



FINAL
ENVIRONMENTAL IMPACT REPORT
STATION 65 PROJECT (P08-068)

NOVEMBER 2008

Lead Agency:

City of Sacramento
Environmental Planning Services
300 Richards Boulevard, 3rd Floor
Sacramento, CA 95811

Prepared By:

Analytical Environmental Services
1801 7th Street, Suite 100
Sacramento, CA 95811



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TABLE OF CONTENTS

STATION 65 PROJECT FINAL ENVIRONMENTAL REPORT RESPONSE TO COMMENTS

1.0	INTRODUCTION.....	1-1
1.1	Purpose of This Document.....	1-1
1.2	Public Participation Process.....	1-1
1.3	Summary of the Proposed Project.....	1-2
1.3	Response to Comments Organization.....	1-3
2.0	TEXT REVISIONS TO THE DRAFT EIR.....	2-1
2.1	Introduction.....	2-1
2.2	Text Revisions.....	2-1
3.0	LIST OF AGENCIES AND PERSONS COMMENTING.....	3-1
4.0	COMMENTS AND RESPONSES.....	4-1

LIST OF TABLES

3-1	Persons, Organizations, and Public Agencies Commenting in Writing.....	3-1
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EXHIBITS

Exhibit 1	Mitigation Monitoring and Reporting Program
Exhibit 2	Station 65 Q Street Access Analysis – Traffic Control Options and Traffic Operations Assumptions

CHAPTER 1

INTRODUCTION

1.0 INTRODUCTION

1.1 PURPOSE OF THIS DOCUMENT

This Final Environmental Impact Report (Final EIR) Response to Comments has been prepared to address comments received by the City of Sacramento (Lead Agency) on the Draft Environmental Impact Report (Draft EIR) for the proposed Station 65 Project (proposed project) (P08-068). The Draft EIR was released for public review on October 9, 2008. This Response to Comments document together with the Draft EIR comprises the Final EIR.

An EIR is an informational document that must be considered by the Lead Agency prior to project approval. *CEQA Guidelines* Section 15132 specifies that the Final EIR shall consist of:

- The Draft EIR or a revision of the draft (Draft EIR together with Chapter 2.0 of this Response to Comments)
- Comments and recommendations received on the Draft EIR either verbatim or in summary (Chapter 4.0 of this Response to Comments).
- A list of persons, organizations, and public agencies commenting on the Draft EIR (Chapter 3.0 of this Response to Comments).
- Responses of the Lead Agency to significant environmental points raised in the review and consultation process (Chapter 4.0 and of this Response to Comments).
- Additional information provided by the Lead Agency.

1.2 PUBLIC PARTICIPATION PROCESS

The process of environmental review for the proposed project was initiated with public release of the Notice of Preparation (NOP) on July 18, 2008. One scoping meeting was held at the SMUD Customer Service Center on August 11, 2008. The Notice of Availability (NOA) for the Draft EIR was released on October 9, 2008. The NOA announced a 30-day comment period from October 9, 2008 to November 7, 2008.

The public comment period provides an opportunity for interested public and private parties to provide input regarding the completeness and adequacy of an EIR. *CEQA Guidelines* Section 15151 addresses the standards by which EIR adequacy is judged:

An EIR should be prepared with a sufficient degree of analysis to provide decision-makers with information which enables them to make a decision which intelligently takes account of environmental consequences. An evaluation of the environmental effects of a proposed project need not be exhaustive, but the sufficiency of an EIR is to be reviewed in the light of what is reasonably feasible. Disagreement among experts does not make an EIR inadequate, but the EIR should summarize the main points of disagreement among experts. The courts have not looked for perfection but for adequacy, completeness, and a good faith effort at full disclosure.

CEQA *Guidelines* Section 15204(a) encourages parties to focus comments on the “sufficiency of the documents in identifying and analyzing the possible impacts on the environment and ways in which the significant effects of the project might be avoided or mitigated.” Commenters are advised:

Comments are most helpful when they suggest additional specific alternatives or mitigation measures that would provide better ways to avoid or mitigate the significant environmental effects. At the same time, reviewers should be aware that the adequacy of an EIR is determined in terms of what is reasonably feasible, in light of factors such as the magnitude of the project at issue, the severity of its likely environmental impacts, and the geographic scope of the project. CEQA does not require a lead agency to conduct every test or perform all research, study, and experimentation recommended or demanded by commenters. When responding to comments, lead agencies need only respond to significant environmental issues and do not need to provide all information requested by reviewers, as long as a good faith effort at full disclosure is made in the EIR.

1.3 SUMMARY OF THE PROPOSED PROJECT

The proposed project consists of the development of a mixed-use commercial/residential development with an associated parking structure and off-site improvements. Because of the long-term nature of the proposed project and the unpredictability of real-estate trends, two potential development scenarios are evaluated at an equal level to allow flexibility to respond to changing market conditions. These two development scenarios are referred to the Base Plan Scenario (Scenario A) and the Maximum Density Scenario (Scenario B). The proposed project would include the construction of up to 120 multi-family residential units in a five (100 units) or six-story (120 units) residential complex located on the southeast portion of the project site.

Proposed retail development would be at the ground-level of each proposed building. Proposed office use would be on two to four levels above the ground-level retail. An upscale hotel (approximately 148 rooms) would be developed on levels two through five above the ground level retail. Requested entitlements for project approval include (but are not necessarily limited to) the following:

- Special Permit for project that exceeds 40,000 square feet in General Commercial Transit Overlay (C-2-TO) Zone
- Special Permit to exceed the required height limit in General Commercial Transit Overlay (C-2-TO) Zone
- Variance to reduce the setback requirement for building taller than 28 feet in General Commercial Transit Overlay (C-2-TO) zone
- Special Permit for New Construction of Residential Condominium
- Special Permit for Parking Reduction
- Tentative Map to create four lots with two allotted for condominium uses

1.4 RESPONSE TO COMMENTS ORGANIZATION

This Response to Comments document consists of this introduction, the list of agencies and persons commenting, and the responses to comments chapter outlined below:

Chapter 2.0, Text Revisions to the Draft EIR: This chapter presents any substantive revisions to the Draft EIR that were made in response to comments received during the public review period for the Draft EIR. These revisions are organized by the Section and page number as they appear in the Draft EIR. Additions are indicated with an underline (e.g. impact) and deletions are designated by with a strikethrough (e.g. ~~impact~~).

Chapter 3.0, List of Agencies and Persons Commenting: This chapter includes a list of all agencies, organizations, and individuals who submitted written comments during the public review period for the Draft EIR.

Chapter 4.0, Comments and Responses: The chapter includes copies of original comments received during the public review period for the Draft EIR. Comment letters are each assigned a number, and individual comments are bracketed in the margin. This chapter also provides individual responses to each written comment submitted during the public review period for the Draft EIR. Responses are keyed to the bracketed comment numbers.

CHAPTER 2

TEXT REVISIONS TO THE DRAFT EIR

CHAPTER 2.0 TEXT REVISIONS TO THE DRAFT EIR

2.1 INTRODUCTION

The following corrections/edits have been performed to the text of the Draft EIR since the public release in October 2008. Text that has been deleted from the EIR will be marked in this chapter as a ~~strikeout~~ (deleted text), while new text will be labeled with an underline (new text). Changes that have been made are shown in a sequential order by which they appear in the Draft EIR. These revisions are in response to comments made on the Draft EIR (see Chapter 4.0 Responses to Comments) and staff initiated and/or consultant initiated text changes based on their on-going review. The text revisions contain clarification, amplification, and corrections that have been identified since publication of the Draft EIR. The text changes do not result in a change in the analysis or conclusions of the Draft EIR. Thus, recirculation of the Draft EIR is not required pursuant to CEQA Guidelines Section 15088.5(d).

2.2 TEXT REVISIONS

CHAPTER 1, SECTION 1.1 PROJECT SUMMARY

The first paragraph, second sentence in Chapter 1.0 on page 1-1 of the Draft EIR is revised to read:

The proposed project would include the construction of up to 120 ~~single~~ and multi-family residential units, retail (up to 64,000 sf); office (up to 71,290 sf); an upscale hotel (approximately 148 rooms); and a fitness center (approximately 30,000 sf). Two potential developments scenarios are evaluated at an equal level to allow some flexibility to respond to changing market conditions.

CHAPTER 4, SECTION 4.3.9 OTHER CONSIDERATIONS

The discussion on page 4.3-22 and 4.3-23 of the Draft EIR is revised to read:

65TH STREET LIGHT RAIL CROSSING

As previously described, an at-grade crossing of the Gold Line light rail tracks is located on 65th Street between Q Street and S Street. Observations of peak period traffic in the study area found that lengthy queues on 65th Street develop when trains approach the crossing. For example, as this crossing significantly impacts traffic progression and delay throughout the study area. As a westbound train approaches the 65th Street station, the crossing arms come down as soon as the train enters the station area and remain down until the train clears 65th Street. This process takes about 60 seconds and includes approximately 30 seconds of boarding time at the station. In the eastbound direction, the crossing arms come down when the train is well east of the station. The

arms remain in place until the train clears 65th Street and enters the station; however, the arms are raised when the train is boarding. Because the arms come down when the train is well east of 65th Street, the crossing arms are down for approximately 60 seconds for eastbound trains as well.

During the one minute the crossing arms are down, ~~significant~~ queues begin to form on 65th Street. The 65th Street/Q Street signal is coordinated with the crossing arms and allows for southbound left-turns from 65th Street to Q Street, but this movement is relatively light and the southbound through traffic queue eventually blocks the left-turn pocket. Additionally, the 65th Street/S Street/Westbound US 50 off-ramp signal is coordinated with the crossing arms to discharge the southbound queue at this intersection such that it clears the tracks prior to the crossing arms coming down. Ultimately, Fehr & Peers observed queues extending on 65th Street as far as Folsom Boulevard in the north and the EB US 50 off-ramp in the south. These queues lead to additional delay at all of the study intersections along 65th Street, which are reflected in the results presented in **Table 4.3-6**. After approximately two-to-five minutes, the queues related to the crossing arms dissipate and traffic operations return to normal.

In addition to queues caused by train crossings, there are queues caused by the traffic signals at 65th Street/Q Street and 65th Street/S Street/Westbound US 50 off-ramp that extend into the light rail crossing area. In the northbound direction, the stop bar for the 65th Street/Q Street intersection is located south of the light rail crossing and there is "Wait Here" signing and striping notifying drivers of the advanced location. However, because the light rail tracks are located about 40 feet behind the typical stop bar location at the, vehicles were occasionally observed waiting north of the tracks during red light phases at the intersection. In the southbound direction, vehicle queues were occasionally observed to spill back from the 65th Street/S Street/Westbound US 50 off-ramp intersection; although drivers kept clear of the tracks. While, queuing from the intersections near the light rail crossing led to queues that could cross the tracks, drivers generally kept clear of the tracks and when trains did come, the signal preemption systems allowed queues near the crossing to clear.

Collision data was also reviewed for the segment of 65th Street between Q Street and S Street. Between January 1, 2003 and November 11, 2008 there were 50 collisions along this segment of road. A review of the data indicates that 31 of the collisions were in either the Q Street intersection or the S Street intersection, and 19 were between the intersections. There were no reported collisions between trains and vehicles between January 1, 2003 and November 11, 2008.

The second paragraph on page 4.3-99 of the Draft EIR is revised to read:

Q STREET DRIVEWAY ACCESS

As shown on **Figure 4.3-24**, approximately 55 percent of the project trips will enter or exit from the driveway on Q Street. As proposed, this driveway functions as a left-in/right-in/right-out driveway, with no outbound left turns permitted onto Q Street. The inbound left-turn is served by a ~~short~~ (approximately ~~65~~ 100 foot long) turn pocket. The site plan shows a small raised island immediately downstream of the 65th Street intersection, which will prevent direct entry into the turn lane from 65th Street.

The second to last sentence on page 4.3-99 of the Draft EIR is revised to read:

Given the increased traffic at the Q Street/67th Street intersection, it was assumed that Mitigation Measure 4.3-2-8-b was implemented and the intersection was signalized.

The discussion of "Access Mitigation Option III" on 4.3-101 and 4.3-102 of the Draft EIR is revised to read:

- **Access Mitigation Option III** – The previously described queuing analysis at the Q Street driveway was restricted to AM and PM peak hour conditions only. By eliminating left-turn access from Q Street into the project driveway during times when queuing would cause a traffic hazard, the Q Street driveway impact described above would be mitigated. Therefore, this Access Mitigation Option would allow left-turns from Q Street into the project driveway during ~~certain off-peak hours subject to a determination by the City Traffic Engineer that off-peak queues in the left-turn pocket would not cause a traffic hazard.~~ The extent of the off-peak period will be determined through a traffic operations monitoring program that shall be funded by the project applicant and administered by the City. The off-peak period will be periodically adjusted on an as-needed basis to prevent queues from spilling back into 65th Street during all hours of the day. During peak hours, the left-turns shall be prohibited by traffic cones, automatic gate, or similar device that will be installed by the project applicant and maintained by the property owner. All traffic congestion monitoring equipment shall also be installed by the project applicant.

The discussion of Mitigation Measure 4.3-15 on page 4.3-103 of the Draft EIR is revised to read:

The CSUS shuttle stop modifications and the Q Street driveway modifications are summarized in Mitigation Measure 4.3-15, below.

Mitigation Measure 4.3-15:

1. Revise the site plan to relocate the CSUS shuttle stop or to provide acceptable turning movements to accommodate the operation of both the CSUS shuttle and the hotel drop-off/pick-up service. The revised site plan shall be subject to review and approval by the City of Sacramento, Department of Transportation.
2. Implement one of the following mitigation measures to reduce the significance of the Q Street driveway impact:
 - i. Design project driveway at Q Street to operate as right-in/right-out only. A raised median shall be required to prohibit the left turn into the driveway from Q Street and out to Q Street. Since driveway approval is within the authority of the City's

- Traffic Engineer, the final design and lane geometry at this location shall be subject to review and approval of the City's Traffic Engineer.
- ii. Design project driveway at Q Street to operate as right-out only. A raised median shall be required to prohibit the left turn into the driveway from Q Street and out to Q Street. The project applicant shall also provide a left-in/right-in driveway on 67th Street located between the proposed northerly driveway and Q Street. In association with the driveway, a "Keep Clear" area should be signed and striped on southbound 67th Street. Since driveway approval is within the authority of the City's Traffic Engineer, the final design and lane geometry at these locations shall be subject to review and approval of the City's Traffic Engineer. City of Sacramento Department of Transportation staff and the project applicant shall work with Regional Transit to relocate the bus bay that is eliminated by the new 67th Street driveway
 - iii. Design project driveway at Q Street to operate as right in/right out during all hours of the day, with left in turns allowed during certain off peak hours. ~~Since driveway approval is within the authority of the City's Traffic Engineer, the final design and lane geometry at this location, and specification of enforcement mechanisms to preclude left in turn, shall be subject to review and approval of the City's Traffic Engineer.~~ A "Keep Clear" area shall be signed and striped on westbound Q Street in front of the driveway. The off-peak hours will be determined through a traffic operations monitoring program to be paid for by the project applicant and administered by the City. In order to prevent traffic from queuing into 65th Street, the off-peak hours may vary over time as traffic conditions change with the buildout of the area. During the peak-hours, the left-turn shall be prohibited by traffic cones, an automatic gate, or similar device that meets requirements set by the City's Traffic Engineer. The device that prohibits left-turns shall be installed by the project applicant and maintained by the property owner. In conjunction with the closure device, the project applicant shall also construct raised medians along Q Street. Since driveway approval is within the authority of the City's Traffic Engineer, the final design and lane geometry at this location, and specification of enforcement mechanisms to prevent peak-hour left-turns shall be subject to review and approval of the City's Traffic Engineer.

