

# CHAPTER 4

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## Environmental Setting, Impacts, and Mitigation Measures

### 4.0 Introduction to the Analysis

This Subsequent Environmental Impact Report (SEIR) evaluates the potential physical environmental effects of implementation of the proposed Railyards Specific Plan Update (RSPU). The activities proposed for the RSPU include development of an integrated mix of residential, non-residential, and public uses within the 244-acre Railyards Specific Plan Area (RSP Area), a new regional Kaiser Permanente Medical Center (KP Medical Center), a new sports and entertainment stadium capable of accommodating a Major League Soccer team (MLS Stadium), and infrastructure and utility systems that would serve and support the development, including a stormwater outfall on the Sacramento River (Stormwater Outfall). Collectively, these activities are referred to as the proposed projects.

This SEIR updates, augments, and builds upon the analysis contained in the 2007 Railyards Specific Plan EIR (2007 RSP EIR). Some environmental effects that are typically considered under CEQA would not be affected by the proposed projects and, pursuant to CEQA, are not further analyzed in this SEIR. A discussion of those issues that were not further analyzed in both the 2007 RSP EIR and also in this SEIR can be found later in this chapter.

#### 4.0.1 Definition of Terms Used in the SEIR

This SEIR uses a number of terms that have specific meaning under CEQA. Among the most important of the terms used in the SEIR are those that refer to the significance of environmental impacts. The following terms to describe environmental effects of the proposed projects:

- **Significance Criteria:** The criteria used by the City of Sacramento, as lead agency under CEQA, to determine whether the magnitude of an adverse, physical, environmental impact would be considered significant. In determining the level of significance, the analysis recognizes that the proposed projects must comply with relevant federal, state, regional and/or local regulations and ordinances which are regularly enforced through building codes and standards and/or other means.
- **Significant Impact:** An impact is considered significant if any of the proposed projects *could* result in a substantial adverse change in the physical conditions of the environment.

Significant impacts are identified by the evaluation of a project-related or cumulative physical change from existing or baseline conditions, compared to a specified significance criterion. A significant impact is defined as “a substantial, or potentially substantial, adverse change in any of the physical conditions within the area affected by the project including land, air, water, minerals, flora, fauna, ambient noise, and objects of historic or aesthetic significance.”<sup>1</sup>

- **Less-than-Significant Impact:** An impact is considered less than significant when the adverse physical environmental effect caused by any of the proposed projects would not exceed the applicable significance criterion.
- **Significant and Unavoidable Impact:** An impact is considered significant and unavoidable if it would result in a substantial adverse physical change in the environment that cannot be feasibly avoided or mitigated to a less-than-significant level, that is, to a magnitude below the applicable significance criterion.
- **Cumulative Impact:** Under CEQA, a cumulative impact refers to “two or more individual effects which, when considered together, are considerable or which compound or increase other environmental impacts.”<sup>2</sup> Like any other significant impact, a significant cumulative impact is one in which the cumulative adverse physical environmental effect would exceed the applicable significance criterion and the contribution of any of the proposed projects would be “cumulatively considerable.”<sup>3</sup> If the contribution of a project to a significant cumulative impact is less than considerable, the cumulative impact is considered less than significant.
- **Mitigation Measure:** A mitigation measure is a feasible action that could be taken that would avoid or reduce the magnitude of a significant impact. Section 15370 of the State CEQA Guidelines defines mitigation as:
  - a) Avoiding the impact altogether by not taking a certain action or parts of an action;
  - b) Minimizing impacts by limiting the degree of magnitude of the action and its implementation;
  - c) Rectifying the impact by repairing, rehabilitating, or restoring the affected environment;
  - d) Reducing or eliminating the impact over time by preservation and maintenance operations during the life of the action; and
  - e) Compensating for the impact by replacing or providing substitute resources or environments.

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<sup>1</sup> State CEQA Guidelines section 15382.

