Swanston Station Transit Village Specific Plan
Final Environmental Impact

SCH # 2007062130

Prepared for:

City of Sacramento

August 2009
Swanston Station Transit Village Specific Plan
Final Environmental Impact Report
SCH # 2007062130

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CHAPTER 1  INTRODUCTION
Chapter 1
Introduction

1.1 PURPOSE OF THIS DOCUMENT

This document includes all agency and public comments received on the Draft Environmental Impact Report (Draft EIR) for the proposed Swanston Station Transit Village Specific Plan (proposed project). Written comments were received by the City of Sacramento during the public comment period held from February 23, 2009 to April 24, 2009. This document includes written responses to substantive comments received on the adequacy of the Draft EIR. The responses correct, clarify, and amplify text in the Draft EIR, as appropriate. These changes do not alter the conclusions of the Draft EIR.

This document also provides revisions to the Draft EIR made in response to comments, staff review, and/or changes to the proposed project.

This Final EIR document has been prepared in accordance with the California Environmental Quality Act (CEQA) and together with the Draft EIR (and Appendices) constitutes the EIR for the proposed project.

1.2 SUMMARY OF THE PROPOSED PROJECT

Project Overview

The project proposes adoption and implementation of the proposed Swanston Station Transit Village Specific Plan (proposed Swanston TVSP project) and approval of related entitlements. The proposed project is a long-range urban design and implementation plan that guides public and private improvements in the Swanston TVSP project area over the next 20-25 years and beyond. At the heart of the specific plan area is the Swanston Light Rail Station along the Sacramento Regional Transit District’s Northeast Corridor. The Swanston TVSP project area is roughly bounded by El Camino Avenue on the north, Arden Way on the south, and the Capital City Freeway (Business 80) on the east. Beaumont and Erickson Streets define the western edge of the Swanston TVSP project area. The proposed Swanston TVSP project addresses land use, traffic and circulation, infrastructure, financing strategies, and implementation measures that are needed to support the vision for future development and investment in the Swanston TVSP project area.

The Swanston TVSP proposes new land use designations and zoning for the project area. The City of Sacramento approved the 2030 General Plan subsequent to the preparation and public review of the Draft EIR for the Swanston Station Transit Village Specific Plan. Because the General Plan update was underway concurrently with the Swanston TVSP, the General Plan designations within the project area are varied and reflect the mixture of uses recommended in the Swanston TVSP. In general, the new
General Plan land use designations accommodate the uses and intensities proposed in the Swanston TVSP.

The proposed Swanston TVSP project area is divided into two areas. The smaller area, the Strategic Plan area, is expected to develop first, with planned buildout for this area occurring around 2025. The remainder of the Swanston TVSP area, the Long-Term Plan area, is expected to develop after 2025. Because this project is a specific plan, the analyses include assumptions about the level of development that could occur within these respective areas. Development within the Strategic Plan area is based on the development assumptions derived in a market analysis prepared for the Swanston Station Specific Plan. For the Long-Term Plan area, the assumptions are based on the proposed land uses and the amount of development that would be allowed, based on the proposed zoning.

**Project Approval**

This Environmental Impact Report (EIR) has been prepared to assess the potential environmental impacts associated with construction and implementation of the proposed project in accordance with the principles, goals, and policies set forth in the Specific Plan. As required under the CEQA, the Draft EIR evaluates and describes potentially significant environmental impacts, identifies mitigation measures to avoid or reduce the significance of potential impacts, and evaluates the comparative effects of potentially feasible alternatives to the proposed Specific Plan.