The implementation of the mitigation measure above will reduce the significance of the CSUS shuttle stop and Q Street access impact to a less than significant level. Less than Significant.

CHAPTER 4, SECTION 4.5.4 IMPACTS AND MITIGATION MEASURES

The following text was added to page 4.5-24:

Impact

4.5-8 The proposed project's incremental contribution to greenhouse gas emissions could be cumulatively considerable.

Scenario A and B

URBEMIS 2007, which is emissions modeling software approved by EPA and CARB, was used to estimate construction and operational emissions. URBEMIS 9.2.4 estimated that the proposed project would emit a peak of approximately 17,241 tons per year (tpy) of CO₂ during construction, which is expected to last 12 months. Table 4.5-4 shows the estimated construction and operational emissions. Once construction is completed, the project would emit 52,602 tpy of CO₂ from mobile and area sources. CH₄ and N₂O emissions from mobile sources were estimated using emission factors from the Climate Change Action Registry and converted to CO₂e. CH₄ and N₂O emissions from mobile sources are estimated at 344 tpy CO₂e. Indirect emissions were estimated using Climate Change Action Registry emission factors and are estimated at 14 tpy CO₂e. Total first year emissions of the project are estimated at 70,201 tpy of CO₂e and 52,960 tpy of CO₂e thereafter. Annual project GHG emissions would be approximately 0.0078 percent of California's predicted contribution to global GHG emissions in 2020. Project contributions to the annual global GHG emissions in 2020 would be approximately 0.0000050 percent.

The proposed project would result in high-density mixed-use development within an urbanized area of the city adjacent to a major transportation hub. Residential development in proximity to the downtown Sacramento area has been shown to reduce average commuting lengths, according to the Sacramento Area Council of Governments (SACOG) Metropolitan Transportation Plan, 2035. Given the high density and mixed use nature of the proposed development coupled with the proximity to existing employment centers and retail attractions in the City, the proposed project would most likely reduce vehicle miles travelled. This would assist in reaching California's goal to reduce statewide GHG emission under AB 32.

As discussed above, statewide emission reduction strategies and measures would result in a substantial decrease in statewide emissions to levels far below current background levels. Of the approximately 228 strategies and measures currently under consideration that would ensure a statewide reduction in GHG emissions, 19 would apply to the proposed project and are shown in Tables 4.5-5 and 4.5-6. The other policies are not applicable to the proposed project because they are directed at state entities (e.g., CARB), are planning-level measures (e.g., general plans), or apply to particular industries (e.g., auto repair). As shown in Tables 4.5-5 (CAT Strategies) and 4.5-6 (CARB Early Action Measures), the proposed project would be in compliance with each of the 19 applicable state climate change strategies. The project also supports the intent of the recently passed SB 375, which requires municipalities to adopt a Sustainable Communities Strategy (SCS). An SCS is an enhanced land use element that sets forth a regional growth strategy designed to achieve GHG emissions reductions. SB 375 provides for a streamlined CEQA process for residential and/or mixed-use projects consistent with the general use

designation, density, building intensity, and applicable policies specified for the project area in an SCS. Eligible projects would not be required to reference, describe, or discuss growth-inducing impacts or (2) project specific or cumulative impacts from cars and light-duty truck trips on global climate change. There is no current consensus on identification of a quantitative threshold of significance for greenhouse gas emissions for private development projects. Active discussions at the California Air Resources Board may lead to such a standard, or a scientific consensus may emerge from the ongoing debate. Based on the information available at this time, the City does not believe that basing impact significance on an arbitrary emission level would contribute to a meaningful analysis of greenhouse gas emissions or climate change in the CEQA context.

Recognizing the importance of the issue, the City is currently working with CARB, SMAQMD, and the State Attorney General to develop a comprehensive approach for identifying, assessing, and reducing impacts associated with GHG emissions. State legislation requires action by the Office of Planning and Research within the next year establishing regulations for the evaluation of greenhouse gases, and the City reasonably expects that agreement on methodology and procedures will occur within that time period.

In the absence of a specific quantitative threshold, expressed in terms of metric tons per year for example, the City evaluates projects on a project-by-project basis to reach a conclusion regarding the significance of the greenhouse gas emissions that would result. One measure is the extent to which the project complies with directly applicable emission reduction measures that would support the State's efforts to significantly reduce its cumulative contribution to global climate change and the associated impacts. These would include each of the project-applicable strategies currently identified by CARB or CAT to comply with Executive Order S-3-05 or AB 32. As shown in Tables 4.5-5 and 4.5-6 above, the proposed project would be in compliance with all state climate change strategies.

An overall evaluation of the impacts of the project, while subjective, is relevant. While the project would result in construction and operational emissions of greenhouse gases, these would occur in the context of a smart-growth project that has been intentionally designed to support the City's land use policies that call for infill development and support for transit. The location and design of the proposed project are in many cases self-mitigating and help to minimize the project's direct impact to the physical environment. The project site is a visible and strategic site in the 65th Street area, and would contribute to the various efforts to develop a neighborhood that promotes integration with the CSU campus. The juxtaposition of the proposed land uses and the Regional Transit hub is recognized as a substantial opportunity to promote transit use and decrease miles traveled in personal automobiles. The project appears to fully comply with the intent of SB 375 and thus making a beneficial contribution to the City's overall efforts to plan for a sustainable future.

An evaluation of the proposed project based on these considerations supports the conclusion that the incremental effect of the proposed project would not be cumulatively considerable, as defined in CEQA Guidelines 15065(a)(3). As stated in CEQA Guidelines 15130, "where a Lead Agency is examining a

project with an incremental effect that is not 'cumulatively considerable,' a Lead Agency need not consider that effect significant." **Less than Significant.**

CHAPTER 5, SECTION 5.3.2 CUMULATIVELY CONSIDERABLE

The following text was added to page 5-5:

4.5-8 The proposed project's incremental contribution to greenhouse gas emissions could be cumulatively considerable. **Less than Significant.**

CHAPTER 3

LIST OF AGENCIES AND PERSONS COMMENTING

CHAPTER 3.0 LIST OF AGENCIES AND PERSONS COMMENTING

TABLE 3-1. PERSONS, ORGANIZATIONS, AND PUBLIC AGENCIES COMMENTING IN WRITING

Comment Letter Number	Name/Individual(s)	Agency/Organization	Date
1	Kim Schwab, Engineering Geologist	California Regional Water Quality Control Board	August 13, 2008
2	Daren S. Gilbert, Supervisor	Rail Crossings Engineering Section – California Public Utilities Commission	October 23, 2008
3	Roxanne Fuentez	Private Citizen	November 5, 2008
4	Moses Stites, Rail Corridor Safety Specialist	Consumer Protection and Safety Division – California Public Utilities Commission	November 5, 2008
5	Elizabeth Obon	Sacramento Regional County Sanitation District	October 17, 2008
6	Alyssa Begley, Chief	California Department of Transportation, District 3, Sacramento Office	November 7, 2008
7	Paul Marx, Planning Director	Sacramento Regional Transit District	November 7, 2008
8	Rose Luther	Private Citizen	November 7, 2008
9	Patrick Gage, President	McKinley East Sacramento Neighborhood Association	November 6, 2008
10	Paul Phillely, Assistant Air Quality Planner	Sacramento Metropolitan Air Quality Management District	October 23, 2008

CHAPTER 4

COMMENTS AND RESPONSES

CHAPTER 4.0 COMMENTS AND RESPONSES

This chapter contains written comments that were received during the public review period for the Draft EIR prepared for the Station 65 Project (proposed project). The Draft EIR was released for public and agency review for a 30-day review and comment period from October 9, 2008 to November 7, 2008. A total of ten comment letters were received by the City of Sacramento (City) in response to the Draft EIR. The agencies, organizations, and individuals who provided comments on the Draft EIR are listed in **Table 3-1**. Individual comment letters are provided following this table. As discussed in **Chapter 1.0**, each individual letter and comment has been provided a number in the right-hand margin. This number is cross-referenced with a specific response included in this chapter. Neither the comments received on the Draft EIR nor the responses thereto indicate new significant impacts or significant new information that would require recirculation of the Draft EIR pursuant to CEQA *Guidelines* Section 15088.5.

The following individual responses have been prepared for each bracketed comment included in this Response to Comments document.



California Regional Water Quality Control Board Central Valley Region

Karl E. Longley, ScD, P.E., Chair



Linda S. Adams
Secretary for
Environmental
Protection

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Arnold
Schwarzenegger
Governor

13 August 2008

Letter 1

Scott Johnson
City of Sacramento Planning Division
300 Richards Boulevard
Sacramento, CA 95811

NOTICE OF PREPARATION FOR THE STATION 65 ENVIRONMENTAL IMPACT REPORT (EIR), SCH#2008072067, SACRAMENTO COUNTY

As a Responsible Agency under CEQA, we have reviewed and commented on the Station 65 EIR, Sacramento County. The City of Sacramento is regulated by the Regional Water Board under *Waste Discharge Requirements Order No. R5-2002-0206, NPDES NO. CAS082597 for County of Sacramento and Cities of Citrus Heights, Elk Grove, Folsom, Galt, and Sacramento Storm Water Discharges from Municipal Separate Storm Sewer Systems (MS4)*, dated December 2002 (hereafter Sacramento MS4).

The project site is located on a +4.29-acre site east of 65th Street, north of Q Street, west of Redding Avenue, and south of Folsom Boulevard in the City of Sacramento. The proposed project would consist of the development of up to 83,000 square feet (sf) of retail space, approximately 72,000 sf of office space, up to 100 residential units, an approximately 148-unit hotel, and an approximately 30,000 sf fitness center. Existing on-site structures would be demolished.

The updated Sacramento MS4 will be considered for adoption by the Regional Water Board in late 2008. Based on this pending decision, we have based our comments on the proposed Tentative Order, which states: 1-1

“Provision D. 15. Water Quality Planning and Design Principles - In order to reduce pollutants and runoff flows from new development and redevelopment to the MEP (maximum extent practicable), each Permittee shall address the following concepts:

- a. Each Permittee shall incorporate water quality and watershed protection principles into planning procedures and policies or requirements to direct land-use decisions and require implementation of consistent water quality protection measures for priority development projects. These principles and policies shall be designed to protect natural water bodies and shall consider, at a minimum, the following:

- i. Minimize the amount of impervious surfaces and directly connected impervious surfaces in areas of new development and redevelopment to maximize on-site infiltration of runoff (low impact design practices).
 - ii. Implement pollution prevention methods supplemented by pollutant source controls and treatment. Use strategies that control the sources of pollutants or constituents (i.e., the point where water initially meets the ground) to minimize the transport of urban runoff and pollutants offsite and into MS4s.
 - iii. Preserve, create or restore areas that provide important water quality benefits, such as riparian corridors, wetlands, and buffer zones (e.g., levees).
 - iv. Limit disturbances of natural water bodies and natural drainage systems caused by development including roads, highways, and bridges.
 - v. Require incorporation of structural and non-structural BMPs to mitigate the projected increases in pollutant loads from future development.
 - vi. Identify and avoid development in areas that are particularly susceptible to erosion and sediment loss; or establish development guidance that protects areas from erosion and sediment loss.
 - vii. Coordinate with local traffic management programs to reduce pollutants associated with vehicles and increased traffic resulting from development.
 - viii. Implement source and/or treatment controls to protect downstream receiving water quality from increased pollutant loads in runoff flows from new development and significant redevelopment.
 - ix. Control the post-development peak storm water run-off discharge rates and velocities to prevent or reduce downstream erosion and to protect stream habitat (hydromodification concepts).
- b. **Low Impact Development Strategies:** Priority new development and redevelopment projects shall integrate Low Impact Development (LID) principles as feasible early in the project planning and design process. LID is a storm water management and land development strategy that emphasizes conservation and the use of existing natural site features integrated with engineered, small-scale hydrologic controls to more closely reflect predevelopment hydrologic functions in residential, commercial, and industrial settings. When developing the LID Program the Permittees shall consider and incorporate all appropriate and applicable LID components and measures that have been successfully and effectively implemented in other municipal areas. Other programs include, but are not limited to, USEPA's

"Managing Wet Weather with Green Infrastructure, Action Strategy, 2008" and LID program elements specified in the permits or Storm Water Management Plans of other MS4s throughout the state.

The Stormwater Quality Design Manual for Sacramento and South Placer Regions (May 2007) currently promotes LID principles such as conservation and use of natural site features; site specific, lot scale source and treatment control measures that keep pollutants from contacting run-off and leaving the site; and run-off reduction control measures integrated into site design.

In order to reduce pollutants and runoff flows from new development and redevelopment to the MEP, the City of Sacramento is required to ensure that all feasible BMPs are considered. The MEP standard involves applying BMPs that are effective in reducing the discharge of pollutants in storm water runoff. In discussing the MEP standard, the State Water Board has said the following: "There must be a serious attempt to comply, and practical solutions may not be lightly rejected. If, from the list of BMPs, a permittee chooses only a few of the least expensive methods, it is likely that MEP has not been met. On the other hand, if a developer employs all applicable BMPs except those where it can show that they are not technically feasible in the locality, or whose cost would exceed any benefit to be derived, it would have met the standard. MEP requires developers to choose effective BMPs, and to reject applicable BMPs only where other effective BMPs will serve the same purpose, the BMPs would not be technically feasible, or the cost would be prohibitive." (Order No. WQ 2000-11, at p.20.). MEP is the result of the cumulative effect of implementing, continuously evaluating, and making corresponding changes to a variety of technically and economically feasible BMPs that ensure the most appropriate controls are implemented in the most effective manner. This process of implementing, evaluating, revising, or adding new BMPs is commonly referred to as the iterative approach.