<sup>2</sup> State CEQA Guidelines section 15355.

<sup>3</sup> State CEQA Guidelines section 15130(a).

- **Feasible:** Under CEQA, the term feasible means “means capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, legal, social, and technological factors.”<sup>4</sup>

## 4.0.2 Section Format

Chapter 4 is divided into technical sections (e.g., Section 4.1, Aesthetics, Light and Glare) that present for each environmental resource issue area the physical environmental setting, regulatory setting, significance criteria, methodology and assumptions, and impacts on the environment. Where required, potentially feasible mitigation measures are identified to lessen or avoid significant impacts. Each section includes an analysis of project-specific and cumulative impacts for each issue area.

### Introduction

Each technical environmental section begins with an introduction that includes a brief discussion of the issues that were addressed previously in the 2007 RSP EIR. This introduction also identifies issues from the 2007 RSP EIR that are no longer applicable to the technical section as well as any new issues included in this SEIR that did not arise in the 2007 RSP EIR.

### Environmental and Regulatory Setting

Each section provides a description of the proposed projects’ environmental setting and the regulatory setting as it pertains to relevant environmental resource issues. The environmental setting provides a point of reference for assessing the environmental impacts of the proposed projects and project alternatives. The environmental setting describes the conditions that exist prior to implementation of the project. This setting establishes the baseline against which the proposed projects and project alternatives are compared for the purposes of assessing the significance of environmental impacts.

The environmental setting section is structured to provide a general discussion of conditions first, including a comparison with the discussion of the environmental setting that was described in the 2007 RSP EIR. In some cases, the environmental setting has not materially changed since the certification of the 2007 RSP EIR. Following this general discussion, the environmental setting focuses on a description of the particular relevant environmental setting for the current RSPU, followed, where applicable, by a specific discussion of the existing or baseline conditions for each of the three specific proposed projects addressed in the SEIR: the KP Medical Center, the MLS Stadium, and the Stormwater Outfall.

The regulatory setting presents relevant information about federal, state, regional, and/or local laws, regulations, plans and/or policies that pertain to the environmental resources addressed in each section.

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<sup>4</sup> State CEQA Guidelines section 15364.

## **Significance Criteria**

Each section presents significance criteria against which the adverse physical environmental effects of the proposed projects are compared in order to determine the significance of impacts. The significance criteria used for the proposed projects were derived from the City of Sacramento's established significance standards, which, in turn, reflect policies of the 2035 General Plan as well as other criteria applicable under CEQA, including thresholds established by trustee and responsible agencies, the 2007 RSP EIR, and Appendix G of the CEQA Guidelines. Each section provides a comparison of these criteria to those found in the 2007 RSP EIR; if there is a difference, a discussion is included that explains how and why criteria have been revised.

## **Methodology and Assumptions**

Each section describes the analytical methods and key assumptions used to evaluate effects of the proposed projects. This section also describes whether these methods and assumptions have changed from the 2007 RSP EIR, highlighting any issues that do not require additional analysis in the impacts discussion.

## **Impacts and Mitigation Measures**

This description is followed by a presentation of the adverse physical environmental impacts of the proposed projects, and, if impacts are considered to be significant or potentially significant, potentially feasible mitigation measures that, if implemented, could avoid or reduce the magnitude of the significant impact. As required pursuant to CEQA Guidelines section 15126.2(a), direct, indirect, short-term, long-term, onsite, and/or off-site impacts are analyzed, as appropriate, for each environmental impact.

Where enforcement of applicable laws, regulations, and standards exist and compliance can be reasonably anticipated, this SEIR assumes that the proposed projects would meet the requirements of applicable laws and other regulations.

