

RESOLUTION NO. 2001-100

ADOPTED BY THE SACRAMENTO CITY COUNCIL

ON DATE OF FEB 13 2001

**A RESOLUTION ADOPTING A MITIGATION MONITORING PLAN FOR
THE CAMBAY WEST PUD, LOCATED IN NORTH NATOMAS, EAST OF
EL CENTRO ROAD, SOUTH OF DEL PASO ROAD**

(P99-135) (APNs:225-0070-028, 225-0080-030,031,032)

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SACRAMENTO THAT:

The Mitigation Monitoring Plan is approved for the proposed Cambay West PUD project based upon the following findings:

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;
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.

Heather Fargo
MAYOR

ATTEST:

Valerie A. Burrows
CITY CLERK

FOR CITY CLERK USE ONLY

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Mitigation Monitoring Plan

CITY OF SACRAMENTO MITIGATION MONITORING PLAN

This Mitigation Monitoring Plan has been required and prepared by the Department of Planning and Building Services, Planning Division, 1231 I Street, Suite 300, Sacramento, CA 95814, (916) 264-7600, pursuant to CEQA Guidelines Section 21081.

SECTION 1: PROJECT IDENTIFICATION

Project Name and/or File Number: Cambay West, P99-135
Applicant - Name: Pacific-Teal Development, Inc.
Address: 22672 Lambert Street, #616, Lake Forest, CA 92630
Project Location / Legal description of Property (if recorded):

SW corner of Interstate 5 and Del Paso Road

SECTION 2: GENERAL INFORMATION

The project as approved includes mitigation measures placed on air quality, noise, biological resources and cultural resources. The intent of the Plan is to prescribe and enforce a means for properly and successfully implementing the mitigation measures as identified within Attachment A 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 owner/developer identified above.

The applicant is proposing a total of 210 low density single family residential units plus 45 "granny units" on 44.4 acres; 11.6 gross acres of medium density single family residential units; and 19.1 gross acres of high density multi-family units. The proposal also includes 28 acres of employment center; 17.3 acres of Open Space/Park. 1.3 acres of Caltrans acquisition right of way for freeway widening, reserved for Irrevocable Offer of Dedication, is also included as part of the proposal.

SECTION 3: PLAN COMPONENTS

A. AIR QUALITY

MITIGATION MEASURES:

1. Comply with the NNCP's requirement to prepare an Air Quality Mitigation Strategy that reduces ROG emissions by 20 percent for residential uses and 50 percent for non-residential uses.

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ENTITY RESPONSIBLE FOR ENSURING COMPLIANCE:
Department of Planning and Building, Building Division, City of Sacramento

MONITORING PROGRAM:

Prior to issuance of a grading permit, the applicant shall submit a plan for compliance with the City standards related to protection of air quality and construction-related dust emissions for the development.

B. BIOLOGICAL RESOURCES

MITIGATION MEASURE

2. The applicant shall participate in the Natomas Basin Habitat Conservation Plan (HCP). At the time of grading permit, the applicant shall pay the necessary fee, based on Resolutions 97-459 and 97-508, adopted by the City Council on August 7, 1997 and September 2, 1997, respectively. [As of September 12, 2000, the current fee is \$3,941 per gross acre.] On December 31, 1997, the California Department of Fish and Game and the US Fish and Wildlife Service executed the Natomas Basin Habitat Conservation Plan.

The project applicant/developer shall comply with all requirements of an adopted HCP as required in the Natomas Community Plan EIR and any additional mitigation measures identified in the Natomas Basin HCP EIR/EIS and conditions in the ITPs issued by USFWS and CDFG.

The project applicant/developer shall enter into an agreement with the City of Sacramento which will provide inter alia, that no grading permit, building permit or notice to proceed will be issued unless and until the City adopts a revised HCP and is issued by both federal and state wildlife agencies. The agreement shall also provide that the project applicant will meet all conditions of and participate to the full extent in an adopted Natomas Basin HCP and issued ITPs, or they will pursue and receive individual Incidental Take Permits (ITPs) prior to issuance of any grading permit, building permit or Notice to Proceed. If the applicant/developer is issued an individual ITP, they must provide a copy of the ITP and proof of compliance with all ITP conditions to Planning and Building Services prior to issuance of a grading permit, building permit or Notice to Proceed.