Project approval requires the City of Sacramento to approve the proposed project and to issue required City permits or affirm compliance with other agency requirements. Below are summarized the discretionary actions sought by the project applicant for the Swanston TVSP project that the City of Sacramento will consider during its review. The City actions associated with the approval of this project are:

- certification of an EIR pursuant to the California Environmental Quality Act and associated Guidelines;
- adoption of findings of fact and statement of overriding considerations;
- adoption of a Mitigation Monitoring Plan;
- adoption of the Swanston Station Specific Plan;
- approval of a General Plan Amendment designating property within the Specific Plan area as Residential Mixed Use (46.5± gross acre.) and Mixed Use. (187± gross acre);
- approval of a zoning amendment to rezone certain property within the Specific Plan area to Residential Mixed Use Transit Overlay (RMX [TO]) or General Commercial Transit Overlay (C-2 [TO]);
- approval of amendments to Chapter 17.178 Transit Overlay Zone relating to Specific Plan area setbacks.
1.0 Introduction

In addition to the approvals required from the City of Sacramento, development of the proposed project would require entitlements, approvals, and permits from other local and state agencies. Such other project approvals may include, but are not limited to the following:

- California Air Resources Board,
- Sacramento Air Quality Management District,
- State Water Resources Control Board,
- Central Valley Regional Water Quality Control Board, and
- Sacramento Housing and Redevelopment Agency.

In addition to the above agencies, the California Department of Fish and Game has been identified as a trustee agency with potential jurisdiction over the proposed Swanston TVSP project. The U.S. Army Corps of Engineers (Corps) may also have permitting authority over a drainage that potentially could be a wetland in the Swanston TVSP project area.

1.3 DOCUMENT ORGANIZATION

The Final EIR is organized as follows:

Chapter 1 – Introduction: This chapter summarizes the project under consideration and describes the contents of the Final EIR.

Chapter 2 – Index to Comments and Responses: This chapter provides an index of all of the comments received on the Draft EIR and where responses to each of the comments can be found within the Final EIR. This chapter also contains a list of all of the agencies or persons who submitted comments on the Draft EIR during the public review period, ordered by date.

Chapter 3 – Changes to the Draft EIR Text and Figures: This chapter summarizes the text changes to the Draft EIR. These revisions are in response to comments made on the Draft EIR and staff-initiated text changes. Changes in this chapter also acknowledge that the City has adopted a new General Plan and that prior information contained in the Draft EIR specifically related to consistency with plan policies and the No Project Alternatives are no longer relevant. Changes to the text of the Draft EIR are shown by either a line through the text that has been deleted or underlining where new text has been inserted. The revisions contain clarification, amplification, and corrections that have been identified since publication of the Draft EIR. The text revisions do not result in substantive changes in the analysis and conclusions presented in the Draft EIR.

Chapter 4 – Comment Letters and Responses to Comments: This chapter contains the comment letters received on the Draft EIR. Each comment letter is presented with brackets indicating how the letter has been divided into individual comments. Each comment is given a binomial with the letter number appearing first, followed by the comment number. For example, comments in Letter 1 are
numbered 1-1, 1-2, 1-3, and so on. Following each bracketed letter are the responses to that comment letter.

### 1.4 Public Participation and Review

The City of Sacramento notified all responsible and trustee agencies and interested groups, organizations, and individuals that the Draft EIR on the proposed project was available for review. The following list of actions took place during the preparation, distribution, and review of the Draft EIR:

- A Notice of Preparation (NOP) for an EIR was filed with the State Clearinghouse on June 29, 2007. The 30-day public review comment period for the NOP ended on July 30, 2007.

- A Notice of Completion (NOC) and copies of the Draft EIR were filed with the State Clearinghouse on February 18, 2009. An official 45-day public review period for the Draft EIR was established by the State Clearinghouse, ending on April 24, 2009 and a Notice of Availability (NOA) was distributed to interested groups, organizations, and individuals.
CHAPTER 2 INDEX TO COMMENTS AND RESPONSES
Chapter 2

Index to Comments and Responses

Six comment letters addressing the Draft EIR were received. Each written comment letter has been assigned a letter number and a comment number which corresponds with the specific issue identified in the letters (Comment 2.3 refers to the third comment identified in Comment Letter #2 as identified in the list of commenters).

The City prepared responses addressing all comments relating to each substantive issue. Each of these responses provides some background regarding the specific issue, how the issue was addressed in the Draft EIR, and additional clarification and explanation as appropriate in response to the concerns raised in the comments. An index is included below to assist the commenter in determining where the response to his or her specific comment is located in Chapter 4.

