

RESOLUTION NO. 2014-0083

Adopted by the Sacramento City Council

April 8, 2014

CERTIFYING THE ENVIRONMENTAL IMPACT REPORT AND ADOPTING THE MITIGATION MONITORING PROGRAM FOR THE SUTTER PARK NEIGHBORHOOD PROJECT (P12-031)

BACKGROUND

- A. On March 6, 2014, the City Planning and Design Commission conducted a public hearing on, and forwarded to the City Council a recommendation to approve with conditions the Sutter Park Neighborhood Project.
- B. On April 8, 2014, the City Council conducted a public hearing, for which notice was given pursuant Sacramento City Code Section 17.812.010 (2)(b) and received and considered evidence concerning the Sutter Park Neighborhood Project (Project).

BASED ON THE FACTS SET FORTH IN THE BACKGROUND, THE CITY COUNCIL RESOLVES AS FOLLOWS:

- Section 1. The City Council finds that the Environmental Impact Report for Sutter Park Neighborhood Project (herein EIR) which consists of the Draft EIR and the Final EIR (Response to Comments) (collectively the "EIR") has been completed in accordance with the requirements of the California Environmental Quality Act (CEQA), the State CEQA Guidelines and the Sacramento Local Environmental Procedures.
- Section 2. The City Council certifies that the EIR was prepared, published, circulated and reviewed in accordance with the requirements of CEQA, the State CEQA Guidelines and the Sacramento Local Environmental Procedures, and constitutes an adequate, accurate, objective and complete Final Environmental Impact Report in full compliance with the requirements of CEQA, the State CEQA Guidelines and the Sacramento Local Environmental Procedures.
- Section 3. The City Council certifies that the EIR has been presented to it, that the City Council has reviewed the EIR and has considered the information contained in the EIR prior to acting on the proposed Project, and that the EIR reflects the City Council's independent judgment and analysis.

- Section 4. Pursuant to CEQA Guidelines Sections 15091 and 15093, and in support of its approval of the Project, the City Council adopts the attached Findings of Fact and Statement of Overriding Considerations in support of approval of the Project as set forth in the attached Exhibit A of this Resolution.
- Section 5. Pursuant to CEQA section 21081.6 and CEQA Guidelines section 15091, and in support of its approval of the Project, the City Council adopts the Mitigation Monitoring Program to require all reasonably feasible mitigation measures be implemented by means of Project conditions, agreements, or other measures, as set forth in the Mitigation Monitoring Program as set forth in Exhibit B of this Resolution.
- Section 6. The City Council directs that, upon approval of the Project, the City Manager shall file a notice of determination with the County Clerk of Sacramento County and, if the Project requires a discretionary approval from any state agency, with the State Office of Planning and Research, pursuant to the provisions of CEQA section 21152.
- Section 7. Pursuant to Guidelines section 15091(e), the documents and other materials that constitute the record of proceedings upon which the City Council has based its decision are located in and may be obtained from, the Office of the City Clerk at 915 I Street, Sacramento, California. The City Clerk is the custodian of records for all matters before the City Council.

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Exhibit A: CEQA Findings of Fact and Statement of Overriding Considerations for the Sutter Park Neighborhood Project.

Exhibit B: Mitigation Monitoring Plan

Adopted by the City of Sacramento City Council on April 8, 2014, by the following vote:

Ayes: Members Ashby, Cohn, Fong, Hansen, McCarty, Pannell, Schenirer and Warren

Noes: None

Abstain: None

Absent: Mayor Johnson

Attest:

Shirley A. Concolino

Digitally signed by Shirley A. Concolino
DN: cn=Shirley A. Concolino, o=City of Sacramento, ou=City Clerk,
email=sconcolino@cityofsacramento.org, c=US
Date: 2014.04.15 12:00:28 -07'00'

Shirley Concolino, City Clerk

Exhibit A

CEQA Findings of Fact and Statement of Overriding Considerations for the Sutter Park Neighborhood Project

Description of the Project

The Sutter Park Neighborhood Project (proposed project) would establish a Planned Unit Development (PUD) on the property on which Sutter Memorial Hospital and its associated offices and related-care facilities are located. The area is comprised of approximately 19 acres located in the Coloma Terrace neighborhood of East Sacramento in the City of Sacramento. The proposed project site is bordered by 51st Street to the north, single-family homes on E Street and Coloma Way to the west, F Street to the south, and single-family homes and a professional and medical offices complex to the east (see Exhibit 3-2 in Chapter 3, "Project Description," of the Draft EIR).

In June 2000, Sutter Medical Center, Sacramento (SMCS) commissioned an internal planning process that resulted in a decision to consolidate services presently provided by Sutter Memorial Hospital in East Sacramento into Sutter General Hospital and to build new hospital facilities. Existing operations at Sutter Memorial Hospital will be transferred to the new Anderson Lucchetti Women's and Children's Center, which is scheduled to open fall 2014. The proposed project consists of decommissioning and demolition of the hospital and related facilities and the construction and operation of new residential, mixed use, and park uses on the project site.

Following the transfer of hospital operations out of Sutter Memorial Hospital, the hospital would be decommissioned, and the existing buildings on the project site would be demolished. On behalf of the property owner (Sutter Community Hospitals of Sacramento), the project applicant (Stonebridge Properties) is proposing the Sutter Park Neighborhood (Planned Unit Development [PUD]) project. The hospital demolition and the proposed Sutter Park Neighborhood project are the subject of the Sutter Park Neighborhood Draft EIR.

The proposed project would require a General Plan amendment to change the land use designation from Public/Quasi-Public to Traditional Neighborhood Low (see Exhibit 3-4, General Plan Amendment, of the Draft EIR). This designation provides for moderate-intensity housing and neighborhood-support uses including: single-family detached dwellings, single-family attached dwellings (e.g., duplexes, triplexes, townhomes), accessory second units, limited neighborhood-serving commercial on lots two acres or less, compatible public, quasi-public, and special uses. The proposed project would also require a rezone from Hospital to approximately 18 acres R-1A (PUD), 0.4 acres RMX (PUD), and 0.87 acres R-3A (PUD) (see Exhibit 3-5, Rezone, of the Draft EIR). The proposed project includes the development of approximately 19 acres of mixed-use residential development. The project would include approximately 5,000 square feet of commercial retail, up to 125 residential units, and a total of 1.39 acres of parks and open space.

The project would include the necessary roadway and utilities infrastructure, which would tie into existing off-site infrastructure (see Exhibit 3-6, Tentative Subdivision, of the Draft EIR). (DEIR, pp. ES-1, ES-2; FEIR, p. 2-12.)

Findings Required Under CEQA

1. Procedural Findings

The City Council of the City of Sacramento finds as follows:

Based on the initial study conducted for Sutter Park Neighborhood Project, SCH # 2012112036, (herein after the Project), the City of Sacramento's Environmental Planning Services determined, on substantial evidence, that the Project may have a significant effect on the environment and prepared an environmental impact report ("EIR") on the Project. The EIR was prepared, noticed, published, circulated, reviewed, and completed in full compliance with the California Environmental Quality Act (Public Resources Code §21000 *et seq.* ("CEQA"), the CEQA Guidelines (14 California Code of Regulations §15000 *et seq.*), and the City of Sacramento environmental guidelines, as follows:

a. A Notice of Preparation (NOP) of the EIR was filed with the Office of Planning and Research and distributed to responsible and trustee agencies, interested parties, business owners, residences, and landowners within 500 feet of the project area. The NOP was circulated for public comments from November 14, 2012, through December 14, 2012. (DEIR, p. 1-9, Appendix A; FEIR, p. 1-2.)

b. A Notice of Completion (NOC) and copies of the Draft EIR were distributed to the Office of Planning and Research on October 11, 2013, to those public agencies that have jurisdiction by law with respect to the Project, or which exercise authority over resources that may be affected by the Project, and to other interested parties and agencies as required by law. The comments of such persons and agencies were sought. (FEIR, p. 1-2.)

c. An official 45-day public comment period for the Draft EIR was established by the Office of Planning and Research. The public comment period began on October 11, 2013, and ended on November 25, 2013. (FEIR, pp. 1-2, 3-5.)

d. A Notice of Availability (NOA) of the Draft EIR was mailed to property owners within 500 feet of the project area and all interested groups, organizations, and individuals who had previously requested notice in writing on October 11, 2013. The NOA stated that the City of Sacramento had completed the Draft EIR and that copies were available at the City of Sacramento, Community Development Department, 300 Richards Boulevard, Third Floor, Sacramento, California 95811. The letter also indicated that the official 45-day public review period for the Draft EIR would end on November 25, 2013. (FEIR, p. 1-2.)

e. A public notice was placed in the Daily Recorder on October 11, 2013, which stated that the Draft EIR was available for public review and comment. (FEIR, p. 1-2.)

f. A public notice was posted in the office of the Sacramento County Clerk on October 11, 2013.

g. Following closure of the public comment period, all comments received on the Draft EIR during the comment period, the City's written responses to the significant environmental points raised in those comments, and additional information added by the City were added to the Draft EIR to produce the Final EIR.

2. Record of Proceedings

The following information is incorporated by reference and made part of the record supporting these findings:

a. The Draft and Final EIR and all documents relied upon or incorporated by reference;

b. The City of Sacramento 2030 General Plan adopted March 3, 2009, and all updates

c. The Master Environmental Impact Report for the City of Sacramento 2030 General Plan certified on March 3, 2009, and all updates

d. Findings of Fact and Statement of Overriding Considerations for the Adoption of the Sacramento 2030 General Plan adopted March 3, 2009, and all updates

e. Planning and Development Code of the City of Sacramento

f. Blueprint Preferred Scenario for 2050, Sacramento Area Council of Governments, December, 2004

g. East Sacramento Community Plan

h. Draft Sutter Park Neighborhood Project PUD Schematic Plan and Guidelines]

i. Sutter Park Neighborhood Project Tentative Subdivision Map

j. The Mitigation Monitoring Program for the Project

k. Project application and supplemental materials submitted along with project application

I. All records of decision, staff reports, memoranda, maps, exhibits, letters, synopses of meetings, and other documents approved, reviewed, relied upon, or prepared by any City commissions, boards, officials, consultants, or staff relating to the Project.

3. Findings

CEQA requires that the lead agency adopt mitigation measures or alternatives, where feasible, to substantially lessen or avoid significant environmental impacts that would otherwise occur. Mitigation measures or alternatives are not required, however, where such changes are infeasible or where the responsibility for the project lies with some other agency. (CEQA Guidelines, § 15091, sub. (a), (b).)