The impact and mitigation discussions in each section are organized based on impact statements, prefaced by a number in bold-faced type. An explanation of each impact is followed by an analysis of and conclusion regarding its significance, based on the stated significance criterion. The analysis of environmental impacts considers the impacts that could be caused during both construction and operation of the proposed projects. The organization of each impact discussion presents impacts caused by the RSPU as a whole, and then any different impacts that would occur as a result of implementation of the RSPU Land Use Variant. As described in Chapter 2, Project Description, the RSPU Land Use Variant analysis considers the environmental impacts in the event that the RSPU is implemented without construction and operation of the KP Medical Center and MLS Stadium, and those areas were instead built out pursuant to the underlying land uses and zoning designations.

Following the analyses of the proposed RSPU and the RSPU Land Use Variant, focused impact analyses are presented for each of the three specific proposed projects: the KP Medical Center,

the MLS Stadium, and the Stormwater Outfall. These analyses differ from the analysis of the RSPU in that they address the effects of the specific project proposals rather than the effects of the change in land use zoning that would result from adoption of the proposed RSPU. Each impact analysis concludes with a summary regarding the significance of the impact.

Where the impact for one or more of the proposed projects is considered significant, it is followed by a presentation of potentially feasible mitigation measures, including an indication of whether the measure applies to the RSPU as a whole, the KP Medical Center, the MLS Stadium, and/or the Stormwater Outfall. While this SEIR includes information about potentially feasible mitigation measures, the City of Sacramento City Council would make the final determination of feasibility of such measures.

The magnitude of reduction of an impact and the potential effect of that reduction in magnitude on the significance of the impact is presented. Each impact discussion concludes with a statement that the impact, following implementation of the mitigation measure(s) and/or the continuation of existing policies and regulations, either would be reduced to a less-than-significant level or would remain significant and unavoidable.

An example of the format is shown below.

## **Impacts and Mitigation Measures**

### **Impact 4.X-1: Impact statement.**

A general discussion of impact for the proposed projects in paragraph form is provided. To identify impacts that may be site- or project element-specific, the discussion differentiates between effects at the RSPU project site, including KP Medical Center, the MLS Stadium, and the Stormwater Outfall.

### ***Railyards Specific Plan Update***

This discussion summarizes the impact and findings of the 2007 RSP EIR with respect to the impact statement. The impacts of the full RSPU, including the KP Medical Center, MLS Stadium and Stormwater Outfall will be discussed, and well as how those impacts relate to the prior 2007 EIR analysis. This discussion will also state whether the effects of the 2016 RSPU are greater, equal to, or lesser than the effects of the 2007 RSP. A significance conclusion specific to the RSPU will be drawn and indicated in **bold**.

### **Railyards Specific Plan Update Land Use Variant**

This analysis will examine impacts that would occur if the KP Medical Center and/or MLS Stadium were not constructed, and those areas were instead built out with the underlying land uses and zoning designations. This discussion will describe the impacts of the land use variant and how those impacts relate to the prior 2007 RSP EIR analysis. A significance conclusion specific to the Land Use Variant will be drawn and indicated in **bold**.

### ***KP Medical Center***

This analysis will be specific to the KP Medical Center. Since no hospital was anticipated in the 2007 RSP EIR, no discussion of the prior analysis is needed. A significance conclusion specific to the KP Medical Center will be drawn and indicated in **bold**.

### ***MLS Stadium***

This analysis will be specific to the MLS Stadium. The 2007 RSP EIR discussed a potential sports and entertainment facility overlay on four blocks north of the railroad tracks and on either side of 7<sup>th</sup> Street in the RSP Area. The 2007 RSP EIR provided a comparative discussion of the likely environmental consequences of implementation of the sports and entertainment facility overlay briefly at the end of each environmental resource section in the 2007 RSP EIR, but did not provide an equal level of analysis. Further, the 2007 RSP EIR acknowledged that should a sports and entertainment facility be proposed in the RSP Area, it may be within the sports and entertainment facility overlay area shown in the 2007 RSP, and it would require a Specific Plan amendment as well as additional CEQA review and compliance. Since a specific sports facility or soccer stadium was not anticipated or thoroughly analyzed in the 2007 RSP EIR, no discussion of the prior analysis is needed. A significance conclusion specific to the MLS Stadium will be drawn and indicated in **bold**.