1-1

We encourage the City of Sacramento to follow this iterative process early in the planning stages (i.e., pre-application review meeting) of new development and redevelopment projects in their jurisdiction.

If you have any questions, please contact me at 916.464.4606 or email address kschwab@waterboards.ca.gov.



KIM A. SCHWAB, P.G.
Engineering Geologist
Storm Water Section

cc: State Clearing House
Sherill Huun, City of Sacramento Storm Water Coordinator, Sacramento

LETTER 1: KIM SCHWAB, CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD (AUGUST 13, 2008)

RESPONSE 1-1

Comment acknowledged. The proposed project shall comply with the Regional Water Quality Control Board approved updates to the Sacramento MS4 Standards. Further, the project applicant will implement best management practices (BMPs) to reduce pollutants and stormwater runoff flows to the maximum extent practicable (MEP).

October 23, 2008

Statement of
Daren S. Gilbert
Supervisor, Rail Crossings Engineering Section
California Public Utilities Commission

Letter 2

Good evening Commissioners, I am Daren Gilbert, Supervisor of the Rail Crossings Engineering Section of the California Public Utilities Commission (CPUC). The CPUC has jurisdiction over all rail crossings in California, including the presence of, location, and treatment of such crossings.

I appreciate the opportunity to address the Planning Commission this evening and want to state that I appear before you this evening not to support the Station 65 Project, nor to oppose it. Relative to the Station 65 project, we have identified some issues and concerns pertaining to traffic and circulation near the project impacting the highway-rail crossing at 65th Street. I am pleased to report that we have met with City Staff and the project proponent earlier today, and that City Staff and the Developer have taken a cooperative approach on our concerns and that we believe the concerns can be addressed. Additional, more global issues can be dealt with as the city prepares its 65th Street Station Area Study, currently under way.

I primarily come before you as you consider this development, the first real "Transit Oriented Development" in the City, to encourage this body to keep safety paramount as you consider approval of Transit Oriented Developments. The Commission's Consumer Protection and Safety Division and my Staff review environmental documents and development around rail corridors and crossings with a keen eye towards maintaining and if possible, improving public safety. As we invite citizens to such developments and encourage them to leave their cars, we must insure that public safety around the rail corridors and at the crossings is built in to the projects.

This may require fencing near projects to keep the public from crossing at unauthorized locations, addition or modifications to traffic signals at nearby intersections, pedestrian treatments at the crossings, addition of medians at crossings, supplemental warning devices or other enhancements.

We trust that we can work cooperatively with the City Staff and project proponents to assure such safety elements are incorporated into the infrastructure as TOD and other projects near Sacramento's rail corridors are considered. We encourage the Commission to assure safety around the rails as it considers and approves such projects.

Thank you.

2-1

**LETTER 2: DAREN S. GILBERT, RAIL CROSSINGS ENGINEERING SECTION,
CALIFORNIA PUBLIC UTILITIES COMMISSION (OCTOBER 23, 2008)**

RESPONSE 2-1

Comment acknowledged. As the commenter stated in the comment letter, California Public Utilities Commission (CPUC) staff met with City staff and the project applicant on October 23, 2008 to discuss the CPUC staff concerns regarding the proposed project. As discussed in the meeting, several mitigation measures are already defined in the Draft EIR related to adjusting signal timing for several roadway intersections to improve operation in addition to requiring the applicant to construct a median along 65th Street on the segment south of the light rail tracks and north of the west bound off ramp (as an extension of the existing median). Additionally, per the November 5th letter provided by CPUC staff (Moses Stites), the CPUC is in concurrence with the City of Sacramento in conditioning the proposed project to construct a raised median along 65th Street on the segment south of the light rail tracks and north of the west bound off ramp (as an extension of the existing median). The raised median shall be directly across the existing driveway of the Jackson property and shall be per City standards and to the satisfaction of the Department of Transportation and shall meet the CPUC General Order 88-B requirements. This condition needs to be in accordance with the applicable permitting process and prior to opening day and or occupancy of the project.

Additionally, Mitigation Measure 4.3-8 identified in Section 4.3 of the Draft EIR would require the project applicant to prepare a Transportation Management Plan (TMP) before commencing construction activities.

From: Roxanne Fuentez <rmf323@yahoo.com>
To: <srjohnson@cityofsacramento.org>
Date: 11/5/2008 11:29 AM
Subject: The Draft Environmental Impact Report Station 65 Project SCH #2008072067 (P08-068)

To the Sacramento City Planning Commission:

I am opposed to the proposed Station 65 Project. There are too many stories too close to the street, whereas the F65 development across the street has only 3 stories near the street and 4 stories back away from the street. Six stories right up to the street would not be in keeping with the neighborhood.

Hotels are generally located in highly commercialized areas, not next to traditional residential neighborhoods. There is no buffer zone between this proposed hotel/high density residential building and the residential neighborhood on 64th Street and adjacent residential streets. We do not want to be overshadowed by tall buildings and have to look out our windows at them.

3-1

Many of us have opposed the entire Transit Village concept since its inception and city planners and councilpersons assured us that our street would not be encroached upon by any developments connected to the 65th Transit Village. This project is an encroachment upon our neighborhood.

This large development would also increase objectionable lighting, which would impact our neighborhood. We have families who actually like to see some stars in the sky.

Taking over the bus transfer station and shoving the buses down on Q Street and 67th Street will jeopardize the safety of riders since Q Street and 67th Street would be more hidden and isolated by the hotel buildings. The project will destroy property and businesses backing on Q Street by chopping another road through these buildings so that the buses can turn around, since the bus transfer station will be gone. Also, another traffic light will be put in, a stones throw from the 65th and Folsom Boulevard intersection, at 67th and Folsom Boulevard, which will bottleneck traffic in this area.

This high-density development will add a tremendous amount of traffic to the already congested 65th and Folsom Boulevard intersection. All of this traffic will negatively affect 64th Street, 63rd Street, and adjacent residential streets.

3-2

In the Draft EIR for this project in the Executive summary, in section 2.0, at all streets and intersections in the area surrounding the proposed project, the volume of traffic will be increased to capacities exceeding the City's threshold. The project will add a significant delay at all intersections in the surrounding area. In all of these cases, the impact has been determined to be significant and unavoidable. Therefore —noise, air pollution, and overflow traffic will negatively impact nearby residential neighborhoods.

Also, the Draft EIR does not show elevations of buildings or adequate views of how the buildings will appear in the project. For all of these reasons, I oppose this project.

Sincerely,
Roxanne Fuentez

3-3

LETTER 3: ROXANNE FUENTEZ, PRIVATE CITIZEN (NOVEMBER 5, 2008)**RESPONSE 3-1**

Comment acknowledged. Consistency with surrounding land uses is discussed in Section 4.2 of the Draft EIR. As described in Chapter 3.0 of the Draft EIR the project applicant will be requesting a Variance to reduce the setback requirement for building taller than 28 feet in General Commercial Transit Overlay (C-2-TO) zone. The variance request will be reviewed by the City Planning Commission for consistency with adjacent development. Prior to City approval of building permits, the project applicant shall include a configuration of exterior light fixtures on the design plans submitted to the City for review that emphasize close spacing and lower intensity light that is directed downward in order to minimize glare on adjacent uses and minimize impacts to night sky views.

RESPONSE 3-2

Relocating the bus station to Q and 67th Streets is a Regional Transit Project (RT) that will be implemented separately and it is not proposed with the Station 65th Street project. Transportation impacts associated with the Station 65th Street project are identified in Section 4.3 of the Draft EIR. The Draft EIR has been reviewed by the City's Department of Transportation and the California Public Utilities Commission for potential public safety issues associated with the proposed development. Mitigation to reduce the potential for impacts to public safety from the proposed project is included in Section 4.3 of the Draft EIR.

RESPONSE 3-3

Comment acknowledged. The perception of a visual impact is personal and subjective, as what one person may perceive as a negative impact another may find visually pleasing. Elevations were not necessary to assess the environmental impacts addressed in the Draft EIR of the proposed project. The proposed project would be subject to local planning documents (i.e. the City's General Plan and 65th Street University Transit Village Plan). The intentions of these policies and guidelines are to ensure consistency with the City's vision for the development of the area, including the incorporation of design features to promote the aesthetic character of new development and limit adverse aesthetic impacts. The proposed project is designed to complement existing commercial and residential development in the project area by incorporating appropriate landscaping and design features that would be aesthetically pleasing. Thus, the proposed project would not create a significant adverse aesthetic impact to the project area and no further analysis is warranted.

PUBLIC UTILITIES COMMISSION

505 VAN NESS AVENUE
SAN FRANCISCO, CA 94102-3298



November 5, 2008

Letter 4

Scott Johnson
City of Sacramento
300 Richards Boulevard, 3rd Floor
Sacramento, CA 95811

Re: Notice of Completion, Draft Environmental Impact Report (DEIR)
Station 65
SCH# 2008072067

Dear Mr. Johnson:

We completed our review of the DEIR for the proposed Station 65 mixed-use transit oriented development project on approximately 4.29 acre site on the southeast corner of 65th Street and Folsom Blvd. The site is bounded by Q Street to the south and 67th Street on the east. We offer the following comments:

The CPUC is concurrence with the City of Sacramento in conditioning this project to construct a raised median along 65th Street on the segment south of the light rail tracks and north of the west bound off ramp (as an extension of the existing median). The raised median shall be directly across the existing driveway of the Jackson property and shall be per City standards and to the satisfaction of the Department of Transportation and shall meet the CPUC General Order 88-B requirements. This condition needs to be in accordance with the applicable permitting process and prior to opening day and or occupancy of the project proponent.

4-1

Please provide the Commission a copy of the Final Environmental Impact Report, proposed conditions of approval and staff report prior to the public Hearing for this project.

4-2

We appreciate the City working with us on this project. If you have any questions in this matter, please call me at (415) 713-0092 or email at { [HYPERLINK "mailto:ms2@cpuc.ca.gov"](mailto:ms2@cpuc.ca.gov) }.

Sincerely,

Moses Stites
Rail Corridor Safety Specialist
Consumer Protection and Safety Division
Rail Transit and crossings Branch
515 L Street, Suite 1119
Sacramento, CA 95814

**LETTER 4: MOSES STITES, CONSUMER PROTECTION AND SAFETY DIVISION,
RAIL CROSSINGS AND SAFETY DIVISION, CALIFORNIA PUBLIC
UTILITIES COMMISSION**

RESPONSE 4-1

Comment acknowledged. The raised median along 65th Street south of the light rail tracks and north of the westbound off-ramp shall be directly across the existing driveway of the Jackson Property and shall be constructed per City standards and to the satisfaction of the Department of Transportation and shall be in accordance with the California Public Utilities Commission General Order 88-B requirements. This construction will be in accordance with the applicable permitting process and prior to operation and/or occupancy of the proposed project.

RESPONSE 4-2

Comment acknowledged. The commenter will be sent copy of the Final EIR, proposed conditions of approval, and staff report prior to the project's Planning Commission Hearing.



10545 Armstrong Avenue

Mather, CA 95655

Tele: [916] 876-6000

Fax: [916] 876-6160

Website: www.srcsd.com

Board of Directors
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District Engineer

Stan R. Dean
Plant Manager

Wendell H. Kido
District Manager

Marcia Maurer
Chief Financial Officer

October 17, 2008

Scott Johnson
City of Sacramento, Development Services Department
Environmental Planning Services
300 Richards Blvd., 3rd Floor
Sacramento, CA 95811

Dear Mr. Johnson:

Subject: Notice of Availability – Draft Environmental Impact Report for The Station 65 Project (P08-068)

Sacramento Regional County Sanitation District (SRCSD) has reviewed the subject document and has the following comments:

The project is proposing a mixed-use transit oriented development and is located on the southeast corner of 65th Street and Folsom Boulevard within the City of Sacramento.

The comments sent in a letter dated July 29, 2008 are still valid and repeated below for your convenience.

Local sanitary sewer service for the proposed project site will be provided by the City of Sacramento's local sewer collection system. Ultimate conveyance to the Sacramento Regional Wastewater Treatment Plant (SRWTP) for treatment and disposal will be provided via the City Interceptor. Cumulative impacts of the proposed development will need to be quantified by the developer to ensure adequate wet weather and dry weather capacity within the City Interceptor.

In November 1980, the Operations and Maintenance Agreement between SRCSD and the City of Sacramento regarding the Combined Wastewater Control System (CWCS) was executed.

Section 3.F. Responsibilities of District in Operation of CWCS states:

1. ...The District agrees to accept flows via the City Interceptor from the following City service areas up to the maximum instantaneous flow rates indicated:

5-1

Mr. Scott Johnson
October 17, 2008
Page 2

<u>Service Area</u>	<u>Maximum Flow Rate</u>
<i>Sump 2</i>	<i>60 MGD</i>
<i>The parties to this Agreement acknowledge and agree that the 60 MGD maximum flow rate supersedes the 70 MGD figure specified in Section 29 of the Master Interagency Agreement.</i>	
<i>Sump 21, 55 and 119</i>	<i>38 MGD</i>
<i>Gravity intercepts to City Interceptor at or downstream of the North Meadowview Intercept Structure</i>	<i>10.5 MGD</i>
<i>Total to City Interceptor</i>	<i>108.5 MGD</i>

- 2. Up to the design flow capacity limit of the City Interceptor upstream of the North Meadowview Intercept Structure, estimated at 98 MGD, the Wastewater Treatment Superintendent (or a designated representative) may authorize flows from Sump 2 for stipulated time periods in excess of the 60 MGD limit above noted. It is the intent here to accommodate higher levels of treatment for combined wastewater flows during periods when SRWTP secondary treatment capacity is available due to lag in receipt of inflow from other District service areas or when the City Interceptor influent flows from Sumps 21, 55 and 119 are less than 38 MGD.*

As stated in the table above, the total amount of flow that can be discharged to the City Interceptor is 108.5 MGD. It is the City of Sacramento's responsibility to ensure that the additional flow from this project does not exceed the limits established for the three locations listed above.

If you have any questions regarding this letter, please feel free to contact me at (916) 876-5608, or by e-mail at obonel@sacsewer.com.