With respect to a project for which significant impacts are not avoided or substantially lessened, a public agency, after adopting proper findings, may nevertheless approve the project if the agency first adopts a statement of overriding considerations setting forth the specific reasons why the agency found that the project's "benefits" rendered "acceptable" its "unavoidable adverse environmental effects." (CEQA Guidelines, §§ 15093, 15043, sub. (b); see also Pub. Resources Code, § 21081, sub. (b).)

In seeking to effectuate the substantive policy of CEQA to substantially lessen or avoid significant environmental effects to the extent feasible, an agency, in adopting findings, need not necessarily address the feasibility of *both* mitigation measures and environmentally superior alternatives when contemplating approval of a proposed project with significant impacts. Where a significant impact can be mitigated to an "acceptable" level solely by the adoption of feasible mitigation measures, the agency, in drafting its findings, has no obligation to consider the feasibility of any environmentally superior alternative that could also substantially lessen or avoid that same impact — even if the alternative would render the impact less severe than would the proposed project as mitigated. (*Laurel Hills Homeowners Association v. City Council* (1978) 83 Cal.App.3d 515, 521; see also *Kings County Farm Bureau v. City of Hanford* (1990) 221 Cal.App.3d 692, 730-731; and *Laurel Heights Improvement Association v. Regents of the University of California* ("Laurel Heights I") (1988) 47 Cal.3d 376, 400-403.)

In these Findings, the City first addresses the extent to which each significant environmental effect can be substantially lessened or avoided through the adoption of feasible mitigation measures. Only after determining that, even with the adoption of all feasible mitigation measures, an effect is significant and unavoidable does the City address the extent to which alternatives described in the EIR are (i) environmentally superior with respect to that effect and (ii) "feasible" within the meaning of CEQA.

In cases in which a project's significant effects cannot be mitigated or avoided, an agency, after adopting proper findings, may nevertheless approve the project if it first adopts a statement of overriding considerations setting forth the specific reasons why the agency found that the "benefits of the project outweigh the significant effects on the environment." (Public

Resources Code, Section 21081, sub. (b); see *also*, CEQA Guidelines, Sections 15093, 15043, sub.(b).) In the Statement of Overriding Considerations found at the end of these Findings, the City identifies the specific economic, social, and other considerations that, in its judgment, outweigh the significant environmental effects that the Project will cause.

The California Supreme Court has stated that “[t]he wisdom of approving ... any development project, a delicate task which requires a balancing of interests, is necessarily left to the sound discretion of the local officials and their constituents who are responsible for such decisions. The law as we interpret and apply it simply requires that those decisions be informed, and therefore balanced.” (*Goleta II* (1990) 52 Cal.3d 553 at 576.)

In support of its approval of the Project, the City Council makes the following findings for each of the significant environmental effects and alternatives of the Project identified in the EIR pursuant to Section 21080 of CEQA and section 15091 of the CEQA Guidelines:

A. Significant or Potentially Significant Impacts Mitigated to a Less Than Significant Level.

The following significant and potentially significant environmental impacts of the Project, including cumulative impacts, are being mitigated to a less than significant level and are set out below. Pursuant to section 21081(a)(1) of CEQA and section 15091(a)(1) of the CEQA Guidelines, as to each such impact, the City Council, based on the evidence in the record before it, finds that changes or alterations incorporated into the Project by means of conditions or otherwise, mitigate, avoid or substantially lessen to a level of insignificance these significant or potentially significant environmental impacts of the Project. The basis for the finding for each identified impact is set forth below.

Biological Resources

5.3-1 Loss of raptor nests. Tree removal during the raptor breeding season could result in mortality of eggs or young. Construction activities adjacent to active nests could also result in nest abandonment. Loss of an active raptor nest would be a significant impact. (DEIR, pp. 5.3-10 to 5.3-12; FEIR, pp. 4-3 to 4-4.)

Mitigation Measure (from MMP): The following mitigation measure(s) has been adopted to address this impact:

5.3-1: Avoid disturbing active raptor nests.

The following mitigation measure would apply to the proposed project to reduce construction impacts on tree-nesting raptors:

- a. The construction contractor shall ensure that all tree removal activities take place between September 1 and February 15 to avoid removing active raptor nests.

- b. For construction activities occurring between February 16 and August 31, the construction contractor shall retain a qualified biologist to conduct preconstruction surveys for nesting raptors and to identify active nests on and within 0.25 mile of the demolition and construction site. The surveys shall be conducted no more than 30 days before the beginning of construction activities that could remove trees or otherwise disturb nesting raptors. To the extent feasible, guidelines provided in *Recommended Timing and Methodology for Swainson's Hawk Nesting Surveys in the Central Valley* (Swainson's Hawk Technical Advisory Committee 2000) will be followed.
- c. If active nests are found, the construction contractor shall establish appropriate buffers around the nests. The qualified biologist will determine an adequate buffer for the species and nest. No project activity shall commence within the buffer area until a qualified biologist confirms that any young have fledged and the nest is no longer active. Monitoring of the nest by a qualified biologist shall be required if the activity has the potential to adversely affect the nest. For Swainson's hawk nests, DFG guidelines (1994) recommend maintenance of 0.25 mile buffers around Swainson's hawk nests in developed areas, but the size of the buffer may be adjusted if a qualified biologist, in consultation with CDFW, determines that such an adjustment would not be likely to adversely affect the nest. Monitoring of the nest by a qualified biologist will be required if the activity has potential to adversely affect the nest.

(DEIR, p. 5.3-11; FEIR, pp. 4-3 to 4-4.)

Finding: Implementation of Mitigation Measure 5.3-1 would reduce significant impacts on tree-nesting raptors, including Swainson's Hawks, to a less-than-significant level because it would ensure that these species are not disturbed during nesting so that project demolition and construction would not result in nest abandonment and loss of eggs or young. (DEIR, p. 5.3-12.)

With implementation of the mitigation measure(s), this impact is reduced to a *less than significant* level

5.3-2 Impacts on migratory birds. Tree and shrub removal during the breeding season could result in avian mortality of eggs or young. Construction activities adjacent to active nests could also result in nest abandonment. Loss of an active nest would be considered a significant impact based on the Migratory Bird Treaty Act (1918). (DEIR, pp. 5.3-12 to 5.3-14; FEIR, p. 4-4.)

Mitigation Measure (from MMP): The following mitigation measure(s) has been adopted to address this impact:

5.3-2: Avoid disturbing active migratory bird nests.

The following mitigation measure would apply to construction of the proposed project to reduce impacts on migratory birds:

The contractor will implement the following measures to avoid or minimize loss of migratory bird nests:

- a. Vegetation removal activities will be carried out during the nonbreeding season (September 1- February 15) for migratory birds.
- b. For construction activities occurring between February 16 and August 31, the construction contractor shall retain a qualified biologist to conduct preconstruction surveys for nesting migratory birds and to identify active nests on and within 0.25 mile of the demolition and construction site. The surveys shall be conducted no more than 30 days before the beginning of construction activities that could remove trees or otherwise disturb nesting migratory birds.
- c. If active nests are found, the construction contractor shall establish appropriate buffers around the nests. The qualified biologist will determine an adequate buffer for the species and nest. No project activity shall commence within the buffer area until a qualified biologist confirms that any young have fledged and the nest is no longer active. Monitoring of the nest by a qualified biologist shall be required if the activity has the potential to adversely affect the nest. Monitoring of the nest by a qualified biologist will be required if the activity has potential to adversely affect the nest.

(DEIR, p. 5.3-13; FEIR, p. 4-4.)

Finding: Implementation of Mitigation Measure 5.3.2 would reduce potentially significant impacts on migratory birds to a less-than-significant level because it would require measures to avoid disturbances of active nests so that project demolition and construction would not result in nest abandonment and loss of eggs or young of migratory birds. (DEIR, p. 5.3-13.)

With implementation of the mitigation measure(s), this impact is reduced to a *less than significant* level

5.3-3 Loss of bat colonies during building demolition. Implementation of the proposed project involves demolition of existing abandoned buildings and other structures. These buildings provide potential roost structures for common and special-status bats. Demolition, sealing, or other construction activities at these facilities could result in disturbances to active bat colonies that could affect the survival of

young or adult bats. Loss of an active bat colony would be considered a significant impact. (DEIR, pp. 5.3-14 to 5.3-15; FEIR, p. 4-5.)

Mitigation Measure (from MMP): The following mitigation measure(s) has been adopted to address this impact:

5.3-3: Ensure bats are absent from roost sites.

The following mitigation measure would apply to construction of the proposed project to reduce impacts on bats:

- The construction contractor shall retain a qualified biologist to conduct surveys for roosting western red bats prior to tree removal. If evidence of bat use is observed, the number of bats using the roost will be determined. Bat detectors may be used to supplement survey efforts. If no evidence of bat roosts is found, then no further study shall be required.
- If tree roosting bats are found, bats shall be excluded from the roosting site before the tree is removed. A mitigation program addressing compensation, exclusion methods, and roost removal procedures shall be developed by a qualified biologist in consultation with CDFW before implementation. Exclusion efforts may be restricted during periods of sensitive activity (e.g., during hibernation or while females in maternity colonies are nursing young). Once it is confirmed that bats are not present in the original roost site, the tree may be removed.

(DEIR, pp. 5.3-14 to 5.3-15; FEIR, p. 4-5.)

Finding: Implementation of Mitigation Measure 5.3-3 would reduce potentially significant impacts on western red bats and tree roosting bats to a less-than-significant level because it would ensure bats are absent from potential roost sites before demolition and roosting trees are replaced through planting. (DEIR, p. 5.3-15.)

With implementation of the mitigation measure(s), this impact is reduced to a *less than significant* level

5.3-4 Conflict with tree preservation ordinance. Implementation of the proposed project could result in the removal of, or damage to, heritage trees identified on the project site. Because heritage trees are protected under the City Code, removal of mature heritage trees would be a significant impact. (DEIR, pp. 5.3-15 to 5.3-17; FEIR, pp. 4-5 to 4-6.)

Mitigation Measure (from MMP): The following mitigation measure(s) has been adopted to address this impact:

5.3-4: Comply with tree preservation ordinance.