3. The applicant shall comply with the following short-term construction mitigation:
 - a. All sites shall be graded such that the new topography makes a smooth transition to existing adjacent topography.

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- b. Dust and soil erosion control measures shall be implemented during the construction phases of all projects. These measures are intended to minimize soil erosion and fugitive dust emissions. Suggested measures include:
 - (1) watering exposed soils;
 - (2) covering exposed soils with straw or other materials;
 - (3) adopting measures to prevent construction vehicles from tracking mud onto adjacent roadways;
 - (4) covering trucks containing loose and dry soil; and
 - (5) providing interim drainage measures during the construction period.

- c. In non-pavement areas, any vegetation covered or removed during grading or construction (including slope protection) should be replanted following the construction activities.

- d. Although the submitted Resources Assessment did not identify any burrowing owl, if future surveys reveal the presence of any on the project site it will be the responsibility of the project applicant to prepare a plan for relocation of the burrowing owls to a suitable site. At a minimum, the plan must include the following:
 - (1) The location of the birds (and nests) proposed to be relocated;
 - (2) The location of the proposed relocation site;
 - (3) The number of birds involved and when during the year relocation is proposed to take place;
 - (4) The name and credentials of the biologist who would be retained by the applicant to move the birds (and nests);
 - (5) The method(s) proposed to catch and transport the birds (and nests) to the relocation site;
 - (6) A description of the preparation to be made at the relocation site where the birds (and nests) would be taken (e.g., enhancement of existing burrows, creation of artificial burrows, one-time or long-term vegetation control, etc.); and
 - (7) Efforts proposed to follow-up and/or monitor relocation.

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ENTITY RESPONSIBLE FOR ENSURING COMPLIANCE:
Department of Planning and Building Services, City of Sacramento
Department of Public Works, City of Sacramento

MONITORING PROGRAM:

Prior to issuance of a grading or building permit, the applicant shall pay the Habitat Conservation Plan fee, based on the then current per acre fee multiplied by the size of the parcel being disturbed.

C. NOISE

MITIGATION MEASURE

4. The applicant shall comply with the following mitigation measure: The barriers as shown in the Noise Analysis report submitted by applicant shall be included into the project design. The barriers can take the form of concrete block or pre-cast concrete panels, earthen berms or any combination. The barrier shall be 6 feet, relative to the building pad elevation, along the east property line of the low and medium density land uses adjacent to Duckhorn Blvd.

ENTITY RESPONSIBLE FOR ENSURING COMPLIANCE:
Department of Planning and Building Services, City of Sacramento
Department of Public Works, City of Sacramento

MONITORING PROGRAM:

Prior to issuance of building permit at the time it is applied for, the applicants shall submit drawings to the Building Division for review to check compliance with noise attenuation standards.

D. CULTURAL RESOURCES

MITIGATION MEASURE:

5. If subsurface archaeological 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 develop, if necessary,

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

ENTITY RESPONSIBLE FOR ENSURING COMPLIANCE:

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

MONITORING PROGRAM:

Both the Public Improvement Plans and the Building Plans shall include notes stating that if subsurface archaeological or historical remains (including unusual amounts of bones, stones, or shells) are discovered during excavation or construction of the site, all work within 50 meters of the affected area shall stop immediately. The construction plans for the project shall include the phone number of the City inspector to be contacted in the event of such a discovery. The plans shall note that a qualified archaeologists and a representative of the Native American Heritage Commission shall be consulted in the event that any archeological materials are found.

Site inspections by the Building Division and the Department of Public Works shall inspect for any potential archeological resources during site visits. The Site Conditions Unit staff person/resident engineer in the Building Division/Public Works Department and a representative of the Planning Division shall be notified in case of an archeological discovery. The Building Division shall include this measure as a random inspection item on the Special Conditions Attachment.

If subsurface archaeological of historical remains (including unusual amount of bones, stones, or shells) are discovered during excavation or construction of the site, work within 50 meters of the affected area shall stop immediately. The developer shall contact a qualified archaeologist and a representative of the Native American Heritage Commission to develop, if necessary, further mitigation measures to reduce any archaeological impact to a less-than-significant level before construction within the affected area continues. The City department responsible for inspection and approval of the construction project shall verify the adequacy of the proposed mitigation measures by referring the mitigation plans to the Planning Division for approval.

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