

RESOLUTION NO. 97-375

ADOPTED BY THE SACRAMENTO CITY COUNCIL

JUN 24 1997

ON DATE OF _____

RESOLUTION WITH FINDINGS OF FACT RATIFYING THE NEGATIVE DECLARATION, AND ADOPTING THE MITIGATION MONITORING PLAN FOR ALLEGHANY PROPERTIES, INC. DEVELOPMENT AREA #3 LOCATED IMMEDIATELY EAST OF AND PARALLEL TO INTERSTATE 5, FROM DEL PASO ROAD ON THE NORTH TO INTERSTATE 80 ON THE SOUTH, GENERALLY BOUNDED BY THE EAST COMMERCE WAY ALIGNMENT ON THE EAST. SACRAMENTO, CA. (P96-084) (APNs: 225-0700-057,058,061,062,064, & 070)

WHEREAS, the City Council conducted a public hearing on June 24, 1997 concerning the below referenced entitlements and based on documentary and oral evidence submitted at the public hearing, the Council took the following actions:

- A. **Ratified the Negative Declaration;**
- B. **Adopted the Mitigation Monitoring Plan;**

This action was made based upon the following findings of fact and subject to the following conditions:

FINDINGS OF FACT

- A. **Negative Declaration:** The Negative Declaration is approved for the proposed Alleghany Properties, Inc. Development Area #3 based upon the following findings:
 - 1. The Negative Declaration was prepared and circulated for the above-identified project pursuant to the requirements of CEQA;
 - 2. The proposed Negative Declaration and comments received during the public review process were considered prior to action being taken on the project; and
 - 3. Based upon the Initial Study and the comments received during the public review process, there is no substantial evidence that the project will have a significant effect on the environment.

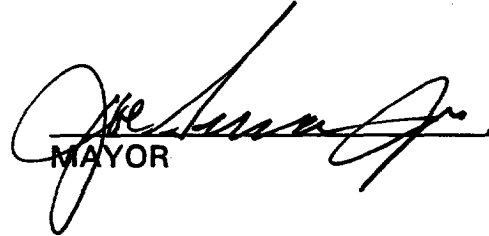
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RESOLUTION NO.: 97-375
DATE ADOPTED: JUN 24 1997


B. Mitigation Monitoring Plan: The Mitigation Monitoring Plan for the proposed Alleghany Properties, Inc. Development Area #3 is approved based upon the following findings of fact:

1. One or more mitigation measures have been added to the above-identified project;
2. A Mitigation Monitoring Plan has been prepared to ensure compliance and implementation of the mitigation measures for the above-identified project, a copy of which is attached as Exhibit 1-A;
3. The Mitigation Monitoring Plan meets the requirements of Public Resources Code Sec. 21081.6; and
4. The Mitigation Monitoring Plan is approved, and the mitigation measures shall be implemented and monitored as set forth in the Plan.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Sacramento that the Negative Declaration is hereby ratified and the Mitigation Monitoring Plan is hereby adopted for Alleghany Properties, Inc. Development Area #3.


MAYOR

ATTEST:


CITY CLERK
P96-084

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Recording
Not
Required

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MITIGATION MONITORING PLAN

FOR

Alleghany Development Area #3 (North Natomas)

**Type of Environmental Document:
Negative Declaration**

**Prepared By:
City of Sacramento Development Services Division
Don Lockhart, Associate Planner**

**Date:
April 2, 1997**

**Adopted By:
City of Sacramento City Council**

RESOLUTION No. 97-375

JUN 24 1997

CITY OF SACRAMENTO

MITIGATION MONITORING PLAN

This Mitigation Monitoring Plan has been required and prepared by the Department of Planning and Development, Environmental Services Division, 1231 I Street, Suite 301, Sacramento, CA 95814, (916) 264-7600, pursuant to CEQA Guidelines Section 21081.

SECTION 1: PROJECT IDENTIFICATION

Project Name and/or File Number: Alleghany Development Area #3 (P96-084)
Applicant - Name: Alleghany Properties, Inc. attn: David Bugatto
Address: 2150 River Plaza Dr. Ste. 155 Sacramento, CA 95833
Phone No.: (916) 854-2100

Project Location / Legal description of Property (if recorded):

I-5 frontage - East side of I-5, from Del Paso Rd. south to (roughly) I-80

Assessor's Parcel No.: **225-0070-043,049,075; 0140-016,017; 0150-031,033,044,045;
0180-038,039; 0310-013,014**

SECTION 2: GENERAL INFORMATION

The project as approved includes ten mitigation measures. The intent of the Plan is to prescribe and enforce a means for properly and successfully implementing the mitigation measures as identified within Attachment 1 of the Initial Study for this project. Unless otherwise noted, the cost of implementing the mitigation measures as prescribed by this Plan shall be funded by the above-mentioned applicant.

SECTION 3: PLAN CONTENTS

1. AIR

Mitigation Measure #1:

The applicant shall comply with the NNCP's requirement to prepare an Air Quality Mitigation Strategy that reduces ROG emissions by 50 percent project-wide.

Entities Responsible for Ensuring Compliance:

City of Sacramento, Planning and Development Department
City of Sacramento, Public Works Department

97-375

RESOLUTION No. _____

JUN 24 1997

2. WATER

Mitigation Measure #2:

A Drainage Agreement coordinating the provision of stormwater drainage with all the property owners in Basins #5 & #6 must be executed prior to recordation of the Final Master Parcel Map. An adequate stormwater drainage plan shall be designed to the satisfaction of the City Utilities Director prior to recordation of the Final Master Parcel Map. Construction of the drainage facilities shall be commenced prior to issuance of a building permit. Construction of the drainage facilities shall be completed prior to issuance of a certificate of occupancy for any building on the site.