The following mitigation measure would apply to the proposed project to reduce impacts on heritage trees:

The project applicant would implement the following measures to avoid and minimize impacts on mature heritage tree and native oak trees and comply with the Sacramento City Code (Section 12.64.020):

- The project proponent shall obtain written permission from the City (tree removal permit) to grant the removal of identified heritage trees and mature native oak trees. (prior code § 45.04.216).
- The project proponents shall ensure that thirty-three heritage trees that are removed are replaced within the new neighborhood with similar species of trees. Details on heritage trees species and locations can be found in the Biological Resources Assessment (ECORP 2013).
- The project proponents shall work with the City arborist to determine appropriate number, types, size of replacement plantings, maintenance requirements and location.
- The project proponent shall ensure that replacement trees are established and maintained for at least three years to ensure long-term health and viability.
- To ensure protection of Heritage trees to be retained on the project site (if any are identified), protective fencing shall be installed at the dripline during construction. Grading, trenching, equipment or materials storage, parking, paving, irrigation, and landscaping will be prohibited within the fenced areas.
- No signs, ropes or cables will be attached to trees to be retained.
- No oil, fuel, concrete mix or other deleterious substance shall be placed in, or allow to flow into, the drip line area of any tree to be retained.
- Grade elevation shall not change by more than two feet within thirty (30) feet of the drip line area of a retained Heritage tree.

(DEIR, p. 5.3-16; FEIR, pp. 4-5 to 4-6.)

Finding: Implementation of Mitigation Measure 5.3-4 would reduce significant impacts on trees protected by local ordinance to a less-than-significant level because impacts to heritage trees of all species would be minimized consistent with the Sacramento City Code (Section 12.64.020) and heritage trees would be replaced. Heritage trees removed as a result of project implementation would be permitted for removal. (DEIR, pp. 5.3-16 to 5.3-17.)

With implementation of the mitigation measure(s), this impact is reduced to a *less than significant* level.

Cultural Resources

5.5-2 Disturb archaeological resources. Implementation of the proposed project could cause a substantial change in the significance of an archaeological resource or disturb human remains. There are no known archaeological resources on the project site and the area has been highly disturbed. However, ground-disturbing activities could cause a substantial change in the significance of an as yet undiscovered archaeological resource as defined in CEQA Guidelines Section 15064.5 or disturb any human remains, including those interred outside of formal cemeteries. This is considered a potentially significant impact. (DEIR, pp. 5.5-18 to 5.5-20; FEIR, pp. 4-7 to 4-9.)

Mitigation Measure (from MMP): The following mitigation measure(s) has been adopted to address this impact:

5.5-2: Halt ground-disturbing activity.

- 1) In the event that any prehistoric or historic-era subsurface archaeological features or deposits, including locally darkened soil ("midden"), that could conceal cultural deposits, are discovered during construction-related earth-moving activities, all ground-disturbing activity within 100 feet of the resources shall be halted and the City of Sacramento Community Development Department shall be notified. The City shall consult with a qualified archeologist retained at the applicant's expense to assess the significance of the find. If the find is determined to be significant by the qualified archaeologist (i.e., because the find is determined to constitute either an historical resource or a unique archaeological resource), representatives of the City and the qualified archaeologist shall meet to determine the appropriate course of action, with the City making the final decision. All significant cultural materials recovered shall be subject to scientific analysis, professional museum curation, and a report shall be prepared by the qualified archaeologist according to current professional standards.
- 2) If the archaeologist determines that some or all of the affected property qualifies as a Native American Cultural Place, including a Native American sanctified

cemetery, place of worship, religious or ceremonial site, or sacred shrine (Public Resources Code §5097.9) or a Native American historic, cultural, or sacred site, that is listed or may be eligible for listing in the California Register of Historical Resources pursuant to Public Resources Code §5024.1, including any historic or prehistoric ruins, any burial ground, any archaeological or historic site (Public Resources Code §5097.993), the archaeologist shall recommend to the City potentially feasible mitigation measures that would preserve the integrity of the site or minimize impacts on it, including any or a combination of the following:

- Avoidance, preservation, and/or enhancement of all or a portion of the Native American Cultural Place as open space or habitat, with a conservation easement dedicated to the most interested and appropriate tribal organization. If such an organization is willing to accept and maintain such an easement, or alternatively, a cultural resource organization that holds conservation easements;
- An agreement with any such tribal or cultural resource organization to maintain the confidentiality of the location of the site so as to minimize the danger of vandalism to the site or other damage to its integrity; or
- Other measures, short of full or partial avoidance or preservation, intended to minimize impacts on the Native American Cultural Place consistent with land use assumptions and the proposed design and footprint of the development project for which the requested grading permit has been approved.
- After receiving such recommendations, the City shall assess the feasibility of the recommendations and impose the most protective mitigation feasible in light of land use assumptions and the proposed design and footprint of the development project. The City shall, in reaching conclusions with respect to these recommendations, consult with both the project applicant and the most appropriate and interested tribal organization.

- 3) If human remains are discovered at any project construction sites during any phase of construction, all ground-disturbing activity within 50 feet of the remains shall be halted immediately, and the City of Sacramento Community Development Department and the County coroner shall be notified immediately. If the remains are determined by the County coroner to be Native American, the Native American Heritage Commission (NAHC) shall be notified within 24 hours, and the guidelines of the NAHC shall be adhered to in the treatment and disposition of the remains. The project applicant shall also retain a professional archaeologist with Native American burial experience to conduct a field investigation of the specific site and consult with the Most Likely Descendant, if any, identified by the NAHC. As necessary, the archaeologist may provide professional assistance to the Most Likely Descendant, including the excavation and removal of the human remains. The City shall be responsible for approval of

recommended mitigation as it deems appropriate, taking account of the provisions of state law, as set forth in CEQA Guidelines section 15064.5(e) and Public Resources Code section 5097.98. The project applicant shall implement approved mitigation, to be verified by the City, before the resumption of ground-disturbing activities within 50 feet of where the remains were discovered.

(DEIR, pp. 5.5-19 to 5.5-20; FEIR, pp. 4-7 to 4-9.)

Finding: Implementation of this mitigation measure would reduce impacts associated with archaeological resources to a less-than-significant level because it requires the performance of professionally accepted and legally compliant procedures for the discovery of previously undocumented significant archaeological resources and human remains. (DEIR, p. 5.3-20.)

With implementation of the mitigation measure(s), this impact is reduced to a *less than significant* level

5.5-3 Destroy a unique paleontological resource. Although the City of Sacramento is not known to be highly sensitive for paleontological resources, earth-disturbing activities could potentially damage paleontological resources. This is considered a potentially significant impact. (DEIR, pp. 5.5-20 to 5.5-21; FEIR, pp. 4-9 to 4-10.)

Mitigation Measure (from MMP): The following mitigation measure(s) has been adopted to address this impact:

5.5-3: Cease operation and retain qualified paleontologist.

Should paleontological resources be identified at any project construction sites during any phase of construction, the construction manager shall cease operation at the site of the discovery and immediately notify the City of Sacramento Community Development Department. The project applicant shall retain a qualified paleontologist to provide an evaluation of the find and to prescribe mitigation measures to reduce impacts to a less-than-significant level. In considering any suggested mitigation proposed by the consulting paleontologist, the Community Development Department shall determine whether avoidance is necessary and feasible in light of factors such as the nature of the find, project design, costs, land use assumptions, and other considerations. If avoidance is unnecessary or infeasible, other appropriate measures (e.g., data recovery) shall be instituted. Work may proceed on other parts of the project site while mitigation for paleontological resources is carried out. (DEIR, p. 5.5-21; FEIR, pp. 4-9 to 4-10.)

Finding: Implementation of this mitigation measure would reduce impacts associated with paleontological resources to a less-than-significant level because it requires the performance of professionally accepted and legally compliant procedures for the discovery of paleontological resources. (DEIR, p. 5.3-21.)

With implementation of the mitigation measure(s), this impact is reduced to a *less than significant* level

Hazards and Hazardous Materials

5.6-1 Expose people to asbestos-containing materials, or other hazardous materials or situations. Existing hospital buildings may contain asbestos, lead, or other hazardous substances that could be released into the environment if not properly removed, contained, transported, and disposed of. This is a potentially significant impact. (DEIR, pp. 5.6-17 to 5.6-19; FEIR, pp. 4-10 to 4-11.)

Mitigation Measure (from MMP): The following mitigation measure(s) has been adopted to address this impact:

5.6-1: Minimize potential for accidental release of hazardous materials.

- (a) Prior to demolition, the project applicant shall submit a written plan to the SCEMD describing the methods to be used to (1) identify locations that could contain hazardous residues; (2) remove plumbing fixtures known to contain, or potentially containing, hazardous materials; (3) determine the waste classification of the debris; (4) package contaminated items and wastes; and (5) identify disposal site(s) permitted to accept such wastes. Demolition shall not occur until the plan has been accepted by the SCEMD and all potentially hazardous components have been removed to the satisfaction of SCEMD staff.
- (b) Prior to demolition of existing structures, the project applicant shall provide written documentation to the City that asbestos testing and abatement, as appropriate, has occurred in compliance with applicable federal, state, and local laws.
- (c) Prior to demolition of existing structures, the project applicant shall provide written documentation to the City that lead-based paint testing and abatement, as appropriate, has been completed in accordance with applicable state and local laws and regulations. Abatement will include the removal of lead contaminated soil (considered soil with lead concentrations greater than 400 parts per million in areas where children are likely to be present). Implementation of this mitigation measure would require that asbestos-containing building materials, lead-based paint, and other hazardous substances in building components are identified, removed, packaged, and disposed of in accordance with applicable state laws and regulations.

(DEIR, pp. 5.6-18 to 5.6-19; FEIR, pp. 4-10 to 4-11.)

Finding: Implementation of this mitigation would minimize the risk of an accidental release of hazardous substances that could adversely affect human health or the environment, reducing this impact to a less-than-significant level. (DEIR, p. 5.6-19.)

With implementation of the mitigation measure(s), this impact is reduced to a *less than significant* level

5.6-2 Expose people to existing contaminated soil during construction. Site preparation activities associated with the Sutter Park Neighborhood Project, including excavation, grading, and trenching, could encounter contaminated soil or buried debris that may contain hazardous substances. This is a potentially significant impact. (DEIR, pp. 5.6-19 to 5.6-21; FEIR, pp. 4-11 to 4-13.)

Mitigation Measure (from MMP): The following mitigation measure(s) has been adopted to address this impact:

5.6-2: Phase II environmental site assessment and remediation.