Sincerely,



Elizabeth Obon
Sacramento Regional County Sanitation District

cc: SRCS Development Services

5-1
cont'd

LETTER 5: ELIZABETH OBON, SACRAMENTO REGIONAL COUNTY SANITATION DISTRICT

RESPONSE 5-1

Comment acknowledged. As identified in Chapter 3.0 of the Draft EIR, the project applicant would pay into the existing City fee program as applicable. To the extent that existing fee programs are not applicable to improvements required by the cumulative build out of the project area, the project applicant would consult with the City to determine appropriate fair share payments into an alternative fee program. Further, on-site and off-site improvements would be developed as necessary to facilitate the build-out of the proposed project and the project applicant would pay into the existing City fee program as applicable. To the extent that fee programs are not applicable to improvements required by the cumulative build out of the project area, the Applicant would consult with the City to determine appropriate fair share payments into an alternative fee program.

DEPARTMENT OF TRANSPORTATION
 DISTRICT 3 – SACRAMENTO AREA OFFICE
 VENTURE OAKS – MS 15
 P.O. BOX 942874
 SACRAMENTO, CA 94274-0001
 PHONE (916) 274-0635
 FAX (916) 274-0648
 TTY (530) 741-4509



*Flex your power!
 Be energy efficient!*

Letter 6

November 7, 2008

03-2008-SAC0184
 03-SAC-50 PM 2.628
 Station 65
 Draft Environmental Impact Report
 SCH #2008072067

Mr. Scott Johnson
 City of Sacramento
 300 Richards Blvd., 3rd Floor
 Sacramento, CA 95811

Dear Mr. Johnson:

Thank you for the opportunity to review and comment on the Station 65 project's Draft Environmental Impact Report (DEIR). The 4.29 acre project near the 65th Street/Folsom Boulevard intersection in the University Transit Village Plan Area proposes up to 100 dwelling units, 83,000 sq. ft. of retail/commercial uses, 72,000 sq. ft. of office space, 30,000 sq. ft. of fitness center, 148 room hotel, and 765 parking spaces. Our comments are as follows:

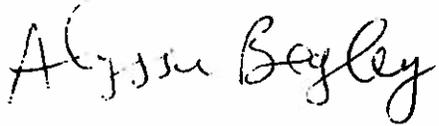
- Impact 4.3-2-6 – The project has significant impacts on 65th Street/S Street/US 50 Westbound off ramp intersection. Accordingly, the project applicant shall pay a fair share contribution to the City to monitor and re-time the 65th Street/S Street/US 50 Westbound off ramp traffic signal to optimize flow through the intersection, when required, and the impact is reduced to less than significant. 6-1
- Impact 4.3-2-7 – The project has significant impacts on the 65th Street/US 50 Eastbound off ramp intersection. Accordingly, the project applicant shall pay a fair share contribution to the City to monitor and re-time the 65th Street/US 50 Eastbound off ramp traffic signal, when required, to optimize flow through the intersection and the impact is reduced to less than significant. 6-2
- Impact 4.3-3 – The project has significant impacts on freeway facilities. Accordingly, the project applicant is required to “Establish a Travel Demand Management program for the Station 65 project.” However, the impacts to freeway facilities remain significant and unavoidable. 6-3

Mr. Scott Johnson
November 7, 2008
Page 2

- Impact 4.3-4 – Freeway Ramp Queuing. The project has significant impacts on freeway ramp queuing. Accordingly, the project applicant is required to “Pay fair share to widen the westbound US 50 off-ramp as described in the 65th Street Transit Village Plan EIR.” However, the impacts to the freeway ramp queuing remains significant and unavoidable. 6-5
- Caltrans requests that the City require fair share mitigation for the installation of a ramp meter on the loop on ramp from southbound 65th Street to eastbound US 50 to help reduce impacts, as identified in Impacts 4.3-3 & 4.3-4, within the congested US 50 corridor. 6-6

If you have any questions about these comments contact Gabriel Corley at (916) 274-0611.

Sincerely,



ALYSSA BEGLEY, Chief
Office of Transportation Planning—South

**LETTER 6: ALYSSA BEGLEY, CALIFORNIA DEPARTMENT OF TRANSPORTATION
DISTRICT 3, SACRAMENTO OFFICE**

RESPONSE 6-1

Comment acknowledged.

RESPONSE 6-2

Comment acknowledged.

RESPONSE 6-3

Comment acknowledged.

RESPONSE 6-4

Comment acknowledged.

RESPONSE 6-5

Comment acknowledged.

RESPONSE 6-6

The City is currently studying a revised circulation and financing plan for the 65th Street Station Area which is anticipated to be presented to the City Council by June 2009 for adoption. The project will be required to participate in whatever financing mechanism is in place at the time of issuance of building permit to fund, on a fair share basis, the cost of installation of the transportation improvements as defined in the 65th Street Station Area plan and finance plan.



Regional Transit

Sacramento Regional
Transit District
A Public Transit Agency
and Equal Opportunity Employer

Mailing Address:

P.O. Box 2110
Sacramento, CA 95812-2110

Administrative Office:

1400 29th Street
Sacramento, CA 95816
(916) 321-2800
(29th St. Light Rail Station/
Bus 36,38,50,87,88)

Light Rail Office:

2700 Academy Way
Sacramento, CA 95815
(916) 648-8400

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November 7, 2008

Letter 7

Scott Johnson
Associate Planner
City of Sacramento, Environmental Planning Services
300 Richards Boulevard, 3rd Floor
Sacramento, CA 95811

NAME OF DEVELOPMENT: Station 65 Project
CONTROL NUMBER: P08-068
TYPE OF DOCUMENT: Draft EIR

Regional Transit (RT) is supportive of transit oriented projects with a mix of uses in close proximity to transit stations.

The Station 65 project is a transit oriented mixed-use development located at the southeastern corner of Folsom Boulevard and 65th Streets. The proposed project includes two development scenarios. Scenario A includes the development of approximately 68 residential units and approximately 64,000 square feet (sq.ft.) retail, 53,000 sq.ft. office, a 148 room hotel, a 30,000 sq.ft. fitness center, and a five story parking garage. Scenario B would be similar to Scenario A except for an increase of up to 120 residential units, increase in office space of up to 72,000 sq.ft. and six story parking garage. Existing zoning on the site is General Commercial, with a Transit Overlay Zone. The site is located on the southeast corner of Folsom Boulevard and 65th Street in the East Sacramento community.

The existing Transit Center, with bus routes 26, 34, 36, 38, 81, 82 and 87, provides excellent service for the area. Light rail service at the adjacent University/65th Street Station provides 15 minute service from 5 AM to 7:30 PM, and 30 minute service from 7:30 to 12:30 AM.

Regional Transit (RT) has reviewed the DEIR and has the following comments:

For items relating to the Bus Transit Center and circulation, any plans or site layouts shown in the EIR shall be consistent with Regional Transit's 65th Street/University Transit Center Study" Preferred Alternative. ([www.sacrt.com/AboutRT/Real Estate/Real Estate TOD Page/Future TOD Development Projects/65th St. & Folsom Blvd. Project](http://www.sacrt.com/AboutRT/RealEstate/RealEstateTODPage/FutureTODDevelopmentProjects/65thSt.&FolsomBlvd.Project))

Some of the items to be included are as follows:

- The EIR should acknowledge that this project will require the relocation of the existing major Bus Transit Center to be operated along Q Street and 67th Street. The bus traffic and circulation for the new configuration should be an intricate aspect of the development of this project in order to minimize

7-1

7-2

7-3

impacts on transit ridership and operations. The Transit Center is anticipated to be reconstructed to its new configuration on 67th Street and Q Street by 2010.

7-3
cont.

- Remove the bulb outs at the northeast and northwest corners of Q St. and 67th St. Bulb outs in these locations might make it difficult for multiple buses to make turns at these intersections and could impact bus schedules. 7-4
- Delineate on plans the 35 off-site parking spaces on 67th St.
- Bus Loading area on west side of 67th St. needs to be called out on the plans. Measures should be taken to prohibit delivery vehicles from blocking the street and bus operations. 7-5
- Kiss and Ride area on 67th St. needs to be called out on the plans.
- Bus Staging area on 67th St. needs to be called out on the plans.
- If there must be a Q Street entrance into the parking garage, RT supports a scenario that incorporates right turns only in and out of the entrance. 7-6

In addition, RT Staff recommends the following transit related issues be addressed:

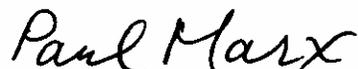
- Project construction shall not disrupt transit service or pedestrian access to transit stops/stations.
- A mid-block pedestrian crossing across 67th St., just south of the garage entrance would help clearly define the best and safest approach into the Station 65 Plaza and would be in keeping of the 65th Street Station Area Plan which promotes mid-block pedestrian ways. 7-7
- The project shall be subject to the review and approval of the City of Sacramento Design Review Board. The Q Street parking garage entrance shall be considered as part of that review in light of the project goal to transform the district into a mixed use urban village where transit patrons are brought together with others in the neighborhood. The impacts of the parking garage entrance and trash areas on the potential of providing a vibrant retail/pedestrian/transit oriented Q Street elevation shall be reviewed and alternatives considered. 7-8
- Public art, all signage, bicycle locker details shall be reviewed and approved by Regional Transit staff prior to issuance of any building permits. Bicycle parking facilities shall be per City of Sacramento requirements and located near building entrances. 7-9
- As part of a Transportation Management Plan, RT recommends the following:
 1. The applicant shall join the Sacramento Transportation Management Association (TMA) and shall provide transit information for all employees, residents and hotel clientele.
 2. The transit information shall be displayed in prominent locations in the residential sales/rental office, employee break rooms, hotel lobby and elsewhere as appropriate. Please contact Devra Selenis, Marketing Department at (916) 556-0112 for more information.
 3. Develop a program to offer transit passes to employees per the Sacramento TMA for employees. A program to provide transit pass discounts of 50% or greater discount shall be developed for new residents. This program shall last for a minimum of six months. The 7-10

residential transit pass program shall be reviewed and approved by RT prior to approval of any special permit for the project.

7-10
cont.

Thank you for the opportunity to comment. Please send any subsequent documents and hearing notices that pertain to this project as they become available. If you have further questions regarding these recommendations, please contact me at (916) 556-0507 or pmarx@sacrt.com.

Sincerely,



Paul Marx
Planning Director

- c: RoseMary Covington, AGM Planning and Transit Service Development, RT
- Fred Arnold, Director of Real Estate, RT
- Don Smith, Senior Planner, RT
- Joe Baybado, Administrator of Transit Oriented Development
- Jennifer Anderson, Real Estate, RT

LETTER 7: PAUL MARX, SACRAMENTO REGIONAL TRANSIT DISTRICT

RESPONSE 7-1

Comment acknowledged.

RESPONSE 7-2

The project applicant shall be required to work with RT and modify plans, as necessary, to meet RTs objectives defined in the 65th Street/University Transit Center Study Preferred Alternative.

RESPONSE 7-3

The project description included in the Draft EIR notes that the construction of the proposed project will require the relocation of the existing bus transit facilities to 67th Street and Q Street which is the RT project defined as the 65th Street/University Transit Center Study Preferred Alternative. The Draft EIR considered potential impacts to transit services as part of the project analysis. Impacts and mitigation measures are described within the Draft EIR.

RESPONSE 7-4

Comment acknowledged. The City and project applicant will work with RT to ensure that bus turning movements are accommodated in the site plan.

RESPONSE 7-5

The 35 on-street parking spaces are located on all the streets that front the project, not just 67th Street. The project applicant will share plans with RT that clearly delineate the parking spaces along 67th Street. In addition, the project applicant will update and submit plans that clearly delineate the location of the bus loading areas, bus staging areas, and kiss-and-ride areas. Loading and unloading in the loading dock area shall be prohibited during peak traffic hours.

RESPONSE 7-6

Comment noted. A variety of driveway configurations for the Q Street garage entrance were considered, including a right-in/right-out configuration. For each configuration option, the traffic operations were analyzed and the transit impacts were evaluated. As noted in the EIR, the City ultimately has authority over the Q Street driveway, which can be restricted to right-in/right-out access if conditions warrant.

RESPONSE 7-7

A Traffic Control Plan shall be required for construction activities subject to review and approval by the City Department of Transportation, Regional Transit, and local emergency service providers, including the City of Sacramento fire and police departments. The Traffic Control 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
- 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)
- 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
- Provisions for pedestrian safety
- Provisions for temporary bus stops, if necessary

Further, a copy of the construction Traffic Control Plan shall be submitted to local emergency response agencies and these agencies shall be notified at least 14 days before the commencement of construction that would partially or fully obstruct roadways.

Patrons of the project and the patrons of Transit Station would have the ability to cross safely at the future signalized intersection of Q Street and 67th Street that would have a standard crosswalk for all directions. As part of the final design process, the City shall review the appropriateness of a mid-block crossing on 67th Street, south of the garage entrance.

RESPONSE 7-8

Comment noted.

RESPONSE 7-9

Comment noted. Public art, signage, and bicycle facilities on the project site will be approved by the City of Sacramento. Signs on City streets will be approved by the City of Sacramento; however, the City will work with RT to ensure that transit-related signs meet RTs goals and standards.

RESPONSE 7-10

Comment noted. The project applicant is required to prepare a TMP as a mitigation measure which requires the project applicant to join the Sacramento TMA and provide transit information to guests, residents, and patrons. Other measures shall be included in the TMP, such as providing discounted transit passes to project residents, etc in order to reduce the trip generation of the project by approximately 30% or more.

From: <rose@adnc.com>
To: <SRJohnson@cityofsacramento.org>
Date: 11/7/2008 3:48 PM
Subject: Station 65, Project # PO8O68, Comments for EIR

Mr.Johnson,

RE: Station 65, Comments for the EIR

From limited information I have received on this project, it raises familiar concerns and questions. The following comments are based on my current understanding of project #PO8O68. Please address these questions in the EIR:

8-1

1. What impact will this dense project have on East Sacramento neighborhood streets? How has the impact been measured? What intersections were studied?

8-2

2. What is the realistic number of vehicle trips it will add to Elvas Avenue, Folsom Boulevard, J Street, and H Street? What is the projected impact on the adjacent, intersecting residential streets?

8-3

3. What is a realistic percentage projection of public transit use to reach the project including: the proposed 148 room hotel, 120 residential units, 71,290 square feet of office space, 64,000 square feet of retail space, 30,000 square feet fitness center?

8-4

4. What incentives will be provided to encourage and facilitate use of alternative modes of transportation?

8-5

5. What will be included to support pedestrian and bicyclist safety?

6. Considering experience of traffic congestion at that intersection now, what changes can be made to decrease density in the 65th St. Station project?

8-6

At minimum, a suggestion from nearby residents is a reduction in height of the proposed 6 story hotel to no more that 4 stories. Additionally, consider a reduction in the number of residential units as there is a recently completed apartment complex in the block west of this proposed project.