Mitigation Measure #3:

The project shall comply with the applicable Residential and Non-Residential Development Guidelines in the adopted Comprehensive Flood Management Plan to the satisfaction of the Director of Planning and Development, including:

- Provide multiple access points in subdivisions that are 10 acres or larger in size to facilitate evacuation and other emergency services;
- New residential development shall either identify refuge areas to the satisfaction of the City Planning and Development Department or ensure that at least 50 percent of all residential units shall have a top plate above the base flood elevation;
- Major projects (40,000 square feet or larger) shall have second story construction or roof access and a top plate above the base flood elevation in order to provide adequate refuge areas. Refuge areas at private structures should be required to accommodate employees only;
- All residential and non-residential structures must be anchored to their foundations per regulations in the City Building Code;
- Gas valve shut-off keys must be attached in a visible location for all residential and commercial gas water heaters; and
- Special facilities, such as hospitals and elder care facilities, shall be required to implement flood safety measures in their designs to the satisfaction of the City Planning and Development Department.

97-375
RESOLUTION No. —————

JUN 24 1997

Mitigation Measure #4:

No encroachment into the FEMA designated floodway (shown as AE Flood zone on the most current flood maps or the most current RD1000 100 year floodplain designation) shall be allowed until construction or bonding of the East Drainage Canal project or other mitigation approved by the Department of Utilities and RD 1000.

Entities Responsible for Ensuring Compliance:

City of Sacramento, Department of Utilities
City of Sacramento, Planning and Development Department

3. PLANT/ANIMAL LIFE

Mitigation Measure #5:

The Applicant may, in its exclusive discretion, satisfy the mitigation requirements of the Natomas Basin Habitat Conservation Plan (NBHCP) and the Implementation Agreement, when those documents are adopted by the City Council, in one of the following three alternative methods: (i) payment of the Mitigation Fees specified in said documents, as adjusted from time to time; or (ii) contribution of Habitat Mitigation Requirement lands (as defined in said documents) to the Natomas Basin Conservancy; or (iii) participation in such other mitigation plan, consistent with the goals of the NBHCP and equivalent in biological value to (i) and (ii) above, as is approved by the City in prior consultation with the U.S. Fish & Wildlife Service and California Department of Fish & Game. Because the NBHCP and the Implementing Agreement have not been adopted as of the date of the imposition of this mitigation measure, if Applicant is issued a grading permit prior to their adoption, Applicant shall pay the interim fees established by the City Council in Ordinance No. 95-060 and Resolution No. 95-622 adopted by the City Council on October 31, 1995. If interim fees paid by the Applicant exceed the actual fees, when adopted, that would otherwise have been imposed upon the Applicant, then Applicant shall be refunded the difference, with interest. If the interim fees paid by the Applicant are less than the actual fees that would otherwise have been imposed upon the Applicant, the Applicant shall pay the difference, with interest.

Mitigation Measure #6:

Prior to the recordation of the Final Master Parcel Map, and/or any phases thereof, the applicant shall provide the City with a U.S. Army Corps of Engineers approved map delineation of the on-site acreage and location of jurisdictional waters (seasonal wetlands) of the United States. And the applicant shall secure a 404 Permit from USACOE, if required.

The Final Master Parcel Map, and/or any phases thereof, shall show the delineation of all jurisdictional waters (seasonal wetlands) of the United States as per the

97-375
RESOLUTION No. —————

JUN 24 1997

USACOE approved map.

The Master Tentative Parcel Map shall be revised to accommodate the identified seasonal wetlands. Each contiguous seasonal wetland site shall be fully contained on a minimum of one parcel. This will allow the integrity of the resource to be maintained, and adequate mitigation to be implemented prior to development or conveyance of the newly created parcels.

Entities Responsible for Ensuring Compliance:

City of Sacramento, Public Works Department
City of Sacramento, Planning and Development Department
U.S. Army Corps of Engineers

4. **HUMAN HEALTH**

Mitigation Measure #7:

The applicant shall participate in the Mosquito Abatement Control Program Assessment District to be established by the Sacramento Yolo Mosquito Abatement District in order to provide urban standards of mosquito control in the project area.

Entities Responsible for Ensuring Compliance:

City of Sacramento, Planning and Development Department

5. **CULTURAL RESOURCES**

Mitigation Measure #8:

At the time of development activity in the vicinity of the identified prehistoric archaeological site, designated N1 by Chavez (1984), professionally qualified archaeologist be present during surface and subsurface modifications to the site area. If an intact subsurface component is encountered during monitoring activities at the site, then a formal test excavation plan should be implemented to determine if the resource should be considered "important" (cf. CEQA Guidelines, Appendix K). This test excavation plan should be developed in consultation with the City, the State Historic Preservation Officer and other interested parties.

Mitigation Measure #9:

If subsurface archaeological, or pre-historical, or historical remains (including unusual amounts of bones, stones, or shells) are discovered during excavation or construction of the site, work shall stop immediately and a qualified archaeologist and a representative of the Native American Heritage Commission shall be consulted to

RESOLUTION No. 97-375

JUN 24 1997

develop, if necessary, further mitigation measures to reduce any archaeological impact to a less-than-significant level before construction continues.

Mitigation Measure #10:

In the event human remains are discovered during excavation, work must stop immediately and the county coroner must be contacted. Section 5097.94 and 5097.98 of the Public Resources Code require consultation with the Native American Heritage Commission, protection of Native American remains, and notification of most likely descendants. SB 447 (Chapter 404, Statutes of 1987) also protects Native American remains or associated grave goods.

Entities Responsible for Ensuring Compliance:

City of Sacramento, Planning and Development Department
City of Sacramento, Public Works Department

RESOLUTION No. 97-375

JUN 24 1997