- (a) The applicant shall prepare a Phase II Environmental Site Assessment consistent with ASTM standards. The Phase II assessment will utilize the evaluation conducted in the Phase I Environmental Site Assessment to identify areas with an elevated potential for hazardous material contamination. At a minimum, the Phase II investigation shall include further investigation and/or sampling of:
- the soils around the maintenance building;
 - the soils beneath the generator building and broiler room in the maintenance building;
 - the northeastern portion of the project (under the parking area) for heavy metals, PAHs, and dioxins;
 - the former incinerator sites for heavy metals, polynuclear aromatic hydrocarbons, and dioxins;
 - soil and water sampling around the former and current UST locations for contamination with petroleum hydrocarbons;
 - the soils under the former cooling tower for copper;
 - the soil at the bottom of identified wells and sumps for waste oils and petroleum hydrocarbons; and
 - soil vapor, as appropriate.
- (b) In the event that site investigations find evidence of contamination, waste discharges, underground storage tanks, abandoned drums, or other environmental impairment within the project site, the SCEMD shall be notified and a site remediation plan shall be prepared that: (1) specifies measures to be

taken to protect workers and the public from exposure to potential hazards; and (2) certifies that the proposed remediation measures would clean up the contaminants, dispose of the wastes, and protect public health in accordance with federal, state, and local requirements. All remediation would be consistent with DTSC's residential standards and may include soil removal or in situ treatment options. Commencement of work in areas of potential hazards shall not proceed until the site remediation plan has been executed to the satisfaction of the SCEMD.

- (c) A site health and safety plan that meets the intent of Cal-OSHA requirements shall be prepared and in place prior to commencing work on any contaminated sites. The project applicant shall be responsible for oversight of plan implementation.
- (d) In the event that previously unidentified USTs or other features or materials that could present a threat to human health or the environment are discovered during excavation and grading, construction in the area shall cease immediately. A qualified professional shall evaluate the location and hazards, and make appropriate recommendations. Work shall not proceed in that area until identified hazards are managed to the satisfaction of the SCEMD. If previously unidentified wells are located during demolition, a well destruction permit shall be obtained from SCEMD.

(DEIR, pp. 5.6-20 to 5.6-21; FEIR, pp. 4-11 to 4-13.)

Finding: Implementation of this mitigation measure would reduce impacts associated with exposing people to contaminated soil to a less-than-significant level through detailed investigation of site conditions and remediation of identified contamination. (DEIR, p. 5.6-21.)

With implementation of the mitigation measure(s), this impact is reduced to a *less than significant* level

Traffic and Circulation

5.8-6 Construction-related impacts to circulation. This impact is potentially significant. (DEIR, pp. 5.8-51 to 5.8-53; FEIR, pp. 4-15 to 4-16.)

Mitigation Measure (from MMP): The following mitigation measure(s) has been adopted to address this impact:

5.8-6: Construction Traffic Management Plan.

Before issuance of a demolition permit and the beginning of construction on the project site, the project applicant shall prepare a detailed Traffic Management Plan that will be

subject to review and approval by the City Department of Public Works and subject to review by the affected agencies. The plan shall ensure maintenance of acceptable operating conditions on local roadways and transit routes. At a minimum, the plan shall include:

- The number of truck trips, time, and day of street closures, if any.
- 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.
- Provision of a driveway access plan to maintain safe vehicular, pedestrian, and bicycle movements (e.g., steel plates, minimum distances of open trenches, and private vehicle pick up and drop off areas).
- The maintenance of safe and efficient access routes for emergency vehicles.
- Efficient and convenient transit routes.
- Manual traffic control when necessary.
- Proper advance warning and posted signage concerning street closures, if any.
- Provisions for pedestrian safety.
- Provisions for temporary bus stops, if necessary.

A copy of the construction traffic management plan shall be submitted to local emergency response agencies, and these agencies shall be notified at least 14 days before the commencement of demolition or construction. (DEIR, p. 5.8-52; FEIR, pp. 4-15 to 4-16.)

Finding: Implementation of this mitigation measure would reduce impacts associated with construction related activities on circulation to a less than less-than-significant level because the Traffic Management Plan will comply with City of Sacramento policies and practices. (DEIR, p. 5.8-53.)

With implementation of the mitigation measure(s), this impact is reduced to a *less than significant* level

B. Significant and Unavoidable Impacts.

The following significant and potentially significant environmental impacts of the Project, including cumulative impacts, are unavoidable and cannot be mitigated in a manner that would substantially lessen the significant impact. Notwithstanding disclosure of these impacts, the City Council elects to approve the Project due to overriding considerations as set forth below in Section G, the statement of overriding considerations.

Noise

5.7-2: Increase in ambient noise levels during construction. During construction activities at the project site, heavy construction equipment and demolition activities would generate elevated noise levels at nearby receptors. Construction activities would be limited to the hours permitted by City Code Section 8.68, however interior noise levels would potentially exceed established standards for residential structures. Therefore, this impact would be potentially significant. (DEIR, pp. 5.7-19 to 5.7-23; FEIR, pp. 4-13 to 4-15.)

Mitigation Measure (From MMP): The following mitigation measure(s) has been adopted to address this impact to the extent feasible:

5.7-2a: Locate rock-crushing equipment away from residences.

The contractor shall locate any and all rock-crushing equipment to the interior site and no less than 200 feet from the nearest offsite structure.

5.7-2b: Maximize distance between construction/demolition staging areas and residences.

The contractor shall ensure that the distances between on-site construction and demolition staging areas and the nearest surrounding residences are maximized to the extent possible (and in all instances are no less than 50 feet).

5.7-2c: Require mufflers on all internal combustion engines.

All project construction and demolition equipment that use internal combustion engines shall be fitted with manufacturer's mufflers or equivalent. The contractor shall keep a monthly log of construction equipment maintenance and status to ensure that all onsite equipment is appropriately muffled.

5.7-2d: Shielding of demolition noise by existing buildings.

Project construction and demolition activities shall be conducted to take maximum advantage of shielding afforded by existing buildings and structures. For example, where it is possible to conduct some demolition activities from within the shell of a building which is to be removed, thereby utilizing the existing building walls as a noise barrier, such an approach shall be utilized. Furthermore, buildings providing shielding of demolition activities shall be left in place during demolition of screened buildings, unless it is infeasible to do so.

5.7-2e: Localized shielding of ground level noise sources with portable barriers.

Stationary, ground-level, noise sources, such as jack hammers, compressors, and pumps, which would cause a substantial increase in noise levels at nearby residences during use, shall be shielded from view (i.e. preventing direct line of sight from source to receptors and back) through the use of portable sound curtain systems to be located

immediately adjacent to the noise source in question. Each enclosure, which can be constructed of a variety of materials including noise-insulating blankets/quilts, shall achieve a minimum noise reduction coefficient of 0.75 and a minimum sound transmission class of 25. The material of the barrier shall be weather and abuse resistant, and shall exhibit superior hanging and tear strength with a surface weight of at least 1 pound per square foot. When temporary barrier units are joined together, the mating surfaces shall be flush with each other. Gaps between barrier units, and between the bottom edge of the barrier panels and the ground, shall be closed with material that would completely close the gaps, and would be dense enough to attenuate noise.

Placement, orientation, size, and density of acoustical barriers shall be reviewed and approved by a City-approved acoustical consultant upon initial installation.

5.7-2f: Provide notification of noisiest construction/demolition activities to local community.

The contractor shall provide disclosure notices to nearby residences within 250 feet of the project site boundaries that identifies the dates and hours during which high-noise-generating construction (i.e. demolition of the existing onsite structures) will occur and the location of such activities. This notice shall be provided at least one week prior to initiation of such activities.

(DEIR, pp. 5.7-21 to 5.7-22; FEIR, pp. 4-13 to 4-15.)

Finding: Implementation of these mitigation measures would reduce noise impacts associated with construction activities, including demolition and rock-crushing activities; however even with a reduction in construction noise through use of a temporary noise barrier, the City of Sacramento exterior noise standards at the nearby residential property lines would still be exceeded by approximately 8 dBA Ldn during construction. In general, the achievable noise reduction from temporary barriers, such as noise insulating blankets and quilts, is assumed to be approximately 10 dBA (NCHRP 1999). Additional reductions could be achieved through the construction of more substantial barriers along the exterior of the project site that would be greater in mass and cost and could result in additional impacts to the surrounding neighborhood. For this reason, these types of barriers are not considered feasible for the proposed project. It should be noted that with implementation of the above mitigation and assuming a 20 dBA exterior-to interior reduction in noise at the nearest residential uses, construction noise would also exceed interior noise standards established by the City during construction. Because the City's noise standards for single-family residential uses are anticipated to be exceeded during construction even with implementation of all feasible mitigation measures, this impact would remain significant and unavoidable. (DEIR, pp. 5.7-22 to 5.7-23.)

For these reasons, the impact remains *significant and unavoidable*.

C. Findings Related to the Relationship Between Local Short-term Uses of the Environment and Maintenance and Enhancement of Long-term Productivity.

Based on the EIR and the entire record before the City Council, the City Council makes the following findings with respect to the project's balancing of local short term uses of the environment and the maintenance of long term productivity:

- As the Project is implemented, certain impacts would occur on a short-term level. Such short-term impacts are discussed above. Where feasible, mitigation measures have been incorporated into the Project to mitigate these potential impacts.
- The Project would result in the long-term commitment of resources to develop and operate the Project, including water, natural gas, fossil fuels, and electricity. However, mitigation measures have been incorporated into the Project to ensure that the amount and rate of consumption of these resources would not result in the unnecessary, inefficient, or wasteful use of resources. Moreover, the Project would comply with the Climate Action Plan. (DEIR, pp. 6-2 to 6-3.)

Although there are short-term and long-term adverse impacts from the Project, the short-term and long-term benefits of the project, as discussed below, justify implementation.

D. Project Alternatives.

The City Council has considered the Project alternatives presented and analyzed in the Final EIR and presented during the comment period and public hearing process. Some of these alternatives have the potential to avoid or reduce certain significant or potentially significant environmental impacts, as set forth below. The City Council finds, based on specific economic, legal, social, technological, or other considerations, that these alternatives are infeasible. Each alternative and the facts supporting the finding of infeasibility of each alternative are set forth below.