East Sacramento resident,
Rose Luther
1556 35th Street

LETTER 8: ROSE LUTHER, PRIVATE CITIZEN**RESPONSE 8-1**

Comment noted. A detailed description of the proposed project was provided in Chapter 3.0 of the Draft EIR. Specific responses to issues raised in the comment letter are addressed in Responses 8-2 through 8-7 below.

RESPONSE 8-2

Traffic impacts associated with the proposed project were measured using standard methodologies developed by the Transportation Research Board, Institute of Transportation Engineers, Caltrans, and the City of Sacramento. The study intersections and roadway segments are described in **Section 4.3** of the Draft EIR.

RESPONSE 8-3

The Draft EIR quantified the number of new vehicle trips resulting from the proposed project on Folsom Boulevard (11 percent to the west and 15 percent to the east). In addition, the Draft EIR quantified the number of trips on 65th Street north of Folsom Boulevard (13 percent). The majority of those trips would proceed north on Elvas Avenue. The Draft EIR did not detail the number of trips on H Street or J Street; however, SACMET model results indicate that the number of project related trips on those streets would be minimal due to the distance from the project site.

The analysis did not directly model the effect of project related trips on adjacent residential streets. However, based on existing and projected traffic volumes on these streets, the construction of the proposed project is not expected to lead to a significant increase in traffic volumes.

RESPONSE 8-4

As described in the EIR, the proposed project is expected to generate approximately 44 AM peak hour, 62 PM peak hour, and 570 daily transit trips.

RESPONSE 8-5

The proposed project is being designed as a transit-oriented development that is designed to integrate with adjacent transit facilities by providing a dense concentration of uses that are easily accessible via transit. Academic research has shown that transit oriented developments have substantially lower auto trip generation and higher transit, and alternate mode trip generation. Additionally, the proposed project is being designed in a way that is consistent with the City's 65th Street Transit Village Plan, which will transform the area around the site from low density commercial buildings into higher density mixed-use development that encourages transit and alternative modes of travel.

To improve the bicycle and pedestrian circulation, the project will construct bike lanes on 65th Street and Folsom Boulevard and sidewalks around the perimeter of the site. In addition, the project will construct

pedestrian plazas through the site so that people can travel through the site as they access the transit station and adjacent properties.

RESPONSE 8-6

Two alternative density options for the proposed project were evaluated on an equal level basis within the Draft EIR. The development alternatives are described in Chapter 3.0 of the Draft EIR as Scenario A and Scenario B. Additionally, a Reduced Intensity Alternative (Alternative C) was described and evaluated within Chapter 5.0 of the Draft EIR to provide decision makers with an opportunity to consider the environmental implication of adjusting the land use density/intensity of the Transit Village Plan area. The proposed project is requesting a special permit to increase the allowable building heights on the project site. This comment and related comments on the design of the proposed buildings will be considered by the decision makers prior to approval of the proposed project.



NOVEMBER 6, 2008

Letter 9

Scott Johnson, Associate Planner
City of Sacramento Development Services Department
Environmental Planning Services
300 Richards Boulevard
Sacramento, CA 95811

PATRICK GAGE
PRESIDENT

JOE CHAVEZ
VICE PRESIDENT

RIAN TROTH
TREASURER

VALERIE ROBERTS
SECRETARY

Dear Mr. Johnson:

Although the McKinley East Sacramento Neighborhood Association (MENA) never received notice of the availability of the DEIR for the Station 65 Project (SCH # 2008072067), we wish to submit the following comments.

9-1

MENA is generally supportive of Transit Oriented Development and is generally supportive of this project. However, MENA continues to be concerned about the cumulative impacts of traffic on the livability of our established residential neighborhoods.

9-2

The traffic associated with the proposed McKinley Village project was not included in this traffic analysis. This additional traffic could add significantly to the traffic impacts which were included in the analysis. Therefore, the results of the analysis underestimate traffic impacts.

The traffic analysis quantifies the impact of project traffic on area intersection levels of service based upon City standards. While this analysis is a necessary step in determining significance, it does not go far enough. CEQA requires that impacts be analyzed even if an impact meets an adopted standard, if circumstances indicate the project may nonetheless have a significant impact.¹ The City cannot rely on the LOS guidelines in a manner that precludes consideration of other evidence that the impact might be significant.² In this case, the traffic levels exceed the objectives stated in the City's General Plan, which provides an effective measure of significance and demonstrates that the project will have a significant impact on transportation and circulation.

9-3

Approximately 13% of the trips from this project (768) are projected as using Elvas Avenue. This would appear to be a low estimate given the projected LOS F impacts for intersections in the project vicinity. More and more traffic will use Elvas as an alternative route, particularly to access the Capital City Freeway. The impacts of this increased traffic on the livability of such streets as C Street and 35th Street were

9-4

¹ *Berkeley Keep Jets Over the Bay Committee v. Board of Port Commissioners* (2001) 91 Cal.App.4th 1344, 1380-1382 (project that meet FCC noise standards could still have a significant effect if it caused a substantial increase in the ambient noise levels for adjoining areas); *Protect the Historic Amador Waterways v. Amador Water Agency* (2004) 116 Cal.App. 4th 1099, 1109-1111 (project meeting hydrology significance thresholds could still have a potentially significant impact because thresholds did not address all hydrology and water impacts of the project).

² *Mejia v. City of Los Angeles* (2005) 130 Cal.App.4th 322, 342 (agencies can not apply standards or thresholds "in a way that forecloses the consideration of any other substantial evidence showing that there may be a significant effect).

again completely ignored in the analysis. Whether you refer to the existing or proposed General Plan, additional traffic impacts on residential streets are to be avoided. C Street between 33th and Alhambra already carries 5000 vehicles per day (based on General Plan Update information); this is no longer a residential street that the residents can consider livable.

9-4
cont.

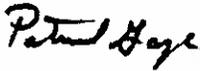
The City's process of allowing staff approval of a TDM Plan after a project is approved has been demonstrated to be unworkable and has resulted in TDM Plans which are of little or no mitigation value. A Transportation Demand Management Plan should be developed and incorporated into the final EIR as specific mitigation. This TDM Plan must include a provision that all lease or sales agreements for this project include a provision that the owner or lessor must provide a full monthly transit pass to all tenants and employees to mitigate traffic impacts. MENA also strongly recommends that parking fees be charged commensurate with the cost of transit tickets or passes.

9-5

9-6

If you have any questions regarding these comments, please contact MENA's Land Use Co-Chair Ron Maertz at ronmaertz@sbcglobal.net.

Respectfully submitted,



Patrick Gage, President
McKinley East Sacramento Neighborhood Association

cc: Elise Gumm, Development Services
Steve Cohn, Councilperson District 3

LETTER 9: PATRICK GAGE, MCKINLEY EAST SACRAMENTO NEIGHBORHOOD ASSOCIATION

RESPONSE 9-1

On July 18, 2008, the Notice of Preparation for the proposed project was mailed to McKinley East Sacramento Neighborhood Association (MENA) at P.O. Box 160222, Sacramento, CA 95816. On October 8, 2008, the Notice of Availability of the Draft EIR was mailed to MENA at P.O. Box 160222 Sacramento, CA 95816.

RESPONSE 9-2

The McKinley Village project was not assumed under baseline conditions because it was not an approved or pending project at the time the traffic study for the Station 65 project was being prepared. Under cumulative conditions, development in the McKinley Village project area was assumed based on the land use projections in the SACOG regional traffic model. However, the McKinley Village project is in the process of preparing its own EIR and traffic study and its impact shall be defined with its own EIR.

RESPONSE 9-3

In accordance with CEQA, the effects of a project are evaluated to determine if they will result in a significant adverse impact on the environment. The standards of significance in the analysis presented in the Draft EIR are based upon the current practice of the appropriate regulatory agencies. For most areas related to transportation and circulation, the standards defined in the City's Traffic Impact Analysis Guidelines (City of Sacramento, February, 1996) have been used. For traffic flow on the freeway system, the standards of Caltrans have been used.

While the 1988 General Plan was in place at the time the study was initiated, the City is currently working on updating the General Plan, with adoption expected in early 2009. In general, the Draft 2030 General Plan (City of Sacramento, May 2008) update includes similar goals with respect to the transportation system that were described in the 1988 General Plan. However, the goal related to roadway LOS is significantly different under the Draft 2030 General Plan update:

- The City shall allow for flexible LOS standards, which will permit increased densities and mix of uses to increase transit ridership, biking, and walking, which decreases auto travel, thereby reducing air pollution, energy consumption, and greenhouse gas emissions.
 - Level of Service Standards for Multi-Modal Districts – The City shall seek to maintain the following standards in multi-modal districts including the Central Business District, areas within ½ mile walking distance of light rail stations, and mixed-use corridors characterized by frequent transit service, enhanced pedestrian and bicycle systems, a mix of uses, and higher-density development:
 - Maintain operations on all roadways and intersections at LOS E or better at all times, including peak travel times, unless maintaining this LOS would, in the City's judgment, be infeasible and/or conflict with the achievement of other goals. Congestion in excess of LOS E may be acceptable, provided that provisions are made to improve the overall

- system and/or promote non-vehicular transportation as part of a development project or City-initiated project.
- o Base Level of Service Standard – The City shall seek to maintain the following standards for all areas outside of multi-modal districts:
 - o Maintain operations on all roadways and intersections at LOS D or better at all times unless maintaining this LOS would, in the City's judgment, be infeasible and/or conflict with the achievement of other goals. Congestion in excess of LOS D may be acceptable, provided that provisions are made to improve the overall system and/or promote non-vehicular transportation as part of a development project or City-initiated project.

Please note that as mentioned in the project description, the project is a transit oriented development located next to a transit station and includes a mix of uses and higher-density development which satisfy the goals and objectives of a transit oriented development and promote multi mode and non vehicular transportation. However, the City of Sacramento has a Neighborhood Traffic Management Program (NTMP) where neighborhoods can petition the City to install traffic calming devices to address residents' concerns about traffic.

There are two phases of an NTMP. Phase I involves less restrictive modifications such as the installation of high visibility speed limit signs, striping of bike lanes, and the installation of speed humps. Phase II involves more restrictive measures including half- and full-street closures, diverters, and one-way/two-way street conversions. Phase II modifications are implemented if the Phase I modifications do not adequately address neighborhood concerns.

RESPONSE 9-4

The trip distribution pattern for the proposed project is deemed to be appropriate as it is based on output from the SACOG regional travel demand forecasting model, existing traffic patterns, location of adjacent land uses, engineering judgment. While a small proportion of the Station 65 traffic may continue north on Elvas Avenue to C Street, the increase in traffic will be less than significant per the City's thresholds of significance.

RESPONSE 9-5

The TDM plan is a required mitigation measure per the EIR. The project applicant and future tenants of the development would have to implement the TDM plan to be in compliance with the mitigation requirements. Details of the TDM plan will be established through coordination between the City of Sacramento, Regional Transit, and the project applicant.

RESPONSE 9-6

The decision to charge for parking will be at the discretion of the project applicant and future tenants.

October 23, 2008

Letter 10

Elise Gumm
Development Services Department
300 Richards Blvd, 3rd Floor
Sacramento, CA 95811

Subject: Planning Comments for Station 65 (P08-068)

Dear Ms. Gumm,

Thank you for the opportunity to comment on the project known as Station 65 located at the southeast corner of Folsom Boulevard and 65th Street. The Sacramento Metropolitan Air Quality Management District (SMAQMD) is generally supportive of the project, its proposed densities, and commends the City and Applicant for working to make the 65th Street Transit Village a reality. The construction of high-density mixed use developments on transit corridors is a key component to reducing criteria emissions and greenhouse gasses from automobiles and light-duty trucks. In order to maximize emission reductions, staff has the following comments and suggestions to help make the project more integrated with its unique location at a major transit center.

- Include adequate all-weather covering and seating in all parts of the future terminal area as well as public restrooms.
- The 67th Street elevation is not pedestrian or transit friendly. Include additional elements to activate the street, such as wrapping the parking structure with a hotel/residential use to provide eyes on the street, additional landscaping, a wider-pedestrian area, and transit-oriented retail.
- Provide a pedestrian-friendly route from 67th Street to the amenities located in the paseo.
- Regional Transit and the Applicant should coordinate more closely with Amador Regional Transit System, The Sutter Memorial Hospital Shuttle, and Sacramento State University Transportation & Parking Services to ensure the new transit facility meets all operators' needs.
- As the transit terminal is still bifurcated by Q Street, pedestrian treatments are encouraged, including special paving between 65th Street and 67th Street, and

10-1

possibly along 67th Street between Q Street and Folsom Boulevard should transit stops be placed on the east side of the street.

SMAQMD staff thanks the City for the opportunity to present our comments and any questions may be sent to Molly Wright (916-874-4886 | mwright@airquality.org) or Paul Philley (916-874-4882 | pphilley@airquality.org).

10-1
cont.

Best Wishes,



Paul Philley
Assistant Air Quality Planner / Analyst

C: Molly Wright, Associate Air Quality Planner/Analyst, SMAQMD
Larry Robinson, Program Coordinator, SMAQMD
Tim Taylor, Division Manager, SMAQMD

**LETTER 10: PAUL PHILLEY, SACRAMENTO METROPOLITAN AIR QUALITY
MANAGEMENT DISTRICT**

RESPONSE 10-1

Comment noted. The issues raised in this letter are not related to the adequacy of the Draft EIR and the scope of environmental analysis required under CEQA. This letter has been provided to the decision makers for consideration in their review of the proposed project.

EXHIBITS

EXHIBIT 1

MITIGATION MONITORING AND REPORTING PROGRAM

MITIGATION MONITORING AND REPORTING PLAN

INTRODUCTION

The California Environmental Quality Act (CEQA) requires review of any project that could have significant adverse effects on the environment. CEQA also requires reporting on and monitoring of mitigation measures adopted as part of the environmental review process (Public Resources Code Section 21081.6). This Mitigation Monitoring and Reporting Plan (MMRP) is designed to aid the City of Sacramento (City) in its implementation and monitoring of measures adopted from the Station 65 Project EIR.

The mitigation measures are taken from the Station 65 Project Draft EIR and appear here in **Table 1** under the same identification number in the Draft EIR. Presented in table format, this MMRP and it describes the actions that must take place to implement each mitigation measure, the timing of those actions, the entities responsible for implementing and monitoring the actions, and the means to verify compliance.

MITIGATION MONITORING REPORTING PROGRAM COMPONENTS

Mitigation Measure: All mitigation measures identified in the Station 65 Draft EIR are presented and numbered as they appear in the Draft EIR. Each mitigation measure is labeled to identify if it applies to Scenario A, Scenario B, or both. Any change to the text of a mitigation measure presented in **Chapter 2.0, Changes to the Draft EIR**, of this Final EIR is included in this MMRP.