1. Matthew G. Darrow, Sacramento County Department of Transportation

2. Elizabeth Obon, Sacramento Regional County Sanitation District

3. Keith G. Wagner, Sacramento Audubon Society

4. Moses Stites, California Public Utilities Commission

5. Nancy Bosley

6. Terry Roberts, Governor’s Office of Planning and Research
CHAPTER 3  CHANGES TO THE DRAFT EIR
Chapter 3
Changes to the Draft EIR

3.1 INTRODUCTION

This chapter presents minor corrections and revisions made to the Draft EIR initiated by the public, staff, and/or consultants based on their on-going review. New text is indicated in underline and text to be deleted is reflected by a strike-through. Text changes are presented in the page order in which they appear in the Draft EIR.

The changes identified below are clarifications or amplification of the information and analysis contained in the Draft EIR. None of the changes identified below results in a significant impact that was not already identified in the Draft EIR. Furthermore, none of the impacts identified in the Draft EIR were found to be substantially more severe as the result of the following revisions. For these reasons, recirculation of the Draft EIR is not warranted.

3.2 DRAFT EIR REVISIONS

The City Council approved the 2030 General Plan in March 2009, and the Plan became effective in April. The analysis in the Swanston TVSP Draft EIR was based on the 1988 General Plan. Because the 2030 General Plan was underway concurrently with the processing of the Swanston TVSP, the 2030 General Plan designations within the project area reflect the mixture of land uses proposed in the Swanston TVSP. As a result, the proposal in the Draft EIR for the Swanston TVSP to amend project area land use designations to Residential Mixed Use and Mixed Use are no longer relevant.

Page 2-4, paragraphs 1 and 2 are revised as follows:

As illustrated in Figure 2-3, the City of Sacramento’s General Plan land use designations that became effective April 2009 for the Swanston TVSP project area are Traditional Neighborhood Medium (8-21 dwelling units per acre); Urban Neighborhood Low (12-36 dwelling units per acre and FAR of 0.5-1.5); Urban Center Low, which permits 20-150 dwelling units per acre and FAR of 0.4-4.0; Urban Corridor Low (20-110 dwelling units per acre and FAR 0.3 to 3.0); and Employment Center Mid-Rise (18-60 dwelling units per acre and FAR 0.35 to 2.0). Commerce/Neighborhood Commercial and Office, Regional Commercial and Office, Heavy Commercial/Warehouse, Industrial Employee Intensive, Low Density Residential, Medium Density Residential, Parks-Recreation Open Space, Special Planning District, and Public/Quasi-Public-Miscellaneous. As shown in Figure 2-4, the project area is currently zoned for commercial, office, industrial, residential, and open space uses.

While the above lists of land use designations and zoning districts suggest a diverse land use mix within the Swanston TVSP project area., Figures 2-3 shows that the land use designations are
similar to those proposed by the Swanston TVSP, because the General Plan update and the Swanston TVSP preparation occurred concurrently, and Figure 2-4 shows the area to be planned and zoned predominantly for heavy commercial and manufacturing type uses, with general commercial uses primarily along El Camino Avenue; and residential areas concentrated in the western portion of the project area along Dixieanne Avenue and in the eastern portion between El Camino Avenue and Silica Avenue.

Page 2-26, paragraph 2, sentence 4 is revised as follows:

The SRWTP currently has a permitted capacity of 181 million gallons per day (mgd), with flows of approximately 155 mgd. Development that could occur within the Strategic Plan area would generate a net increase of 0.07 mgd of dry weather flows. The SRWTP has adequate capacity to serve the full project Swanston TVSP project development.

Pages 4-2, 4-4, and 4-7 regarding the City of Sacramento General Plan are deleted and replaced by the following text that reflects the 2030 General Plan that was adopted in March 2009 and became effective in April 2009.

**City of Sacramento General Plan**

The land use goals and policies from the General Plan that are applicable to the Swanston Station Transit Village Specific Plan are listed below.