Alternatives Considered and Dismissed from Further Consideration

Seismic Upgrade and Continued Medical Operation

In order to continue operations as a medical facility, Sutter Memorial Hospital would be required to complete seismic upgrade to comply with SB 1953. An alternative was considered to seismically upgrade the existing Sutter Memorial Hospital and continue its use as a hospital. However, the owners of the hospital, Sutter Medical Center, Sacramento (SMCS) determined that the Sutter Memorial Hospital facility would not be cost-effectively renovated to meet SB 1953 standards. This alternative was considered but dismissed in the July 2005 SMCS Project

EIR, and the SMCS project was ultimately approved (and its construction is nearly complete). It is logical to assume that seismic upgrades that meet the requirements of SB 1953 would be equally infeasible by other entities (if the buildings were sold to another hospital operator). Therefore, this alternative was determined to be infeasible and is not discussed in further detail. (DEIR, p. 7-19.)

Resale and Reuse of Property

In this alternative, the option of selling the property for some other use was considered. Potential other uses could include commercial or residential uses. However, reuse of the property would require extensive renovations because the hospital building could not be used as a medical facility that would be subject to SB 1953. Reuse of the property for commercial uses or residential uses would result in either demolition of the buildings or renovations to reconfigure the hospital buildings and associated facilities. The project applicant performed a preliminary screening of on-site buildings for potential repurposing and concluded the 73,800 SF North Tower (Phase III North Wing) was the only building warranting further evaluation. This decision was largely supported by a structural assessment of the buildings initiated by Sutter in 1997 and an evaluation of floor plate heights, exterior precast paneling, and column spacing. An architect and contractor were hired to assess the feasibility of repurposing the North Wing for multi-family residential uses. That assessment determined that the renovation costs made repurposing the North Tower infeasible. In addition, following an evaluation and consultation with real estate brokers regarding the potential for resale, this option was determined to be infeasible because of the unlikelihood that Sutter Community Hospitals of Sacramento could sell the property. (DEIR, p. 7-19.)

Off-Site Alternative

The proposed project is a redevelopment project, and off-site alternatives were not considered for further evaluation because an off-site alternative would not meet the project objective of redeveloping the project site. The removal and relocation of uses from the existing Sutter Memorial Hospital is a separate project that has been approved and is underway. As part of the Sutter Medical Center, Sacramento project, a new Women's and Children's Center has been constructed, and operations are expected to be moved in 2014. Section 15126.6(f)(2)(B) of the CEQA Guidelines states: "If the lead agency concludes that no feasible alternative locations exist, it must disclose the reasons for this conclusion, and should include the reasons in the EIR." Because the uses on the project site would be discontinued, leaving the need for redevelopment of the site, a feasible off-site location that would meet the requirements of CEQA, as well as meet the basic objectives of the proposed project, does not exist. (DEIR, p. 7-20.)

Summary of Alternatives Considered

The EIR analyzed the following alternatives to the proposed Project:

- **Alternative 1: No Project/No Development (Vacant Site).** This alternative assumes that the proposed project would not be built and there would be no new development of the site. Under this alternative, Sutter Memorial Hospital would be demolished and the site would remain vacant.
- **Alternative 2: No Project/No Action (Vacant Hospital).** This alternative assumes that Sutter Memorial Hospital operations would be transferred to other facilities but the existing buildings would not be demolished, and the proposed project would not be built.
- **Alternative 3: No 53rd Street Extension.** With this access alternative, the proposed project access at 53rd Street would not occur, but the project would include three other access locations similar to the proposed project. The north leg of the 53rd Street and F Street would continue to provide inbound-only movement to the adjacent medical building.

(DEIR, pp. 2-3 to 2-4, FEIR, pp. 2-3 and 2-6.)

Alternative 1: No Project/No Development (Vacant Site)

Under the No Project/No Development (Vacant Site) Alternative, operations related to Sutter Memorial Hospital would be transferred to other SMCS facilities (as already approved), the hospital would be decommissioned, and the existing structures and associated infrastructure on the site would be demolished. The site would not be redeveloped. This alternative assumes that the proposed project would not be built and there would be no new development of the site. Under this alternative, Sutter Memorial Hospital and its associated buildings would be demolished and the site would remain vacant. (DEIR, p. 7-5.)

Alternative 1, the No Project/No Development Alternative would result in less impact than the proposed project because it would not result in the development of new residential and commercial uses on the project site. However, this alternative would not avoid or reduce any significant impacts, and would not substantially reduce any impacts that would otherwise result from the project. Further, demolition-related impacts would be the same because the existing hospital and related infrastructure would be removed, and this alternative would result in the same significant and unavoidable noise impact identified for the project. (DEIR, p. 7-12.)

Facts in Support of Finding of Infeasibility

Alternative 1 would not meet the project objectives because it would not result in redevelopment of an infill location, would not provide high-quality housing opportunities

consistent with and complementary to the overall character of the adjacent neighborhood, and would not connect the existing grid network by extending existing street patterns in the project area. (DEIR, p. 7-12.)

Alternative 2: No Project/No Action (Vacant Hospital)

Under the No Project/No Action (Vacant Hospital) Alternative, the existing structures on the site would remain and the site would not be redeveloped. Under this alternative Sutter Memorial Hospital would not be demolished, but existing uses would transfer to other Sutter Medical Center, Sacramento (SMCS) facilities, and the hospital and associated buildings would remain vacant. There would be no new residential and commercial development on the site. (DEIR, p. 7-12.)

Alternative 2, the No Project/No Action Alternative, would result in less impact than the proposed project because it would not result in the development of new residential and commercial uses on the project site and would not result in an increase in residential population. In addition, this alternative would not result in the significant and unavoidable impact related to demolition noise because the existing buildings and related infrastructure on the project site would remain. (DEIR, p. 7-14.)

Facts in Support of Finding of Infeasibility

Alternative 2 would not meet the project objectives because it would not result in redevelopment of an infill location, would not provide housing opportunities close the City of Sacramento urban core, would not improve the jobs/housing balance or reduce vehicle miles travelled within the City, and would not connect the existing grid network by extending existing street patterns in the project area. Additionally, Alternative 2 would result in an attractive nuisance and potential neighborhood blight as the buildings deteriorate. (DEIR, p. 7-14.)

Alternative 3: No 53rd Street Extension

With this access alternative, the project site would not have access at 53rd Street, but it would include three other access locations similar to the proposed project. The north leg of the 53rd Street and F Street would continue to provide inbound only movement to the adjacent medical building. This alternative would reduce the number of access points to the new development and would provide an alternate circulation system. (DEIR, p. 7-14; FEIR, p. 2-6.)

Alternative 3 would result in similar impacts as those identified under the proposed project. This alternative would meet most of the objectives of the project by providing a range of new housing types similar in scope and scale to the existing neighborhood, utilizing an infill location and its proximity to the urban core, contributing to the overall character and livability of the surrounding neighborhood, creating a pedestrian-friendly walkable neighborhood, and providing a diverse mix of open space areas and parks. (DEIR, p. 7-17.)

Facts in Support of Finding of Infeasibility

Alternative 3 would be less successful at meeting project objectives than the Project. Specifically, it would not connect the existing grid network to the extent that would occur under the proposed project, because Alternative 3 would not provide the extension of 53rd Street onto and across the project site. (DEIR, p. 7-17.)

E. Statement of Overriding Considerations:

Pursuant to Guidelines section 15092, the City Council finds that in approving the Project it has eliminated or substantially lessened all significant and potentially significant effects of the Project on the environment where feasible, as shown in Sections 3A through 3D above. The City Council further finds that it has balanced the economic, legal, social, technological, and other benefits of the Project against the remaining unavoidable environmental risks in determining whether to approve the Project and has determined that those benefits outweigh the unavoidable environmental risks and that those risks are acceptable. The City Council makes this statement of overriding considerations in accordance with section 15093 of the Guidelines in support of approval of the Project.

1. The Project Will Provide for the Beneficial Reuse of an Institutional Site, Replacing it with Residential Development and Limited Neighborhood-serving Commercial in an Existing Residential Neighborhood.

The Project will result in the beneficial reuse of an institutional site and replace it with residential development and limited neighborhood-serving commercial uses in an existing residential neighborhood. It will provide for the decommissioning of the existing hospital and the safe demolition and removal of antiquated and soon-to-be-abandoned hospital buildings. Moreover, the Project will provide for the redevelopment of the site with up to 125 new residential homes and up to approximately 5,000 square feet of commercial retail that will be consistent with the existing surrounding residential community. Thus, proceeding with the Project avoids an empty site and the potential for blight or nuisance risks associated with unoccupied structures, while reusing the property in a manner consistent with and complementary to the surrounding neighborhood.

2. The Project is an Infill Project.

The Project is an infill project that will help the City to meet its housing goals without resorting to “greenfield” development. Infill projects develop vacant or underutilized urban sites and avoid many of the impacts of greenfield development, such as conversion of agricultural land, destruction of biological and cultural resources, contributing to urban or suburban sprawl, traffic congestion and longer vehicle trips, and growth inducement.

3. The Project Promotes Smart Land Use Principles.

The Project promotes smart growth land use principles because it will reuse an infill site that is close to the urban core for residential development. For example, the Project is consistent with the Sacramento Area Council of Governments (SACOG) regional “Blueprint” transportation and land use principles. Specifically, the Project location within the existing East Sacramento neighborhood will encourage alternative transportation choices such as walking, bicycling, and public transportation. The Project will promote Blueprint principles of compact development and use of existing assets by providing up to 125 residences on the 19-acre infill site.

Similarly, the Project is consistent with the Metropolitan Transportation Plan/Sustainable Communities Strategy (MTP/SCS), because the proximity of the proposed residences to urban employment areas will reduce vehicle miles travelled and greenhouse gas emissions helping to reach regional air quality goals.

4. The Project Promotes the Responsible Use of Existing Resources.

The Project is an infill project that will use the City’s existing infrastructure to the extent feasible. The Project will connect to existing water and wastewater infrastructure but will use and produce substantially less water and wastewater than the existing hospital uses onsite, thereby creating additional capacity for other uses. Also, the Project will use low impact development (LID) stormwater management techniques to treat stormwater runoff prior to discharge to the downstream municipal system.

5. The Project will Improve Neighborhood Connectivity.

The Project will help to “complete” the existing roadway network in the project vicinity. The Project’s proposed roadway network will enhance the existing roadway network by connecting existing roadways that currently stop at the project site. The project’s roadway grid is walkable and pedestrian scaled, tree-shaded and accessible to pedestrians and cyclists.