Action: Identifies the action that must be completed in order for the mitigation measure to be considered implemented. For every mitigation measure, at least one action is described.

Implementing Party: Identifies the entity that will be responsible for implementing the action.

Timing: Each action must take place prior to the time a threshold could be exceeded. Implementation of the action must occur prior to or during some part of approval, project design or construction, or on an ongoing basis. The timing for each measure is identified in **Table 1**.

Monitoring Party: Identifies the entity that will be responsible for monitoring implementation of the required action. The City is responsible for ensuring that most mitigation measures are successfully implemented. Within the City, a number of departments and divisions will have responsibility for monitoring some aspect of the overall project.

Verification of Compliance: Identifies verification of compliance for each identified mitigation measure.

TABLE 1. MITIGATION MONITORING PLAN

Mitigation Measure	Action	Implementing Party	Timing	Monitoring Party	Verification of Compliance
<p>Mitigation Measure 4.3-1-1: The project will be required to participate in whatever financing mechanism is in place at the time of issuance of building permits to fund, on a fair-share basis, the cost of installation of the improvements.</p>	<p>Verify the applicable fair-share financing mechanisms to fund roadway improvements.</p>	<p>Project applicant and City of Sacramento to determine fair-share costs.</p>	<p>Prior to the issuance of a building permit.</p>	<p>City of Sacramento Development Services/ Department of Transportation (DOT)</p>	
<p>Mitigation Measure 4.3-2-2: The project applicant shall construct a traffic signal at the Folsom Boulevard/67th Street intersection and ensure that separate right and left-turn lanes are constructed on the northbound approach to the intersection.</p> <p>A signal warrant analysis was performed under AM and PM peak hour conditions for the baseline with Scenario A project condition. The Scenario A project met the signal warrants, and since the Scenario B project generates slightly more traffic, it will also meet the AM and PM peak hour signal warrants.</p> <p>Note that Folsom Boulevard currently has two eastbound lanes that extend approximately 25 feet east of the 67th Street intersection. The installation of a traffic signal at 67th Street would create a merging hazard if this short lane is maintained. The design of the traffic signal should ensure that this short merging section is eliminated. The final design of the intersection and signal design will be subject to review and approval by the City of Sacramento Department of Transportation.</p> <p>The project applicant shall enter into agreement with the City that if a finance plan is later adopted and implemented that includes the signal, the applicant shall be considered for credits, or reimbursement for cost incurred beyond its fair share.</p> <p>Figure 4.3-22 shows the proposed mitigation, and Tables 4-28 and 4-29 present the LOS results for Scenario A with mitigation and Scenario B with mitigation, respectively.</p>	<p>The project applicant shall work with the City's DOT to construct the traffic signal and to enter into an agreement regarding future credits and/or reimbursements the project applicant may be eligible for.</p> <p>The project applicant shall enter into an agreement with DOT regarding the eligibility for the project applicant to obtain future credits and/or reimbursements for costs incurred.</p>	<p>Project applicant to construct the traffic signal. DOT to review and approve design of the traffic signal.</p>	<p>Prior to the issuance of a building permit.</p>	<p>City of Sacramento Development Services/DOT</p>	
<p>Mitigation Measure 4.3-2-3: Implement Mitigation Measures 4.3-2-1</p>	<p>See MIMs 4.3-2-1 and</p>				

Mitigation Measure	Action	Implementing Party	Timing	Monitoring Party	Verification of Compliance
and 4.3-2-2. Figure 4.3-22 shows the proposed mitigation, and Tables 4-28 and 4-29 present the LOS results for Scenario A with mitigation and Scenario B with mitigation, respectively.	4.3.2-2.				
Mitigation Measures 4.3-2-4: The project applicant shall pay for the City of Sacramento Traffic Operations Center to monitor and re-time the Folsom Boulevard/State University Drive East traffic signal, when required, to optimize flow through the intersection. Figure 4.3-22 shows the proposed mitigation, and Tables 4-28 and 4-29 present the LOS results for Scenario A with mitigation and Scenario B with mitigation, respectively.	Project applicant to pay fees associated with the monitoring and re-timing of the Folsom Boulevard/State University Drive East traffic signal.	City of Sacramento DOT.	As needed during project construction and operation.	City of Sacramento Development Services/DOT	
Mitigation Measures 4.3-2-5: The project applicant shall pay a fair share contribution to the City of Sacramento Traffic Operations Center to monitor and re-time the 65th Street/Q Street traffic signal, when required, to optimize flow through the intersection. It is important to note that this mitigation measure was also identified under baseline with project conditions for the South 65th Street Center (Target project), the 65th Street Transit Village project, and other projects. Figure 4.3-22 shows the proposed mitigation, and Tables 4-28 and 4-29 present the LOS results for Scenario A with mitigation and Scenario B with mitigation, respectively.	Project applicant to pay fair share contribution to City DOT for the monitoring and re-timing of the 65 th /Q Street signal.	City of Sacramento DOT.	As needed during project construction and operation.	City of Sacramento Development Services/DOT	
Mitigation Measures 4.3-2-6: The project applicant shall pay a fair share contribution to the City of Sacramento Traffic Operations Center to monitor and re-time the 65th Street/S Street/US 50 Westbound Off-ramp traffic signal to optimize flow through the intersection, when required. It is important to note that this mitigation measure was also identified under baseline with project conditions for the South 65th Street Center (Target project), the 65th Street Transit Village project, and other projects. Figure 4.3-22 shows the proposed mitigation, and Tables 4-28 and 4-29 present the LOS results for Scenario A with mitigation and Scenario B with mitigation, respectively.	The project applicant shall pay their fair share contribution for the monitoring and re-timing of the 65 th Street/S Street/US 50 Westbound off-ramp traffic signal.	City of Sacramento DOT.	As needed during project construction and/or operation	City of Sacramento Development Services/DOT	

Chapter 5.0 Mitigation Monitoring Plan

Mitigation Measure	Action	Implementing Party	Timing	Monitoring Party	Verification of Compliance
<p>Mitigation Measures 4.3-2-7: The project applicant shall pay a fair share contribution to the City of Sacramento Traffic Operations Center to monitor and re-time the 65th Street/US 50 Eastbound Off-ramp traffic signal, when required, to optimize flow through the intersection.</p> <p>It is important to note that this mitigation measure was also identified under baseline with project conditions for the South 65th Street Center (Target Project), the 65th Street Transit Village project, and other projects. Figure 4.3-22 shows the proposed mitigation, and Tables 4-28 and 4-29 present the LOS results for Scenario A with mitigation and Scenario B with mitigation, respectively.</p>	<p>The applicant shall pay their fair share contribution to the City of Sacramento DOT for monitoring and re-timing the 65th Street/US 50 eastbound off-ramp signal.</p>	<p>City of Sacramento DOT</p>	<p>As needed during project construction and operation.</p>	<p>City of Sacramento Development Services/DOT</p>	
<p>Mitigation Measure 4.3-2-8: a. Implement Mitigation Measure 4.3-2-5 b. The project applicant shall construct a traffic signal at the Q Street/67th Street intersection and enter into agreement with the City that if a finance plan is later adopted and implemented that includes the signal, the applicant shall be considered for credits or reimbursement for cost incurred beyond its fair share.</p>	<p>See MM 4.3.2-5. Project applicant to construct the traffic signal at Q Street/67th Street. Project applicant to work with City DOT to enter into an agreement for the reimbursement of costs incurred during the installation of the traffic signal.</p>	<p>City of Sacramento DOT</p>	<p>Prior to project operation.</p>	<p>City of Sacramento Development Services/DOT</p>	
<p>Mitigation Measure 4.3-3: Establish a Travel Demand Management program for the Station 65 project.</p>	<p>The project applicant will work with the City DOT to establish a Travel Demand Management program for the proposed project.</p>	<p>City of Sacramento DOT</p>	<p>Prior to project operation.</p>	<p>City of Sacramento Development Services/DOT</p>	
<p>Mitigation Measure 4.3-4: Pay fair share to widen the westbound US 50 off-ramp as described in the 65th Street Transit Village Plan EIR.</p>	<p>The applicant shall pay their fair share contribution for the widening of the westbound US 50 off-ramp.</p>	<p>City of Sacramento DOT</p>	<p>Prior to project operation.</p>	<p>City of Sacramento Development Services/DOT</p>	
<p>Mitigation Measure 4.3-5-1: The City shall ensure that Regional Transit relocate/ replaces the RT bicycle facilities that are currently</p>	<p>Regional Transit (RT) to relocate bicycle facilities.</p>	<p>RT to implement the</p>	<p>Prior to project</p>	<p>City of Sacramento</p>	

Chapter 5.0 Mitigation Monitoring Plan

Mitigation Measure	Action	Implementing Party	Timing	Monitoring Party	Verification of Compliance
located on the Station 65 project site. The project applicant shall construct an adequate number of bicycle lockers and racks to meet the demand created by the Station 65 project. The project applicant shall coordinate with City staff to determine the appropriate number of bicycle lockers and racks.	Project applicant to construct an adequate number of bicycle lockers and racks to meet project demand. Project applicant to work with City staff to determine the appropriate number of bike racks and lockers.	relocation of bicycle facilities. Project applicant to construct bicycle racks and lockers.	operation.	Development Services/DOT	
<p>Mitigation Measures 4.3-8: Before issuance of grading permits for the project site, the project applicant shall prepare a detailed Traffic Management Plan (TMP) that will be subject to review and approval by the City Department of Transportation, Regional Transit, and local emergency service providers, including the City of Sacramento fire and police departments. The plan shall ensure maintenance of acceptable operating conditions on local roadways and transit routes. At a minimum, the plan shall include:</p> <ul style="list-style-type: none"> • The number of truck trips, time, and day of street closures • Time of day of arrival and departure of trucks • Limitations on the size and type of trucks; • provision of a staging area with a limitation on the number of trucks that can be waiting • Provision of a truck circulation pattern • 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) • Safe and efficient access routes for emergency vehicles • Efficient and convenient transit routes • Manual traffic control when necessary 	<p>Project Applicant to prepare a detailed TMP. The TMP will include, but is not limited to, the provisions outlined in Mitigation Measure 4.3-8.</p> <p>The TMP is subject to review and approval from City DOT, RT, and local emergency service providers.</p> <p>The project applicant shall submit a copy of the TMP to local emergency response agencies and these agencies shall be notified at least 14 days before the commencement of construction that would partially or fully obstruct roadways.</p>	<p>Project applicant to prepare TMP. City DOT, RT, and local emergency service providers to review and approve TMP.</p>	<p>Prior to the issuance of a grading permit.</p>	<p>City of Sacramento Development Services/DOT</p>	

Mitigation Measure	Action	Implementing Party	Timing	Monitoring Party	Verification of Compliance
<ul style="list-style-type: none"> • Proper advance warning and posted signage concerning street closures • Provisions for pedestrian safety • Provisions for temporary bus stops, if necessary <p>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 construction that would partially or fully obstruct roadways.</p>					
<p>Mitigation Measure 4.3-11: Pay fair share to widen the westbound US 50 off-ramp as described in the 65th Street Transit Village Plan EIR. Also, implement Mitigation Measures 4.3-3.</p>	See MM 4.3-4.				
<p>Mitigation Measure 4.3-13-1: Implement Mitigation Measure 4.3-5-1.</p> <p>Mitigation Measure 4.3-15:</p> <ol style="list-style-type: none"> 1. Revise the site plan to relocate the CSUS shuttle stop or to provide acceptable turning movements to accommodate the operation of both the CSUS shuttle and the hotel drop-off/ pick-up service. The revised site plan shall be subject to review and approval by the City of Sacramento, Department of Transportation. 2. Implement one of the following mitigation measures to reduce the significance of the Q Street driveway impact: <ol style="list-style-type: none"> i. Design project driveway at Q Street to operate as right-in/right-out only. A raised median shall be required to prohibit the left turn into the driveway from Q Street and out to Q Street. Since driveway approval is within the authority of the City's Traffic Engineer, the final design and lane geometry at this location shall be subject to review and approval of the City's Traffic Engineer. ii. Design project driveway at Q Street to operate as right-out only. A raised median shall be required to prohibit the left turn into the driveway from Q Street and out to Q Street. The project applicant shall also provide a left-in/right-in driveway on 67th Street located between the proposed northerly driveway and Q Street. In association with the driveway, a "Keep Clear" area should be signed and striped 	<p>Project Applicant to revise project site plans to relocate CSUS shuttle stop or to provide acceptable turning movements. City Department of Transportation to review and approve revised plans.</p>	City DOT to review and approve revised site plans.	Prior to project construction.	City of Sacramento Development Services/DOT	

Mitigation Measure	Action	Implementing Party	Timing	Monitoring Party	Verification of Compliance
<p>on southbound 67th Street. Since driveway approval is within the authority of the City's Traffic Engineer, the final design and lane geometry at these locations shall be subject to review and approval of the City's Traffic Engineer. City of Sacramento Department of Transportation staff and the project applicant shall work with Regional Transit to relocate the bus bay that is eliminated by the new 67th Street driveway</p> <p>iii. Design project driveway at Q Street to operate as right in/right out during all hours of the day, with left in turns allowed during certain off peak hours. Since driveway approval is within the authority of the City's Traffic Engineer, the final design and lane geometry at this location, and specification of enforcement mechanisms to preclude left in turn, shall be subject to review and approval of the City's Traffic Engineer. A "Keep Clear" area shall be signed and striped on westbound Q Street in front of the driveway. The off-peak hours will be determined through a traffic operations monitoring program to be paid for by the project applicant and administered by the City. In order to prevent traffic from queuing into 65th Street, the off-peak hours may vary over time as traffic conditions change with the buildout of the area. During the peak-hours, the left-turn shall be prohibited by traffic cones, an automatic gate, or similar device that meets requirements set by the City's Traffic Engineer. The device that prohibits left-turns shall be installed by the project applicant and maintained by the property owner. In conjunction with the closure device, the project applicant shall also construct raised medians along Q Street. Since driveway approval is within the authority of the City's Traffic Engineer, the final design and lane geometry at this location, and specification of enforcement mechanisms to prevent peak-hour left-turns shall be subject to review and approval of the City's Traffic Engineer.</p>					
4.4 Noise and Vibration					
<p>Mitigation Measure 4.4-1: The applicant shall ensure construction equipment staging areas shall be located away from residential uses; pre-drill pile holes and use quieter "sonic" pile-drivers, where feasible; and restrict high noise activities, such as pile driving, the use of</p>	<p>Project applicant to ensure that noise reduction and attenuation measures are</p>	<p>Project applicant and/or contractor.</p>	<p>Prior to issuance of a building permit,</p>	<p>City of Sacramento Building Division.</p>	

Chapter 5.0 Mitigation Monitoring Plan

Mitigation Measure	Action	Implementing Party	Timing	Monitoring Party	Verification of Compliance
jackhammers, drills, and other generators of sporadic high noise peaks, to the hours of 7 a.m. to 6 p.m. Monday through Friday, or other such hour satisfactory to the City.	implemented as set forth in MM 4.4-1.		implement measures during ground disturbing construction activities.		
Mitigation Measure 4.4-4: The Applicant shall ensure that all commercial heating, cooling, and ventilation equipment shall be located within mechanical rooms where possible, or shielded from view with solid barriers or parapets.	Project applicant to ensure that noise reduction and attenuation measures are implemented as set forth in MM 4.4-2.	Project applicant and/or contractor.	Prior to issuance of a building permit, City will verify location of HVAC equipment.	City of Sacramento Building Division.	

