequency	Name and Affiliation	Method of Compliance Verification	Signature	Date	
3.12-9 (cont.) i. Water Waste Prevention Ordinances; ii. Metering; iii. Conservation Pricing; iv. Public Education and Outreach; v. Programs to Assess and Manage Distribution System Real Loss; vi. Water Conservation Program Coordination and Staffing Support; vii. Residential High Efficiency Toilet Rebate; viii. Residential High Efficiency Washing Machine Rebate; ix. Residential River-Friendly Landscape Rebate; x. Residential Water Wise House Calls; xi. Commercial Water Wise Business Calls; xii. Commercial Rebates.												
3.12-9 (cont.) b) Implement Additional Groundwater Pumping As discussed above, additional groundwater pumping facilities could be constructed to increase groundwater production capacity when American River diversions to FWTP when river flows fall below Hodge flow levels. Under Hodge flow conditions, even full capacity pumping of current groundwater facilities would not provide sufficient water supply to accommodate full buildout under the 2035 General Plan. However, the City could construct additional wells to provide additional groundwater production capacity. Implementation of this mitigation measure would require environmental analysis to determine the potential for substantial adverse environmental impacts resulting from the construction or operation of these new wells. These impacts could include: i. Construction-related impacts to soil, such as topsoil erosion; ii. Construction-related air emissions; iii. Disturbance of sub-surface cultural artifacts; iv. Impacts to hydrology and natural drainage; v. Noise impacts resulting from construction and operation of the wells; vi. Visual impacts and effects of light trespass; vii. Conversion of existing agricultural lands or resources; viii. Drawdown of groundwater in the North American Subbasin; ix. Exposure to hazardous materials resulting from construction and operational activities. In addition to these significant environmental impacts, groundwater pumping activities could also contribute to drawdown of groundwater resources and the violation of groundwater management practices, and could adversely affect other regional groundwater pumping activities. Mitigation measures would need to be specifically tailored to reduce any potentially significant impacts resulting from construction and operation of increased groundwater production facilities to less-than-significant levels. The lead agency would be required to identify and implement mitigation measures for each specific mitigation project.	The State to confirm compliance prior to and during construction.			X	X	Monitoring as needed during construction.	Once during development of draft design-build contract.					

This page intentionally left blank