**Goal LU2.1 City of Neighborhoods.** Maintain a city of diverse, distinct, and well-structured neighborhoods that meet the community’s needs for complete, sustainable, and high-quality living environments, from the historic downtown core to well-integrated new growth areas.

**Policies**

**LU 2.1.6 Neighborhood Enhancement.** The City shall promote infill development, redevelopment, rehabilitation, and reuse efforts that contribute positively (e.g., architectural design) to existing neighborhoods and surrounding areas. (RDR)

**Goal LU2.5 City Connected and Accessible.** Promote the development of an urban pattern of well-connected, integrated, and accessible neighborhoods corridors, and centers.

**Policies**

**LU 2.5.1 Connected Neighborhoods, Corridors, and Centers.** The City shall require that new development, both infill and greenfield, maximizes connections and minimizes barriers between neighborhoods corridors, and centers within the city. (RDR)
Goal LU2.6 City Sustained and Renewed. Promote sustainable development and land use practices in both new development and redevelopment that provide for the transformation of Sacramento into a sustainable urban city while preserving choices (e.g., where to live, work, and recreate) for future generations.

Policies

LU 2.6.1 Sustainable Development Patterns. The City shall promote compact development patterns, mixed use, and higher-development intensities that use land efficiently; reduce pollution and automobile dependence and the expenditure of energy and other resources; and facilitate walking, bicycling, and transit use. (RDR)

Goal LU 4.1 Neighborhoods. Promote the development and preservation of neighborhoods that provide a variety of housing types, densities, and designs and a mix of uses and services that address the diverse needs of Sacramento residents of all ages, socio-economic groups, and abilities.

Policies

LU 4.1.1 Mixed-Use Neighborhoods. The City shall require neighborhood design that incorporates a compatible and complementary mix of residential and nonresidential (e.g., retail, parks, schools) uses that address the basic daily needs of residents and employees. (RDR)

LU 4.1.9 Residential Diversity. The City shall avoid concentrations of single-use high-density multifamily residential uses (e.g., apartments and condominiums) in existing or new neighborhoods. (RDR)

As illustrated in Figure 4-2, the 2030 General Plan land use designations for the Swanston TVSP project area are Traditional Neighborhood Medium (8-21 dwelling units per acre); Urban Neighborhood Low (12-36 dwelling units per acre and FAR of 0.5-1.5); Urban Center Low, which permits 20-150 dwelling units per acre and FAR of 0.4-4.0; Urban Corridor Low (20-110 dwelling units per acre and FAR 0.3 to 3.0); and Employment Center Mid-Rise (18-60 dwelling units per acre and FAR 0.35 to 2.0).

Page 4-19 through page 4-23, including Table 4-1, regarding the Swanston TVSP consistency with the City of Sacramento General Plan is replaced to reflect the 2030 General Plan.

City of Sacramento General Plan and Smart Growth Principles

General Plan Consistency. The land use designations shown in Figure 4-2 indicate visions of a mixed use, transit oriented development, which is consistent with the proposals in the Swanston Station Transit Village Specific Plan.
Table 4-1 below contains a more detailed, policy-by-policy assessment of the consistency of the Swanston Station Specific Plan with relevant General Plan policies. In general, development within the Strategic Plan area would accommodate the development that could occur based on a market overview and begin to make the circulation, infrastructure, and open space improvements envisioned by the Swanston Station Specific Plan at buildout. Development in this area is the critical first step towards creating a vibrant transit village. As such, comments made below in Table 4-1 regarding the consistency of development within the proposed Strategic Plan area with the 2009 adopted Sacramento General Plan would be applicable to the Long-Term Plan area as well.