### ***Stormwater Outfall***

This analysis will be specific to the stormwater outfall. The 2007 RSP EIR acknowledged that a stormwater outfall to the Sacramento River would be necessary to serve development in the RSP Area. However, the 2007 RSP EIR also acknowledged that the design of a potential outfall was conceptual, and it was unknown exactly what environmental impacts could result from the outfall's design, construction, and implementation. Potential impacts to biological resources were discussed in the 2007 RSP EIR, but no other section directly analyzed the potential impacts of the potential stormwater outfall. Since the stormwater outfall was only conceptual in 2007 and an equal level of analysis across all environmental topics was not provided in the 2007 RSP EIR, no comparison of the prior analysis is provided in this document. A significance conclusion specific to the Stormwater Outfall will be drawn and indicated in **bold**.

### ***Summary***

A summary of the impact analyses will be provided.

### **Mitigation Measures**

If all of the impacts for each of the project components are determined to be less than significant, the text here will say, "None required."

If one or more impacts are determined to be potentially significant, mitigation will be listed here. Similar to the delineation of the impact analyses, mitigation measures are labeled

based on the same components of the project (RSPU for the Railyards Specific Plan Update and Railyards Specific Plan Update Land Use Variant, KPMC for the Kaiser Permanente Medical Center, MLS for the Major League Soccer Stadium, and SO for the Stormwater Outfall). A statement of the level of significance before application of any mitigation measures is provided in **bold**. The initials following the measure number (for example, 4.X-1) indicate whether the measure applies to one or more of the proposed projects.

#### **Mitigation Measure 4.X-1 (RSPU, KPMC, MLS, SO)**

*Recommended mitigation measure in italics and numbered in consecutive order, provided in italics.*

Where appropriate, one or more potentially feasible mitigation measures are described. If necessary, a statement of the degree to which the available mitigation measure(s) would reduce the significance of the impact is included in **bold**. The initials following the measure number (for example, 4.X-1) indicate whether the measure applies to one or more of the proposed projects.

### **Cumulative Impacts**

An analysis of cumulative impacts follows the project-specific impacts and mitigation measures evaluation in each section. A cumulative impact consists of an impact that is created as a result of the combination of the project evaluated in the EIR together with other past, present and reasonably foreseeable projects causing related impacts.<sup>5</sup>

The beginning of the cumulative impact analysis in each technical section includes a description of the cumulative analysis methodology and the geographic or temporal context in which the cumulative impact is analyzed (e.g., the City of Sacramento, the Sacramento Valley Air Basin, other activity concurrent with project construction). In some instances a project-specific impact may be considered less than significant, but when considered in conjunction with other cumulative projects or activities may be considered significant or potentially significant.

As noted above, where a cumulative impact is significant when compared to existing or baseline conditions, the analysis must address whether the project's contribution to the significant cumulative impact is "considerable." If the contribution of the project is considerable, then the SEIR must identify potentially feasible measures that could avoid or reduce the magnitude of the project's contribution to a less-than-considerable level. If the project's contribution is not considerable, it is considered less than significant and no mitigation of the project contribution is required.<sup>6</sup> The cumulative impacts analysis is formatted the same as the project-specific impacts, as shown above, except that it assumes the entire RSPU is built out, so there are no separate discussions for the KP Medical Center, MLS Stadium, or Stormwater Outfall.

<sup>5</sup> State CEQA Guidelines section 15355.

<sup>6</sup> State CEQA Guidelines section 15130(a)(3).