6. The Project Will Provide Parks and Open Space.

The Project will provide a mix of parks and open space to serve the residents of the project site. A total of 1.39 acres of parks and open space are being proposed, excluding the common area located within the cottages. The proposed parks and open space areas will be well connected and conveniently accessible to residents of the area. The Project’s parks and open space will complement existing neighborhood parks and provide multi-generational recreational opportunities for neighborhood residents.

7. The Project Adds a Diversity of Housing and Respects the Existing Traditional Neighborhood

The Project includes a range of housing types and densities in a manner that protects the integrity of the existing neighborhood and adds to the City's housing stock. The Project will provide for up to 125 residential units. The densities and types of residential units will be consistent with the surrounding residential neighborhood. The Project provides an opportunity for residents to "age in place," whereby many generations can live within the same neighborhood. The Project respects and responds to existing buildings and urban form and includes sensitive transitions between the existing neighborhood and the Project.

8. The Project Reduces Construction Waste and the Transport of Construction Waste by Including Onsite Recycling of Materials Generated by Demolition.

The Project will reduce construction waste and associated waste transport impacts by recycling and reusing materials onsite to the extent feasible. Demolition of the existing structures and the associated impacts will be required for any redevelopment of the project site. Repurposing the buildings has been determined to be infeasible, partially due to the costs associated with a necessary seismic retrofit. Therefore, the Project will include the recycling of construction materials generated by demolition and the reuse of such materials onsite for new construction. This practice will conserve natural resources, preserve landfill capacity, and help the City meet its recycling objectives. Furthermore, recycling construction materials will reduce traffic, air quality, noise, and greenhouse gas impacts associated with transporting construction waste to landfills and other disposal sites.

The City Council has considered these benefits and has considered the potentially significant and unavoidable environmental impact of noise from the project's demolition and construction. The City Council has determined that the economic, legal, social, technological and other benefits of the project outweigh the identified impact. The City Council has thus determined that the project benefits set forth above override the significant and unavoidable environmental impact associated with the project.

Exhibit B

MITIGATION MONITORING PLAN

INTRODUCTION

Section 15097 of the California Environmental Quality Act (CEQA) Guidelines requires 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 Plan (MMP) for the Sutter Park Neighborhood project. The intent of the MMP is to prescribe and enforce a means for properly and successfully implementing the mitigation measures identified within the Draft EIR for this project.

MITIGATION MEASURES

The mitigation measures are taken from the Sutter Park Neighborhood Draft EIR and are assigned the same number as in the Draft EIR. The MMP 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.

MMP COMPONENTS

The components of the attached table, which contains applicable mitigation measures, are addressed briefly, below.

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

Mitigation Measure: All mitigation measures that were identified in the Sutter Park Neighborhood Draft EIR are presented, and numbered accordingly.

Action: 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 City of Sacramento is primarily responsible for ensuring that mitigation measures are successfully implemented. Within the city, 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 Pollution Control 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 Sutter Park Neighborhood Mitigation Monitoring Plan					
Impact	Mitigation Measure(s)	Action(s)	Implementing Party	Timing	Monitoring and Enforcement
5.3 Biological Resources					
<ul style="list-style-type: none"> 5.3-1: Loss of raptor nests. Tree removal during the raptor breeding season could result in mortality of eggs or young. Construction activities adjacent to active nests could also result in nest abandonment. Loss of an active raptor nest would be a significant impact. 	<ul style="list-style-type: none"> 5.3-1: Avoid disturbing active raptor nests. The following mitigation measure would apply to the proposed project to reduce construction impacts on tree-nesting raptors: <ul style="list-style-type: none"> a. The construction contractor shall ensure that all tree removal activities take place between September 1 and February 15 to avoid removing active raptor nests. b. For construction activities occurring between February 16 and August 31, the construction contractor shall retain a qualified biologist to conduct preconstruction surveys for nesting raptors and to identify active nests on and within 0.25 mile of the demolition and construction site. The surveys shall be conducted no more than 30 days before the beginning of construction activities that could remove trees or otherwise disturb nesting raptors. To the extent feasible, guidelines provided in Recommended Timing and Methodology for Swainson's Hawk Nesting Surveys in the Central Valley (Swainson's Hawk Technical Advisory Committee 2000) will be followed. c. If active nests are found, the construction contractor shall establish appropriate buffers around the nests. The qualified biologist will determine an adequate buffer for the species and nest. No project activity shall commence within the buffer area until a qualified biologist confirms that any young have fledged and the nest is no longer active. Monitoring of the nest by a qualified biologist shall be required if the activity has the potential to adversely affect the nest. For Swainson's hawk nests, DFG guidelines (1994) recommend 	<p>If trees are removed between February 16 and August 31, hire a qualified biologist to conduct preconstruction surveys, as outlined in Mitigation Measure 5.3-1b</p>	Project applicant	<ul style="list-style-type: none"> Prior to issuance of grading permit 	Community Development Department
		Establish appropriate buffers, as outlined in Mitigation Measure 5.3-1c	Project applicant	<ul style="list-style-type: none"> Prior to issuance of grading permit 	Community Development Department

Table 4-1 Sutter Park Neighborhood Mitigation Monitoring Plan					
Impact	Mitigation Measure(s)	Action(s)	Implementing Party	Timing	Monitoring and Enforcement
	<ul style="list-style-type: none"> ▪ biologist, in consultation with CDFW, determines that such an adjustment would not be likely to adversely affect the nest. Monitoring of the nest by a qualified biologist will be required if the activity has potential to adversely affect the nest. 				
<ul style="list-style-type: none"> ▪ 5.3-2: Impacts on migratory birds. Tree and shrub removal during the breeding season could result in avian mortality of eggs or young. Construction activities adjacent to active nests could also result in nest abandonment. Loss of an active nest would be considered a significant impact based on the Migratory Bird Treaty Act (1918). 	<ul style="list-style-type: none"> ▪ 5.3-2: Avoid disturbing active migratory bird nests. The following mitigation measure would apply to construction of the proposed project to reduce impacts on migratory birds: <ul style="list-style-type: none"> ▪ The contractor will implement the following measures to avoid or minimize loss of migratory bird nests. <ul style="list-style-type: none"> ▪ a. Vegetation removal activities will be carried out during the nonbreeding season (September 1-February 15) for migratory birds. ▪ b. For construction activities occurring between February 16 and August 31, the construction contractor shall retain a qualified biologist to conduct preconstruction surveys for nesting migratory birds and to identify active nests on and within 0.25 mile of the demolition and construction site. The surveys shall be conducted no more than 30 days before the beginning of construction activities that could remove trees or otherwise disturb nesting migratory birds. ▪ c. If active nests are found, the construction contractor shall establish appropriate buffers around the nests. The qualified biologist will determine an adequate buffer for the species and nest. No project activity shall commence within the 	<p>If trees are removed between February 16 and August 31, hire a qualified biologist to conduct preconstruction surveys for nesting migratory birds, as outlined in Mitigation Measure 5.3-2b</p> <p>Establish appropriate buffers, as outline in Mitigation Measure 5.3-2c</p>	<p>Project applicant</p> <p>Project applicant</p>	<ul style="list-style-type: none"> ▪ Prior to issuance of grading permit ▪ Prior to issuance of grading permit 	<p>Community Development Department</p> <p>Community Development Department</p>

Table 4-1 Sutter Park Neighborhood Mitigation Monitoring Plan					
Impact	Mitigation Measure(s)	Action(s)	Implementing Party	Timing	Monitoring and Enforcement
	buffer area until a qualified biologist confirms that any young have fledged and the nest is no longer active. Monitoring of the nest by a qualified biologist shall be required if the activity has the potential to adversely affect the nest. Monitoring of the nest by a qualified biologist will be required if the activity has potential to adversely affect the nest.				
<ul style="list-style-type: none"> 5.3-3: Loss of bat colonies during building demolition. Implementation of the proposed project involves demolition of existing abandoned buildings and other structures. These buildings provide potential roost structures for common and special-status bats. Demolition, sealing, or other construction activities at these facilities could result in disturbances to active bat colonies that could affect the survival of young or adult bats. Loss of an active bat colony would be considered a significant impact. 	<ul style="list-style-type: none"> 5.3-3: Ensure bats are absent from roost sites. The following mitigation measure would apply to construction of the proposed project to reduce impacts on bats: The construction contractor shall retain a qualified biologist to conduct surveys for roosting western red bats prior to tree removal. If evidence of bat use is observed, the number of bats using the roost will be determined. Bat detectors may be used to supplement survey efforts. If no evidence of bat roosts is found, then no further study shall be required. If tree roosting bats are found, bats shall be excluded from the roosting site before the tree is removed. A mitigation program addressing compensation, exclusion methods, and roost removal procedures shall be developed by a qualified biologist in consultation with CDFW before implementation. Exclusion efforts may be restricted during periods of sensitive activity (e.g., during hibernation or while females in maternity colonies are nursing young). Once it is confirmed that bats are not present in the original roost site, the tree may be removed. 	<p>Hire qualified biologist and conduct surveys for roosting western red bats prior to tree removal.</p>	Project applicant	<ul style="list-style-type: none"> ▪ Prior to issuance of tree removal permit ▪ ▪ ▪ ▪ ▪ ▪ ▪ ▪ 	Community Development Department
<ul style="list-style-type: none"> 5.3-4: Conflict with tree preservation ordinance. Implementation of the proposed project 	<ul style="list-style-type: none"> 5.3-4: Comply with tree preservation ordinance. The following mitigation measure would apply to the proposed project to reduce impacts on heritage trees: 	<p>Develop and implement a mitigation program addressing compensation, exclusion methods, and roost removal procedures, per Mitigation Measure 5.3-3</p>	Project applicant	<ul style="list-style-type: none"> ▪ Prior to issuance of tree removal permit ▪ 	Community Development Department and CDFW