<table>
<thead>
<tr>
<th>General Plan Policy</th>
<th>Consistency with Development Proposed in the Strategic Plan Area</th>
<th>Consistency with Development Proposed in the Long-Term Plan Area</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Land Use and Urban Design Element</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Goal LU2.1 City of Neighborhoods.</strong> Maintain a city of diverse, distinct, and well-structured neighborhoods that meet the community’s needs for complete, sustainable, and high-quality living environments, from the historic downtown core to well-integrated new growth areas.</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>LU 2.1.6 Neighborhood Enhancement.</strong> The City shall promote infill development, redevelopment, rehabilitation, and reuse efforts that contribute positively (e.g., architectural design) to existing neighborhoods and surrounding areas. (RDR)</td>
<td>The proposed TO zoning regulations contain additional development standards to enable residential uses to be more compatible with commercial and rail operations. Furthermore, the TO regulations require plan review by the City Planning Director to further ensure appropriate design features are incorporated to protect residential uses. In general, the Strategic Plan area is predominantly residential with a fine-grained development pattern, and future development is to respect the small-scale character of the Dixieanne neighborhood.</td>
<td>The urban design concept seeks to protect the residential character within and surrounding the project area. In particular, lower density, smaller-scale residential uses are located near the existing neighborhoods of Dixieanne, South Hagginwood, and Ben Ali. Specifically, Swanston Station Specific Plan Design Guideline 2Aiv-2 calls for future development to “respect the scale and grain of existing residential developments in the Dixieanne and Ben Ali neighborhoods with the massing and scale of new residential development.” Further, Swanston Station Specific Plan Design Guideline 2Ax-4 seeks to “encourage primarily residential uses west of the tracks between Arden Way and El Camino Avenue.”</td>
</tr>
<tr>
<td><strong>Goal LU2.5 City Connected and Accessible. Promote the development of an urban pattern of well-connected, integrated, and accessible neighborhoods corridors, and centers.</strong></td>
<td><strong>LU 2.5.1 Connected Neighborhoods, Corridors, and Centers. The City shall require</strong></td>
<td><strong>Development envisions a major transit plaza and promenades that would define Swanston Station as a</strong></td>
</tr>
<tr>
<td><strong>Circulation improvements are proposed that would serve as the initial building blocks for a</strong></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Swanson Station Transit Village Specific Plan Final EIR — Changes to the Draft EIR
### Table 4-1
Consistency of the Swanston Station Specific Plan with Relevant Sacramento General Plan Policies

<table>
<thead>
<tr>
<th>General Plan Policy</th>
<th>Consistency with Development Proposed in the Strategic Plan Area</th>
<th>Consistency with Development Proposed in the Long-Term Plan Area</th>
</tr>
</thead>
<tbody>
<tr>
<td>that new development, both infill and greenfield, maximizes connections and minimizes barriers between neighborhoods, corridors, and centers within the city. (RDR)</td>
<td>comprehensive circulation network that would enhance accessibility to Swanston Station.</td>
<td>major destination in the Specific Plan area.</td>
</tr>
</tbody>
</table>

**Goal LU2.6 City Sustained and Renewed.** Promote sustainable development and land use practices in both new development and redevelopment that provide for the transformation of Sacramento into a sustainable urban city while preserving choices (e.g., where to live, work, and recreate) for future generations.

**Policy LU 2.6.1 Sustainable Development Patterns.** The City shall promote compact development patterns, mixed use, and higher-development intensities that use land efficiently; reduce pollution and automobile dependence and the expenditure of energy and other resources; and facilitate walking, bicycling, and transit use.

The land use designations would allow mixes of residential, retail, and office land uses that could support transit operations.

The Long-Term Plan area encompasses much of the area within ¼ mile of the Swanston Station. Much of the existing land uses shown in Figure 4-1 are vacant or underutilized. Major land use changes in this area would accommodate much more intensive land uses, consistent with the General Plan designations. Policy C1 under Planning Strategy C “Maximize TOD Potential” of the Swanston Station Specific Plan encourages the City to “allow for higher-density, market-friendly, non-auto-oriented development near transit, by reducing parking requirements and associated building costs and allowing for more development.”

**Goal LU 4.1 Neighborhoods.** Promote the development and preservation of neighborhoods that provide a variety of housing types, densities, and designs and a mix of uses and services that address the diverse needs of Sacramento residents of all ages, socio-economic groups, and abilities.