## Social and Economic Impacts

Under CEQA, economic and social effects by themselves are not considered to be significant impacts, and are relevant only insofar as they may serve as a link in a chain of cause and effect that may connect the proposed action with a physical environmental effect, or they may be part of the factors considered in determining the significance of a physical environmental effect.<sup>7</sup> In addition, economic and social factors may be considered in the determination of feasibility of a mitigation measure or an alternative to the proposed project.<sup>8</sup> As an example, the physical environmental effects of increased employment in the RSP Area are addressed in the SEIR analysis of traffic congestion, increased water demand, or increased demand for energy; however, the effects of that increased employment on the City's tax revenues, the cost of police or fire services, or effects on changes in property values are not appropriately part of this SEIR. That being said, this SEIR is only one of many documents that the City may evaluate in its consideration of the merits of the proposed projects. Other such documents could include fiscal or economic studies that may address social, economic, or other issues of importance to the City.

### 4.0.3 Issues Previously Determined to be Less Than Significant

Upon review of the proposed projects, the City of Sacramento has determined that due to the physical characteristics of the RSP Area and the projects as proposed, several environmental issues would be unaffected by the proposed projects and will not be considered further in the SEIR.<sup>9</sup> The discussions below provide brief statements of reasons for the City's determination that these issues do not warrant further consideration in the SEIR. The issues described below are consistent with issues that were determined to not need further analysis in the 2007 RSP EIR.

#### **Biological Resources – Conflicts with a recognized Habitat Conservation Plan.**

The RSP Area is located in a primarily urbanized environment that is not within the boundaries of a Habitat Conservation Plan (HCP) pursuant to the federal Endangered Species Act, a Natural Communities Conservation Plan (NCCP) pursuant to the California Natural Communities Conservation Planning Act of 1991, or any other habitat conservation plan. Any and all potential effects of the proposed projects on sensitive species or their habitat are addressed in Section 4.3 of this SEIR. Therefore, this issue is not further considered in this SEIR.

#### **Seismicity, Soils, and Geology – Soils capability of supporting septic tanks.**

The proposed RSPU would provide wastewater collection and conveyance infrastructure, tied to the City's Combined Sewer System and ultimately to the Sacramento County Regional Sanitation

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<sup>7</sup> State CEQA Guidelines section 15131.

<sup>8</sup> State CEQA Guidelines section 15364.

<sup>9</sup> Public Resources Code, section 21003(e) states that “[t]o provide more meaningful public disclosure, reduce the time and cost required to prepare an environmental impact report, and focus on potentially significant effects on the environment of a proposed project, lead agencies shall, in accordance with section 21100, focus the discussion in the environmental impact report on those potential effects on the environment of a proposed project which the lead agency has determined are or may be significant. Lead agencies may limit discussion on other effects to a brief explanation as to why those effects are not potentially significant.”



District's Sacramento Regional Wastewater Treatment Plant. There are no provisions for the treatment of wastewater in septic tanks or other alternative wastewater disposal systems. The ability of the project soils to support septic is not further considered in this SEIR.

**Hydrology and Water Quality – Impacts resulting from seiche, tsunami, or mudflow.**

Due to the relatively flat topography of the RSP Area the potential for mudflow or a mudslide is highly unlikely. Although there is potential for inundation from a major seiche from the Sacramento River, the probability of seiche is very low because of the absence of a deep, large open body of water adjacent to or in the RSP Area. Further, the RSP Area is not located in an area subject to tsunami waves. Therefore, the potential of the proposed projects to expose people or structures to a significant risk of flooding, as a result of inundation by seiche, tsunami, or mudflow was not further considered in this SEIR.

**Mineral Resources – Loss of availability of important natural resources**

The RSP Area is located in a disturbed environment that has been substantially altered from its historical condition through the filling of bodies of water and past development of rail-related facilities, and is surrounded by urban uses. Due to the site's previous use as an active railyard and based on previous environmental analysis of the site, no risk of adverse effects to important mineral resources is anticipated. Therefore, the potential for the proposed projects to cause loss of a local or regionally identified mineral resource was not further considered in this SEIR.