Table 4-1 Sutter Park Neighborhood Mitigation Monitoring Plan				
Impact	Mitigation Measure(s)	Action(s)	Implementing Party	Timing
could result in the removal of, or damage to, heritage trees identified on the project site. Because heritage trees are protected under the City Code, removal of mature heritage trees would be a significant impact.	<ul style="list-style-type: none"> The project applicant would implement the following measures to avoid and minimize impacts on mature heritage tree and native oak trees and comply with the Sacramento City Code (Section 12.64.020): The project proponent shall obtain written permission from the City (tree removal permit) to grant the removal of identified heritage trees and mature native oak trees. (prior code \$45.04.216). The project proponents shall insure that thirty-three heritage trees that are removed are replaced within the new neighborhood with similar species of trees. Details on heritage trees species and locations can be found in the Biological Resources Assessment (ECORP 2013). The project proponents shall work with the City arborist to determine appropriate number, types, size of replacement plantings, maintenance requirements and location. The project proponent shall ensure that replacement trees are established and maintained for at least three years to ensure long-term health and viability. To ensure protection of Heritage trees to be retained on the project site (if any are identified), protective fencing shall be installed at the dripline during construction. Grading, trenching, equipment or materials storage, parking, paving, irrigation, and landscaping will be prohibited within the fenced areas. No signs, ropes or cables will be attached to trees to be retained. No oil, fuel, concrete mix or other deleterious substance shall be placed in, or allow to flow into, the drip line area of any tree to be retained. Grade elevation shall not change by more than two 	12.64.020 to minimize impacts on mature heritage trees and native oak trees		

Table 4-1 Sutter Park Neighborhood Mitigation Monitoring Plan					
Impact	Mitigation Measure(s)	Action(s)	Implementing Party	Timing	Monitoring and Enforcement
	feet within thirty (30) feet of the drip line area of a retained Heritage tree.				
5.5 Cultural Resources					
<ul style="list-style-type: none"> 5.5-2: Disturb archaeological resources. Implementation of the proposed project could cause a substantial change in the significance of an archaeological resource or disturb human remains. There are no known archaeological resources on the project site and the area has been highly disturbed. However, ground-disturbing activities could cause a substantial change in the significance of an as yet undiscovered archaeological resource as defined in CEQA Guidelines Section 15064.5 or disturb any human remains, including those interred outside of formal cemeteries. This is considered a potentially significant impact. 	<ul style="list-style-type: none"> 5.5-2: Halt ground-disturbing activity. <ul style="list-style-type: none"> 1) In the event that any prehistoric or historic-era subsurface archaeological features or deposits, including locally darkened soil ("midden"), that could conceal cultural deposits, are discovered during construction-related earth-moving activities, all ground-disturbing activity within 100 feet of the resources shall be halted and the City of Sacramento Community Development Department shall be notified. The City shall consult with a qualified archaeologist retained at the applicant's expense to assess the significance of the find. If the find is determined to be significant by the qualified archaeologist (i.e., because the find is determined to constitute either an historical resource or a unique archaeological resource), representatives of the City and the qualified archaeologist shall meet to determine the appropriate course of action, with the City making the final decision. All significant cultural materials recovered shall be subject to scientific analysis, professional museum curation, and a report shall be prepared by the qualified archaeologist according to current professional standards. 2) If the archaeologist determines that some or all of the affected property qualifies as a Native American Cultural Place, including a Native American sanctified cemetery, place of worship, religious or ceremonial site, or sacred shrine (Public Resources Code §5097.9) or a Native 	<p>Ground-disturbing activity within 100 feet of the resources shall be halted and a qualified archaeologist shall be retained, per Mitigation Measure 5.5-2</p> <p>Follow recommendations of archaeologist, per Mitigation Measure 5.5-2</p>	<p>Project applicant and Community Development Department</p> <p>Project applicant and Community Development Department</p>	<ul style="list-style-type: none"> During construction During construction 	<p>Community Development Department</p> <p>Community Development Department</p>

Table 4-1 Sutter Park Neighborhood Mitigation Monitoring Plan					
Impact	Mitigation Measure(s)	Action(s)	Implementing Party	Timing	Monitoring and Enforcement
	<p>American historic, cultural, or sacred site, that is listed or may be eligible for listing in the California Register of Historical Resources pursuant to Public Resources Code §5024.1, including any historic or prehistoric ruins, any burial ground, any archaeological or historic site (Public Resources</p> <ul style="list-style-type: none"> Code §5097.993), the archaeologist shall recommend to the City potentially feasible mitigation measures that would preserve the integrity of the site or minimize impacts on it, including any or a combination of the following: Avoidance, preservation, and/or enhancement of all or a portion of the Native American Cultural Place as open space or habitat, with a conservation easement dedicated to the most interested and appropriate tribal organization. If such an organization is willing to accept and maintain such an easement, or alternatively, a cultural resource organization that holds conservation easements; An agreement with any such tribal or cultural resource organization to maintain the confidentiality of the location of the site so as to minimize the danger of vandalism to the site or other damage to its integrity; or <p>Other measures, short of full or partial avoidance or preservation, intended to minimize impacts on the Native American Cultural Place consistent with land use assumptions and the proposed design and footprint of the development project for which the requested grading permit has been approved.</p> <p>After receiving such recommendations, the City shall assess the feasibility of the recommendations and impose the most protective mitigation feasible in light of land use assumptions and the proposed</p>				
▪				▪	

Table 4-1 Sutter Park Neighborhood Mitigation Monitoring Plan					
Impact	Mitigation Measure(s)	Action(s)	Implementing Party	Timing	Monitoring and Enforcement
	design and footprint of the development project. The City shall, in reaching conclusions with respect to these recommendations, consult with both the project applicant and the most appropriate and interested tribal organization				

Table 4-1 Sutter Park Neighborhood Mitigation Monitoring Plan					
Impact	Mitigation Measure(s)	Action(s)	Implementing Party	Timing	Monitoring and Enforcement
▪	▪ 3) If human remains are discovered at any project construction sites during any phase of construction, all ground-disturbing activity within 50 feet of the remains shall be halted immediately, and the City of Sacramento Community Development Department and the County coroner shall be notified immediately. If the remains are determined by the County coroner to be Native American, the Native American Heritage Commission (NAHC) shall be notified within 24 hours, and the guidelines of the NAHC shall be adhered to in the treatment and disposition of the remains. The project applicant shall also retain a professional archaeologist with Native American burial experience to conduct a field investigation of the specific site and consult with the Most Likely Descendant, if any, identified by the NAHC. As necessary, the archaeologist may provide professional assistance to the Most Likely Descendant, including the excavation and removal of the human remains. The City shall be responsible for approval of recommended mitigation as it deems appropriate, taking account of the provisions of state law, as set forth in CEQA Guidelines section 15064.5(e) and Public Resources Code section 5097.98. The project applicant shall implement approved mitigation, to be verified by the City, before the resumption of ground-disturbing activities within 50 feet of where the remains were discovered.	Ground-disturbing activity within 50 feet of the remains shall be halted and Community Development Department and the County coroner shall be notified immediately	Project applicant	▪ During construction	Community Development Department
▪ 5.5-3: Destroy a unique paleontological resource. Although the City of Sacramento is not known to be highly	▪ 5.5-3: Cease operation and retain qualified paleontologist. Should paleontological resources be identified at any project construction sites during any phase of construction, the construction manager shall cease operation at the site of the discovery and	Cease operation at the site of discovery and immediately notify Community Development Department. The project	Project applicant	▪ During construction	Community Development Department

Table 4-1 Sutter Park Neighborhood Mitigation Monitoring Plan					
Impact	Mitigation Measure(s)	Action(s)	Implementing Party	Timing	Monitoring and Enforcement
sensitive for paleontological resources, earth-disturbing activities could potentially damage paleontological resources. This is considered a potentially significant impact.	immediately notify the City of Sacramento Community Development Department. The project applicant shall retain a qualified paleontologist to provide an evaluation of the find and to prescribe mitigation measures to reduce impacts to a less-than-significant level. In considering any suggested mitigation proposed by the consulting paleontologist, the Community Development Department shall determine whether avoidance is necessary and feasible in light of factors such as the nature of the find, project design, costs, land use assumptions, and other considerations. If avoidance is unnecessary or infeasible, other appropriate measures (e.g., data recovery) shall be instituted. Work may proceed on other parts of the project site while mitigation for paleontological resources is carried out.	applicant shall retain a qualified paleontologist			
5.6 Hazards and Hazardous Materials					
<ul style="list-style-type: none"> 5.6-1: Expose people to asbestos-containing materials, or other hazardous materials or situations. Existing hospital buildings may contain asbestos, lead, or other hazardous substances that could be released into the environment if not properly removed, contained, transported, and disposed of. This is a potentially significant impact. 	<ul style="list-style-type: none"> 5.6-1: Minimize potential for accidental release of hazardous materials. <ul style="list-style-type: none"> a Prior to demolition, the project applicant shall submit a written plan to the SCEMD describing the methods to be used to (1) identify locations that could contain hazardous residues; (2) remove plumbing fixtures known to contain, or potentially containing, hazardous materials; (3) determine the waste classification of the debris; (4) package contaminated items and wastes; and (5) identify disposal site(s) permitted to accept such wastes. Demolition shall not occur until the plan has been accepted by the SCEMD and all potentially hazardous components have been removed to the satisfaction of SCEMD staff. b Prior to demolition of existing structures, the project applicant shall provide written 	<p>Submit written hazardous materials plan, per Mitigation Measure 5.6-1a, for approval to the SCEMD. Comply with hazardous materials plan to remove all potentially hazardous components from the site.</p> <p>Provide written documentation that</p>	Project applicant	<ul style="list-style-type: none"> ▪ Prior to issuance of demolition permit 	Community Development Department, SCEMD
			Project applicant	<ul style="list-style-type: none"> ▪ Prior to issuance of 	Community Development

Table 4-1 Sutter Park Neighborhood Mitigation Monitoring Plan					
Impact	Mitigation Measure(s)	Action(s)	Implementing Party	Timing	Monitoring and Enforcement
	documentation to the City that asbestos testing and abatement, as appropriate, has occurred in compliance with applicable federal, state, and local laws.	asbestos testing and abatement has occurred		demolition permit	Department