EXHIBIT 2

***STATION 65 Q STREET ACCESS ANALYSIS – TRAFFIC
CONTROL OPTIONS AND TRAFFIC
OPERATIONS ASSUMPTIONS***



DRAFT MEMORANDUM

Date: November 4, 2008

To: Samar Hajeer, City of Sacramento
Alex Goloveshkin, City of Sacramento
Mark Lucas, Lucas Enterprises

From: Chris Breiland & Alan Telford, Fehr & Peers

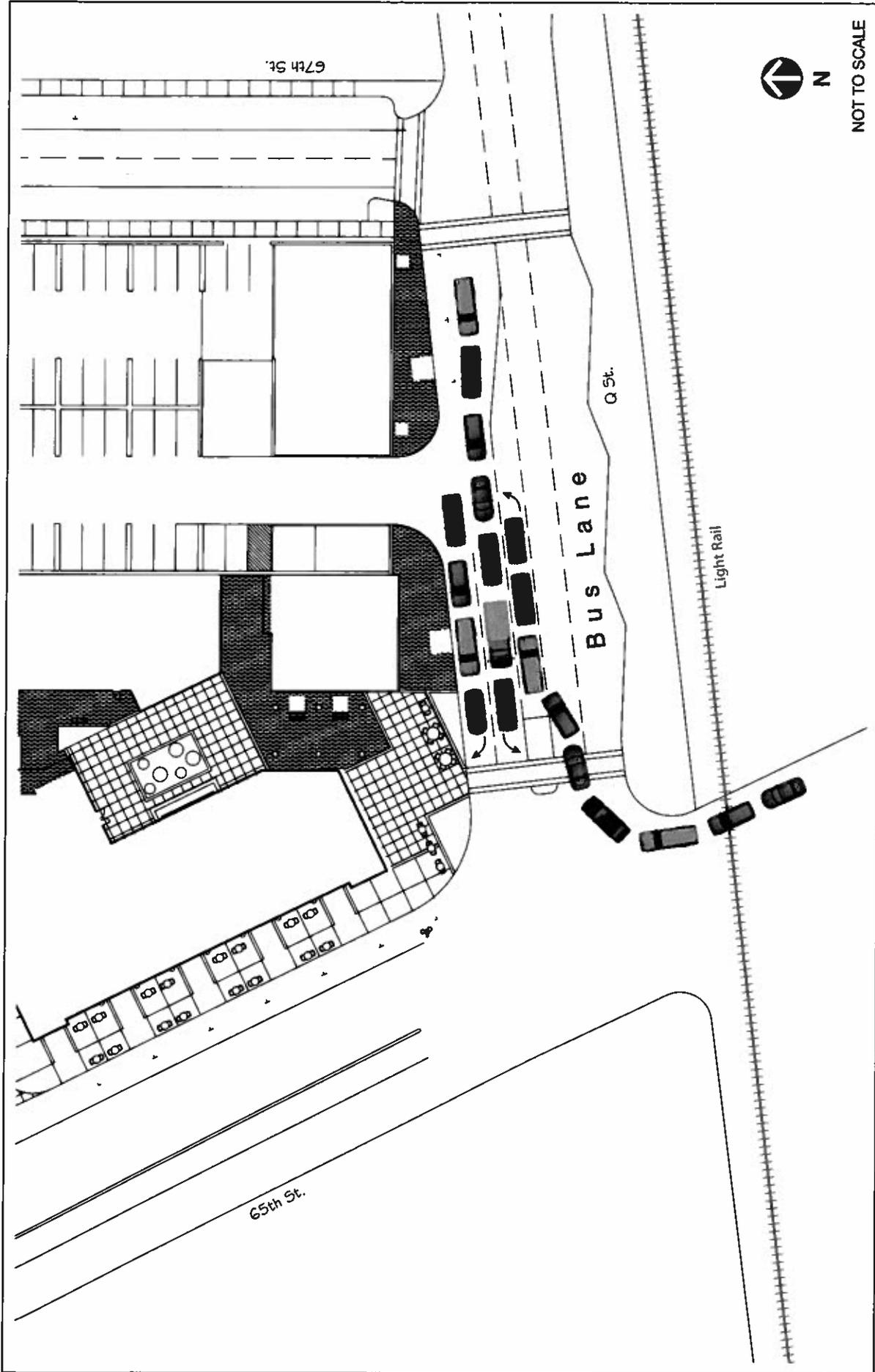
Subject: *Station 65 Q Street Access Analysis – Traffic Control Options and Traffic Operations Assumptions*

RS08-2604

Purpose

The EIR for the Station 65 project found that there was a traffic operations impact with the inbound left-turn movement from Q Street into the project's parking garage. The primary concern is that westbound queuing on Q Street (from the 65th Street traffic signal) could block the driveway entrance, which in turn, would cause the inbound left-turn queue to extend into 65th Street (see Figure 1). One of the mitigation measures recommended by the EIR was to permanently close this left-turn pocket. Because the applicant feels that this movement is important to the success of the project, he requested that a study be conducted to determine the feasibility of allowing left-turn movements during off-peak hours. This memorandum presents the following information related to the off-peak left-turn analysis:

- Extent of queuing on westbound Q Street during a typical weekday
- Options to prohibit left-in access to the Q Street driveway during peak periods
- Estimates of "Keep Clear" area violation rates
- Conclusions about feasibility of off-peak closure



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QUEUEING EXAMPLE
FIGURE 1

Description of the Site

As shown in Figure 2, the project proposes to access the roadway network via a full-access driveway at 67th Street and a left-in/right-in/right-out driveway at Q Street. The driveways provide access to the project's parking garage. Figure 2 also shows that there is not much vehicle queue storage space on Q Street between 65th Street and the driveway:

- Westbound Q Street between the driveway and 65th Street – 125 feet of vehicle queuing capacity (five car lengths)
- Eastbound Q Street turn lane into project driveway – 100 feet of vehicle queuing capacity (four car lengths)

As described above, the EIR identified a traffic operations impact related to the close proximity of the driveway and 65th Street.

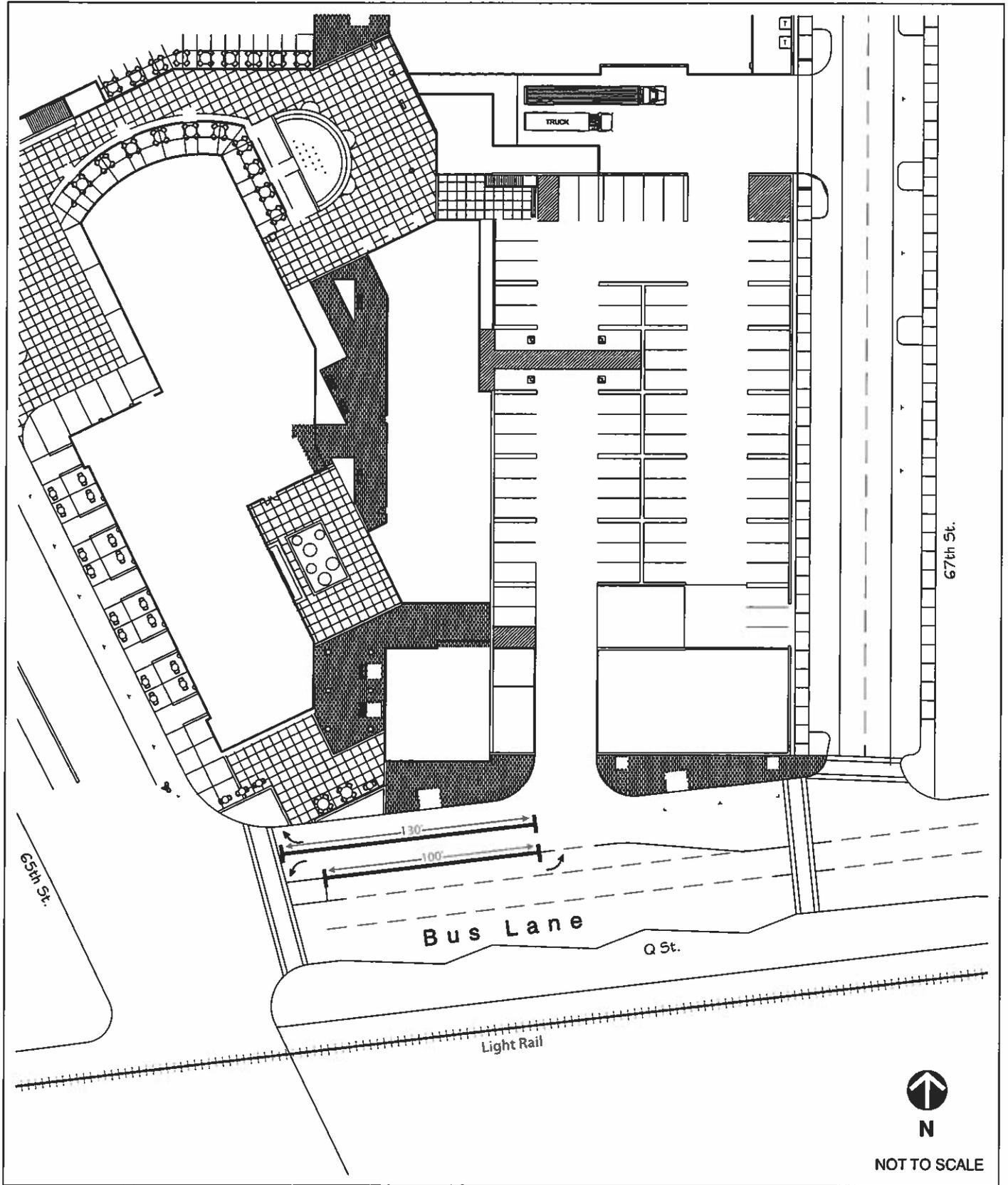
Westbound Q Street Queues

To determine the feasibility of left-turns from Q Street into the project's parking garage during off-peak hours, Fehr & Peers first estimated the length of the westbound queue on Q Street between 65th Street and the project driveway over the course of the day. The queuing was estimated based on a traffic flow profile for Q Street traffic between the hours between 6 AM and 10 PM. Separate traffic flow profiles were developed for Baseline with project and Cumulative with project conditions. While there are two development proposals for the Station 65 project, Scenario A and Scenario B¹, the difference in trip generation between the two projects does not have a significant effect on the length of the Q Street queue, so we will only report results for the higher-density Scenario B project.

Chart 1 presents the Q Street flow profile under baseline with Scenario B project conditions, and Chart 2 presents the Q Street flow profile under cumulative with Scenario B project conditions.

Using the Q Street flow profile data, a similar flow profile data for 65th Street, and the Synchro traffic analysis model created for the EIR analysis, the "95th percentile" westbound Q Street queue was estimated for each hour between 6 AM and 10 PM. The queuing estimates indirectly account for the effects of the light rail crossings by assuming a longer signal cycle length that is associated with the light rail crossings.

¹ Scenario B project contains an additional 19,000 square feet of office uses and 58 apartment units.



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PROJECT SITE PLAN

FIGURE 2

However, because the light rail signal preemption holds westbound Q Street for up to a minute per train, the actual queues during and immediately after the light rail crossing may be longer.

The results, which are summarized on Chart 1 and Chart 2, indicate that there is the potential for queuing to exceed 125 feet at times when the westbound traffic flow on Q Street exceeds 175 vehicles per hour (as indicated by the dashed red line). As shown, westbound flow is expected to exceed 150 vehicles per hour between 7 AM and 8 PM during baseline conditions (although the 10-11 AM hour is close to the 175 vehicle threshold as well), and between 7 AM and 10 PM during cumulative conditions.

The queuing results indicate that during much of the day there will be the potential for the inbound left-turning vehicles to be blocked by westbound Q Street vehicles that do not comply with the "Keep Clear" area in front of the driveway. While there is the potential for vehicles to block the driveway entrance, this does not necessarily lead to spillback into 65th Street. Since it takes time for the queue to build, some entering vehicles will have the chance to enter before the driveway entrance is blocked. Additionally, not all vehicles will violate the "Keep Clear" area and in this case, the queued vehicles will benefit the vehicles who desire to enter the Q Street driveway since they will act as blockers and allow unobstructed entry into the garage. The issue of the rate of "Keep Clear" area violation will be discussed later in this memorandum.

Prohibiting Left-Turns from Q Street into the Project Driveway

In order for a peak period closure of the left-in access to the Q Street driveway to be effective, a physical device must be installed. A solution that relies solely on a sign to prohibit left-turns is common at other locations; however, based on conversations with City of Sacramento Staff, this solution is not practical for Station 65. In most cases where a sign prohibits a left-turn, the consequence of violation is delay and inconvenience for the vehicles behind the violator. However, for the Q Street driveway access, the consequence for a driver that violates the sign could result in more significant traffic operations concerns if traffic spills back into 65th Street.

Fehr & Peers studied time-of-day left turn restrictions by surveying staff across the company and by performing a web search of similar closures. The results of the investigation indicate that time-of-day left turn restrictions are not uncommon using signs, but the use of physical barriers is rare. The only example of a physical time-of-day closure of a left-turn lane that could be found was in Walnut Creek, CA where police officers place cones to block turn lanes each weekday afternoon in an effort to prevent neighborhood cut-through traffic (see Figure 3).