Table 4-1 Sutter Park Neighborhood Mitigation Monitoring Plan					
Impact	Mitigation Measure(s)	Action(s)	Implementing Party	Timing	Monitoring and Enforcement
<ul style="list-style-type: none"> 5.6-2: Expose people to existing contaminated soil during construction. Site preparation activities associated with the Sutter Park Neighborhood Project, including excavation, grading, and trenching, could encounter contaminated soil or buried debris that may contain hazardous substances. This is a potentially significant impact. 	<ul style="list-style-type: none"> c Prior to demolition of existing structures, the project applicant shall provide written documentation to the City that lead-based paint testing and abatement, as appropriate, has been completed in accordance with applicable state and local laws and regulations. Abatement will include the removal of lead contaminated soil (considered soil with lead concentrations greater than 400 parts per million in areas where children are likely to be present). Implementation of this mitigation measure would require that asbestos-containing building materials, lead-based paint, and other hazardous substances in building components are identified, removed, packaged, and disposed of in accordance with applicable state laws and regulations. 	Provide written documentation that lead-based paint testing and abatement, as appropriate, has been completed	Project applicant	<ul style="list-style-type: none"> Prior to issuance of demolition permit 	Community Development Department
<ul style="list-style-type: none"> 5.6-2: Expose people to existing contaminated soil during construction. Site preparation activities associated with the Sutter Park Neighborhood Project, including excavation, grading, and trenching, could encounter contaminated soil or buried debris that may contain hazardous substances. This is a potentially significant impact. 	<ul style="list-style-type: none"> 5.6-2: Phase II environmental site assessment and remediation. <ul style="list-style-type: none"> a The applicant shall prepare a Phase II Environmental Site Assessment consistent with ASTM standards. The Phase II assessment will utilize the evaluation conducted in the Phase I Environmental Site Assessment to identify areas with an elevated potential for hazardous material contamination. At a minimum, the Phase II investigation shall include further investigation and/or sampling of: <ul style="list-style-type: none"> the soils around the maintenance building; the soils beneath the generator building and broiler room in the maintenance building; the northeastern portion of the project (under the parking area) for heavy metals, PAHs, and dioxins; the former incinerator sites for heavy metals; 	Prepare a Phase II Environmental Site Assessment consistent with ASTM standards	Project applicant	<ul style="list-style-type: none"> Prior to issuance of demolition permit 	Community Development Department

Table 4-1 Sutter Park Neighborhood Mitigation Monitoring Plan					
Impact	Mitigation Measure(s)	Action(s)	Implementing Party	Timing	Monitoring and Enforcement
	polynuclear aromatic hydrocarbons, and dioxins;				
▪	soil and water sampling around the former and current UST locations for contamination with petroleum hydrocarbons; the soils under the former cooling tower for copper; the soil at the bottom of identified wells and sumps for waste oils and petroleum hydrocarbons; and ▪ In the event that site investigations find evidence of contamination, waste discharges, underground storage tanks, abandoned drums, or other environmental impairment within the project site, the SCEMD shall be notified and a site remediation plan shall be prepared that: (1) specifies measures to be taken to protect workers and the public from exposure to potential hazards; and (2) certifies that the proposed remediation measures would clean up the contaminants, dispose of the wastes, and protect public health in accordance with federal, state, and local requirements. All remediation would be consistent with DTSC's residential standards and may include soil removal or in situ treatment options. Commencement of work in areas of potential hazards shall not proceed until the site remediation plan has been executed to the satisfaction of the SCEMD.	SCEMD shall be notified and a site remediation plan shall be prepared, per Mitigation Measure 5.6-2(b)	Project applicant	▪ During site investigation	Community Development Department/ SCEMD
▪	c A site health and safety plan that meets the intent of Cal-OSHA requirements shall be prepared and in place prior to commencing work	Prepare a site health and safety plan, per Mitigation Measure 5.6-2(c)	Project applicant	▪ Prior to commencing work on any	Community Development Department

Table 4-1 Sutter Park Neighborhood Mitigation Monitoring Plan					
Impact	Mitigation Measure(s)	Action(s)	Implementing Party	Timing	Monitoring and Enforcement
<ul style="list-style-type: none"> <ul style="list-style-type: none"> d In the event that previously unidentified USTs or other features or materials that could present a threat to human health or the environment are discovered during excavation and grading, construction in the area shall cease immediately. A qualified professional shall evaluate the location and hazards, and make appropriate recommendations. Work shall not proceed in that area until identified hazards are managed to the satisfaction of the SCEMD. If previously unidentified wells are located during demolition, a well destruction permit shall be obtained from SCEMD. 	<ul style="list-style-type: none"> on any contaminated sites. The project applicant shall be responsible for oversight of plan implementation. 	<ul style="list-style-type: none"> Construction in the area shall cease immediately and a qualified professional shall evaluate the location and hazards, and make appropriate recommendations 	Project applicant	<ul style="list-style-type: none"> contaminated sites <ul style="list-style-type: none"> During excavation and grading 	Community Development Department/ SCEMD
5.7 Noise					
<ul style="list-style-type: none"> 5.7-2: Increase in ambient noise levels during construction. During construction activities at the project site, heavy construction equipment and demolition activities would generate elevated noise levels at nearby receptors. Construction activities would be limited to the hours permitted by City Code Section 8.68, 	<ul style="list-style-type: none"> 5.7-2a: Locate rock-crushing equipment away from residences. The contractor shall locate any and all rock-crushing equipment to the interior site and no less than 200 feet from the nearest offsite structure. 5.7-2b: Maximize distance between construction/demolition staging areas and residences. The contractor shall ensure that the distances between on-site construction and demolition staging areas and the nearest surrounding residences are maximized to the extent possible (and in all instances are no less than 50 feet). 	<ul style="list-style-type: none"> If rock-crushing equipment is used on-site, include location of rock-crushing equipment in construction plans, per Mitigation Measure 5.7-2a Maximize distance between construction/demolition staging areas and residences in construction plans 	Project applicant	<ul style="list-style-type: none"> Prior to issuance of demolition permit Prior to issuance of demolition and grading permits 	Community Development Department

Mitigation Measure(s)	Action(s)	Implementing Party	Timing	Monitoring and Enforcement
<ul style="list-style-type: none"> 5.7-2c: Require mufflers on all internal combustion engines. All project construction and demolition equipment that use internal combustion engines shall be fitted with manufacturer's mufflers or equivalent. The contractor shall keep a monthly log of construction equipment maintenance and status to ensure that all onsite equipment is appropriately muffled. 	Require mufflers on all internal combustion engines	Project applicant	<ul style="list-style-type: none"> During demolition and construction 	Community Development Department
<ul style="list-style-type: none"> 5.7-2d: Shielding of demolition noise by existing buildings. Project construction and demolition activities shall be conducted to take maximum advantage of shielding afforded by existing buildings and structures. For example, where it is possible to conduct some demolition activities from within the shell of a building which is to be removed, thereby utilizing the existing building walls as a noise barrier, such an approach shall be utilized. Furthermore, buildings providing shielding of demolition activities shall be left in place during demolition of screened buildings, unless it is infeasible to do so. 	Include feasible shielding of demolition noise by existing buildings and structures in demolition plans, per Mitigation Measure 5.7-2d	Project applicant	<ul style="list-style-type: none"> Prior to issuance of demolition permit 	Community Development Department
<ul style="list-style-type: none"> 5.7-2e: Localized shielding of ground level noise sources with portable barriers. Stationary, ground-level, noise sources, such as jack hammers, compressors, and pumps, which would cause a substantial increase in noise levels at nearby residences during use, shall be shielded from view (i.e. preventing direct line of sight from source to receptors and back) through the use of portable sound curtain systems to be located immediately adjacent to the noise source in question. Each enclosure, which can be Contractor constructed of a variety of materials including noise-insulating blankets/quilts, shall achieve a minimum noise reduction coefficient of 0.75 and a minimum sound 	<p>Include localized shielding of ground level noise sources with portable barriers in demolition plans, per Mitigation Measure 5.7-2e</p> <p>Review placement, orientation, size, and density of acoustical barriers in demolition plans</p>	Project applicant	<ul style="list-style-type: none"> Prior to issuance of demolition permit 	Community Development Department

Table 4-1 Sutter Park Neighborhood Mitigation Monitoring Plan					
Impact	Mitigation Measure(s)	Action(s)	Implementing Party	Timing	Monitoring and Enforcement
	transmission class of 25. The material of the barrier shall be weather and abuse resistant, and shall exhibit superior hanging and tear strength with a surface weight of at least 1 pound per square foot. When temporary barrier units are joined together, the mating surfaces shall be flush with each other. Gaps between barrier units, and between the bottom edge of the barrier panels and the ground, shall be closed with material that would completely close the gaps, and would be dense enough to attenuate noise. Placement, orientation, size, and density of acoustical barriers shall be reviewed and approved by a City-approved acoustical consultant upon initial installation.				
<ul style="list-style-type: none"> 5.7-2f: Provide notification of noisiest construction/demolition activities to local community. The contractor shall provide disclosure notices to nearby residences within 250 feet of the project site boundaries that identifies the dates and hours during which high-noise-generating construction (i.e. demolition of the existing onsite structures) will occur and the location of such activities. This notice shall be provided at least one week prior to initiation of such activities. 		Provide notification of high-noise generating construction/demolition activities to residences within 250 feet of the project site at least one week prior to construction or demolition activities	Project applicant	<ul style="list-style-type: none"> Prior to demolition and construction 	Community Development Department
5.8 Transportation and Traffic					
<ul style="list-style-type: none"> 5.8-6: Construction-related impacts to circulation. 	<ul style="list-style-type: none"> 5.8-6: Before issuance of a demolition permit and the beginning of construction on the project site, the project applicant shall prepare a detailed Traffic Management Plan that will be subject to review and approval by the City Department of Public Works and subject to review by the affected agencies. The plan shall ensure maintenance of acceptable operating conditions on local roadways and transit routes. At a minimum, the plan shall include: 	Prepare a detailed Traffic Management Plan, per Mitigation Measure 5.8-6	Project applicant	<ul style="list-style-type: none"> Before issuance of a demolition permit and the beginning of construction on the project site 	Department of Public Works

Table 4-1 Sutter Park Neighborhood Mitigation Monitoring Plan					
Impact	Mitigation Measure(s)	Action(s)	Implementing Party	Timing	Monitoring and Enforcement
	<p>The number of truck trips, time, and day of street closures, if any.</p> <p>Time of day of arrival and departure of trucks.</p> <p>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.</p> <p>Provision of a truck circulation pattern.</p> <p>Provision of a driveway access plan to maintain safe vehicular, pedestrian, and bicycle movements (e.g., steel plates, minimum distances of open trenches, and private vehicle pick up and drop off areas).</p> <p>The maintenance of safe and efficient access routes for emergency vehicles.</p> <p>Efficient and convenient transit routes.</p> <p>Manual traffic control when necessary.</p> <p>Proper advance warning and posted signage concerning street closures, if any.</p> <p>Provisions for pedestrian safety.</p> <p>Provisions for temporary bus stops, if necessary.</p> <ul style="list-style-type: none"> A copy of the construction traffic management plan shall be submitted to local emergency response agencies, and these agencies shall be notified at least 14 days before the commencement of demolition or construction. 				