Chart 1 - Westbound Q Street Flow Profile Approaching 65th Street - Baseline With Scenario B Conditions

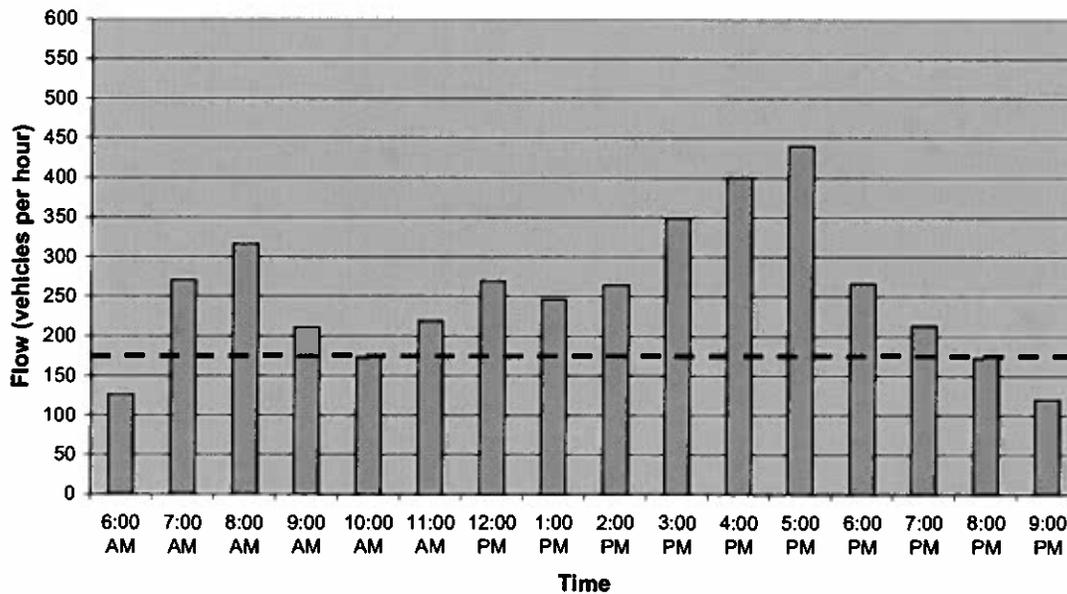
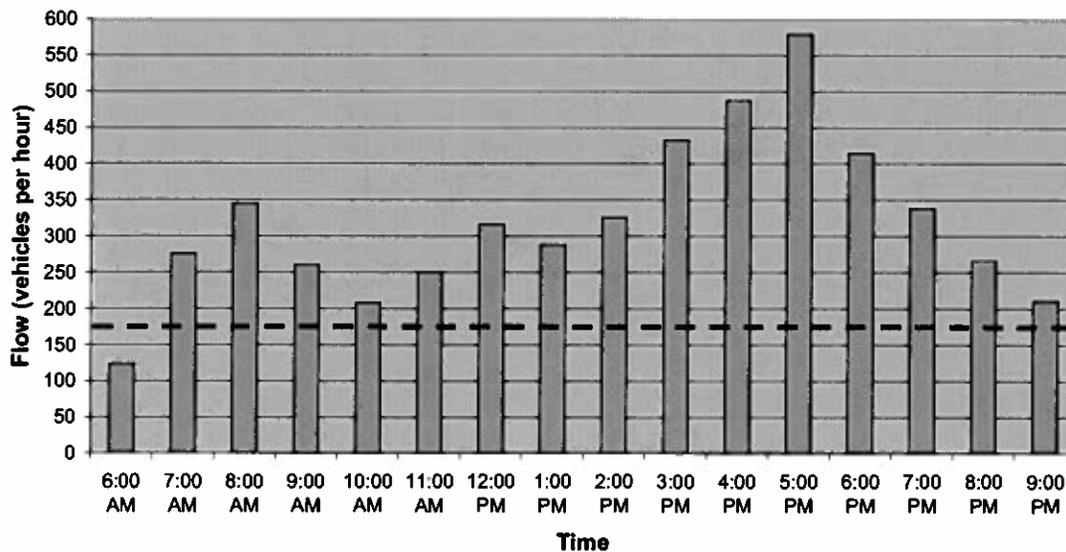


Chart 2 - Westbound Q Street Flow Profile Approaching 65th Street - Cumulative Conditions with Scenario B Project



Long term left-turn lane closures using a physical restriction are more common, particularly to prohibit turns to incomplete roads or driveways, or to prohibit turns into parking lots that are used for special events only (e.g., stadiums). In these instances, the physical control is either semi-permanent (e.g., rubber poles, concrete railing), or is manually controlled (e.g., chains, cables, gates).

While it is unusual to close a left-turn lane during portions of the day using a physical barrier, other types of partial-day closures using barriers are more

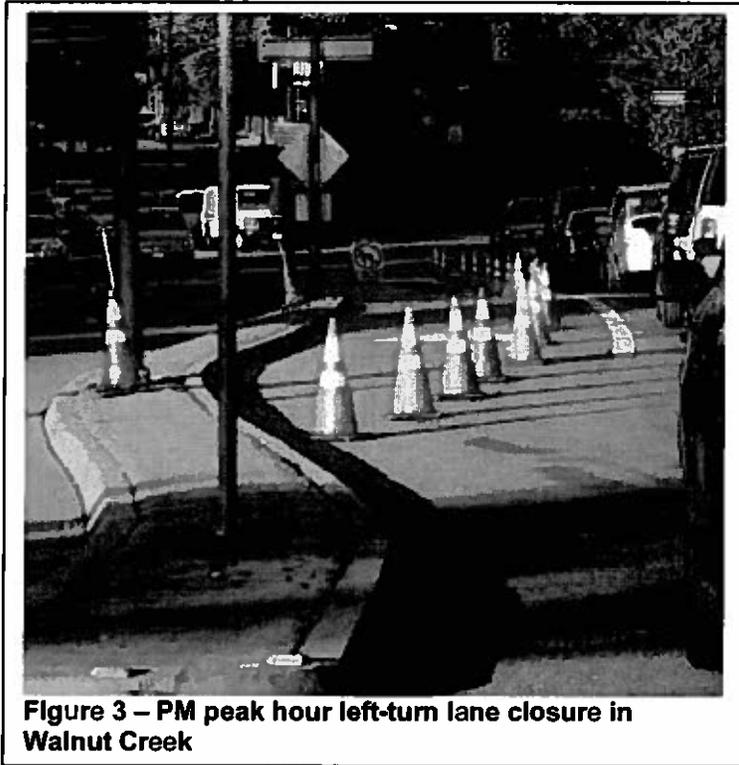


Figure 3 – PM peak hour left-turn lane closure in Walnut Creek

common. Reversible lanes are employed in many metropolitan areas using restrictions ranging from electronic signs, to rubber pylons, to gates, bollards, and concrete railings. Automatic gates are often used to restrict access into locations like university campuses and parking lots. Movable bollards (poles that raise and lower) are also used to restrict access to campuses and pedestrian areas. The web research indicated that many European cities use movable bollards to implement time-of-day closures on residential streets to reduce cut-through traffic. Local examples of movable bollards include the Tower Bridge, which has bollards that come up when the bridge is moving, and around the State Capitol, which has movable bollards around the perimeter to allow maintenance and emergency vehicle access. While the gates and bollards offer the benefit of automated deployment, they are not included as official control devices in the *California Manual on Uniform Traffic Control Devices (MUTCD)*, which is the regulatory guidance on what devices can be used to control traffic. However, traffic cones are official devices when used to control traffic on a "temporary" basis.

Based on the results of the research above, the only practical control device that is officially listed under the California MUTCD are orange cones (or similar manually controlled device). Note, however, that the cones are permitted under the presumption that the peak-period traffic control

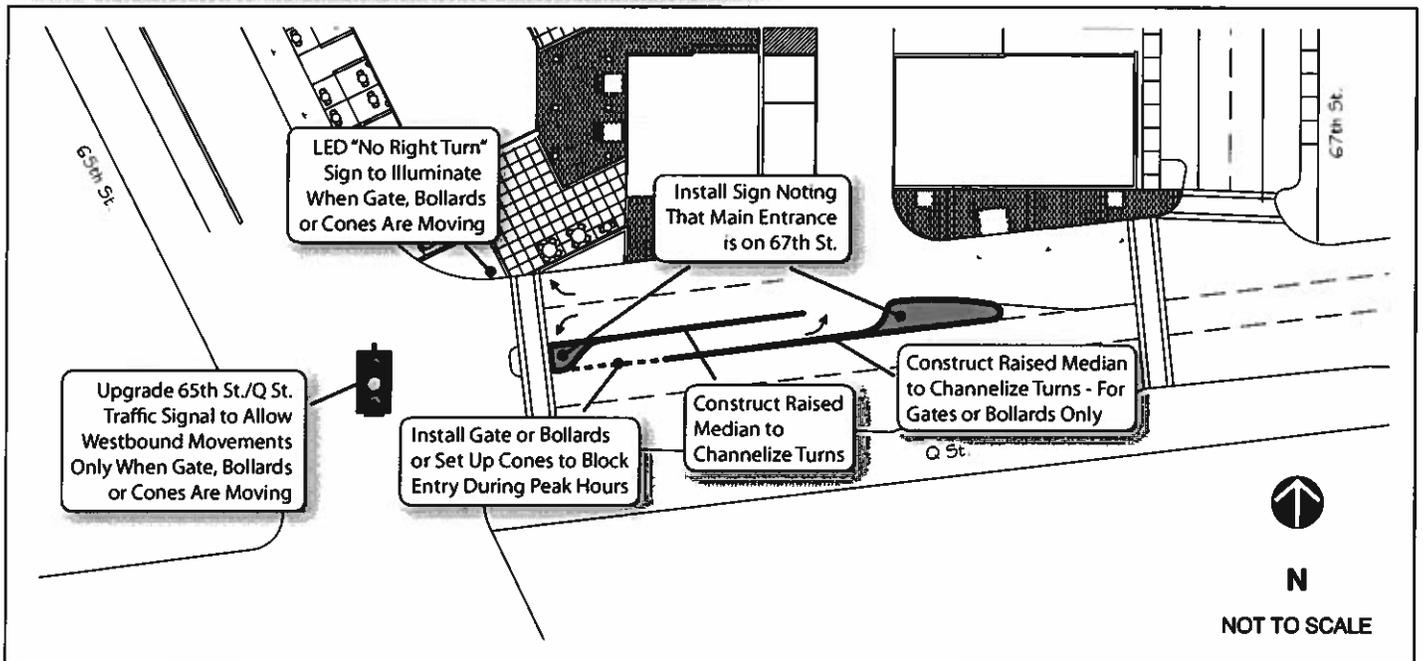
is “temporary.” Automatic control devices like gates and bollards could be implemented if approved as experimental devices by the California Traffic Control Devices Committee². Figure 4 presents three options for restricting peak-hour vehicle access to the Q Street left-turn lane into the Station 65 driveway:

- Orange Traffic Cones (or similar manually deployed device)
- Automatic Gate
- Movable Bollards

The pros and cons of each option are outlined below:

PRO/CON LIST OF LEFT-TURN CONTROL DEVICES	
Pro	Con
Orange Cones	
Inexpensive up-front cost	High long-term cost (requires manual set-up and take-down)
Little or no vehicle damage if vehicle strikes cone	Potentially unreliable if person in charge is absent
Driver familiarity (i.e., drivers are accustomed to cones in roadways and generally know how to react)	
Permitted under California MUTCD*	
Automatic Gate	
Relatively inexpensive up-front cost	Driver familiarity (drivers are not accustomed to gates in public roads and may react unexpectedly)
Minor damage to gate or vehicle if vehicle strikes gate	Need contingency plan if gate is broken
Automatic	Not an official traffic control in the California MUTCD**
Movable Bollards	
Automatic	High up-front cost
Aesthetics	Depending on design, significant damage to vehicle and/or bollard in the event of a vehicle collision
	Driver familiarity (drivers are not accustomed to bollards in public roads and may react unexpectedly)
	Need contingency plan if bollards are broken
	Not an official traffic control in the California MUTCD**
Note: * The California MUTCD allows traffic cones to be placed for temporary traffic control. ** The City would need to file an application with the California Traffic Control Devices Committee to seek approval for an experimental traffic control device.	

² An application must be filed by the City to have a device be considered for experimental status by the California Traffic Control Devices Committee.



Regardless of which left-turn control measure is selected, the signalization and intersection modifications shown in Figure 4 would be required to reduce the risk of a vehicle conflict while the control is being set up.

Keep Clear Area Violation Rate

Based on the results of the queuing analysis presented above, there is the potential that westbound Q Street queues could block the driveway entrance for much of the day. Therefore, for off-peak left-turn access to function with a reduced potential for spillback into 65th Street, a “Keep Clear” area is required in front of the Q Street driveway. While “Keep Clear” signs and pavement marking can reduce the number of times that intersections and driveways become blocked by queued vehicles, there can be violations.

To estimate the compliance rate of “Keep Clear” areas, Fehr & Peers observed seven “Keep Clear” areas that are somewhat similar to the Station 65³ configuration. The locations of the surveyed “Keep Clear” areas are as follows:

- Eastbound Greenback Lane west of Fair Oaks Boulevard in Citrus Heights
- Southbound Folsom-Auburn Road north of Greenback Lane in Folsom
- Eastbound Folsom Boulevard west of 65th Street in Sacramento
- Southbound Stockton Boulevard north of Mack Road in Sacramento
- Eastbound Elk Grove Boulevard west of Elk Grove-Florin Road in Elk Grove
- Southbound Sunrise Avenue north of Cirby Way in Roseville
- Eastbound Main Street west of Washington Boulevard in Roseville

The “Keep Clear” areas above were observed for 20 to 30 minutes each during the PM peak hour and compliance rates were noted. A violation was defined as when a vehicle stopped in the “Keep Clear” area such that a left-turning vehicle was not able to proceed until traffic cleared. Rolling queues were not considered to be in violation of the “Keep Clear” area.

The field observations found that the “Keep Clear” areas are disregarded by drivers approximately 25 percent of the time. Overall violation rates were similar at all the observed locations.

³ “Keep Clear” areas are relatively common in front of fire stations; however, these sites are not heavily traveled by fire vehicles and were not considered for comparison.

Conclusion

Based on the results presented above, we feel that off-peak left-turn access into the Station 65 Q Street driveway can be accommodated without leading to queues that extend into 65th Street. The Q Street queuing estimates indicate that there is the potential for queues to block the entrance for much of the day, but existing "Keep Clear" areas have a relatively high compliance rate. To enhance the flexibility of the system, we recommend that traffic operations monitoring program be established and monitored by the City of Sacramento. Components of the traffic operations monitoring program could be cameras that are connected to the Traffic Operations Center and a loop detector at the end of the left turn pocket to detect when queues are at risk of spilling out of the pocket. The traffic operations monitoring program could be used to adjust the periods when the left-turn is prohibited and override the system as necessary. At a worst case scenario, traffic operations monitoring program may find that future conditions preclude the ability to provide left-turns into the Station 65 site and the left-turn could be closed permanently, consistent with one of the potential mitigation measures defined in the EIR.