**Policy LU 4.1.1 Mixed-Use Neighborhoods.** The City shall require neighborhood design that incorporates a compatible and comprehensive mix of residential and nonresidential (e.g., retail, parks, and schools) uses that address the basic daily needs of residents and employees.

The proposed land uses for the Strategic Plan area would allow for the development of residential mixed use development that supports a mix of residential densities, as well as commercial and office uses.

The proposed land uses for the Long-Term Plan area would allow for the development of a mixture of residential, office, commercial, and open space land uses. The Swanston Specific Plan is intended to promote coordinated and cohesive site planning that maximizes transit supportive land uses.

**Policy LU 4.1.9 Residential Diversity.** The City shall avoid concentrations of single-use high-density multifamily residential uses.
Table 4-1
Consistency of the Swanston Station Specific Plan with Relevant Sacramento General Plan Policies

<table>
<thead>
<tr>
<th>General Plan Policy</th>
<th>Consistency with Development Proposed in the Strategic Plan Area</th>
<th>Consistency with Development Proposed in the Long-Term Plan Area</th>
</tr>
</thead>
<tbody>
<tr>
<td>(e.g., apartments and condominiums) in existing or new neighborhoods.</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>


Page 6.3-1, paragraph 1, new text inserted before the last sentence in the paragraph:

In addition, information from the Sacramento Audubon Society has been used to supplement background data on the bird species in the Swanston TVSP project area.¹


Page 6.3-1, paragraph 3, sentence 1 has been revised as follows:

The only recorded occurrences of a special-status species within the Swanston TVSP project area is purple martin, a bird that nests under the El Camino Avenue and Arden Way overcrossings.

Page 6.3-5, Table 6.3-1, second row was deleted as follows (only part of Table 6.3-1 has been reproduced to show the revised text):

Table 6.3-1
Special Status Species Potentially Occurring within Swanston Station Transit Village Specific Plan Area

<table>
<thead>
<tr>
<th>Common Name</th>
<th>Scientific Name</th>
<th>Status Fed/CA/CNPS</th>
<th>Habitat</th>
<th>Likelihood of Occurrence Within the Swanston TVSP Project Area</th>
</tr>
</thead>
<tbody>
<tr>
<td>Birds</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

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3-6
Table 6.3-1
Special Status Species Potentially Occurring within Swanston Station Transit Village Specific Plan Area

<table>
<thead>
<tr>
<th>Common Name</th>
<th>Scientific Name</th>
<th>Status Fed/CA/CNPS</th>
<th>Habitat</th>
<th>Likelihood of Occurrence Within the Swanston TVSP Project Area</th>
</tr>
</thead>
<tbody>
<tr>
<td>Burrowing owl</td>
<td>Athene cuniculaira</td>
<td>FSC/CSC/none</td>
<td>Grasslands, open areas near human habitation; nests in old burrows of ground squirrels or other small mammals.</td>
<td>Low. The Swanston TVSP project area provides potential foraging habitat for this species, and ground squirrel burrows provide suitable nesting habitat.</td>
</tr>
<tr>
<td>Cooper's-hawk</td>
<td>Accipiter cooperi</td>
<td>none/CSC/none</td>
<td>Dense stands of live oak and riparian deciduous forest; frequently near water; nest in deciduous trees along riparian areas near streams.</td>
<td>Low. The Swanston TVSP project area does not provide suitable nesting habitat for this species. However, the Swanston TVSP project area does provide potential foraging habitat.</td>
</tr>
<tr>
<td>Swainson's hawk</td>
<td>Buteo swainsoni</td>
<td>none/ST/none</td>
<td>Grasslands and cultivated lands with scattered trees; nests in large trees or open riparian forest.</td>
<td>Low (nesting). Suitable nest trees are present along the street trees in the Swanston TVSP project area. Vacant lots in the Swanston TVSP project area provide potential foraging habitat for this species.</td>
</tr>
</tbody>
</table>

Page 6.3-7, paragraph 2 has been revised as follows:

**Cooper's Hawk.** Cooper's hawk (*Accipiter cooperi*) is a CDFG Species of Special Concern that breeds throughout most of the wooded portion of the state—from sea level to above 2700 m (9000 ft)—and most frequently inhabits dense stands of live oak, riparian deciduous, or other forest habitats near water. While there is no suitable nesting habitat in the Swanston TVSP project area, there is suitable foraging habitat for this species, which has been recorded approximately three miles from the project area. However, given the discontinuous patches of ruderal vegetation within the undeveloped lots, their small size (less than approximately two acres), and the high level of urban disturbance, the Swanston TVSP project area does not provide significant foraging habitat for this species.

Page 6.3-8, paragraph 2, last two sentences have been revised as follows:

There are a colony of purple martins that are known to use the underside of the El Camino Avenue and the Arden Way overcrossings within the Swanston TVSP project area. This area by the El Camino Avenue overpass has been used by purple martins since 2002 and at least 20 pairs were observed in a 2007 survey (Dan Airola, 2007). Similarly, the Arden Way overpass has supported 3 to 13 nesting pairs from 2004 through 2008 (Dan Airola et al, 2004, 2008).
3.0 Changes to the Draft EIR

Page 6.3-17, under Impact BIO-3, paragraph 2, new text after sentence 5 is inserted as follows:

In addition, a nesting colony uses the Arden Way overpass. Surveys between 2004 and 2008 identified 3 to 13 nesting pairs supported by this bridge.

Page 6.3-17, under Impact BIO-3, paragraph 2, new text before the last sentence is inserted as follows:

At the Arden Way overpass, the Swanston TVSP project proposes sidewalk improvements on both sides of the road, and a transit plaza and promenade on the north side of the overpass. Construction of these improvements could affect the purple martins in a manner similar to those effects identified for the purple martins using the El Camino Avenue bridge.

Page 6.3-17, Mitigation Measure BIO-3.1 has been revised as follows:

BIO-3.1 Construction Limits Around the Purple Martin Nests. Although purple martins are tolerant of human activities, if active nests are present, no construction shall be conducted within 120 feet of the edge of the purple martin colony (determined by the closest active nest hole to the construction activity) during the beginning of the purple martin breeding season from March 15 to May 15, April 1 to August 1. The buffer area shall be avoided to prevent destruction or disturbance of the nest(s) or until it is no longer active, as determined by a biologist experienced in working with purple martins. In addition, no equipment taller than 9 feet in height shall be parked or stored beneath the El Camino Avenue or Arden Way overcrossings within 100 horizontal feet of nest holes from April 15 to July 31.

Page 6.10-3, paragraph 1, references to sanitation providers are revised as follows:

from “Sacramento Regional County Services District” to “Sacramento Regional County Sanitation District”

from “Sacramento County Sanitation District” to “Sacramento Area Sewer District”

Page 6.10-4, paragraph 2, reference to sanitation provider is revised as follows:

from “Sacramento Regional County Services District” to “Sacramento Regional County Sanitation District”

Page 6.10-32, under Impact UT-7, paragraph 1, is revised as follows:

At buildout, development that could occur in the Long-Term Plan area would generate a net increase of approximately 0.577 mgd of wastewater (Table 6.10-15). As the SRWTP currently treats 155 mgd and has the capacity to treat 181 mgd, the net increase in wastewater from development during the Long-Term Plan phase is not expected to require expansion of the SRWTP facilities. However, as noted by the SRCSD, flows to the SRWTP are on a “first come, first served basis.” Therefore, flows to the plant not anticipated in the SRWTP 2020 Master Plan

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could result in capacity constraints for new development within the Long-Term Plan area. SRCSD periodically updates the Master Plan on an as-needed basis to account for increased development and growth in population, and with that, plans for the expansion and upgrading of SRCSD facilities. Any necessary changes to capacity would occur incrementally, as regional population growth demands greater treatment capacity. Future updates to the Master Plan will recognize the growth allowed by the Long-Term Plan and plan for the necessary improvements to SRCSD facilities. Accordingly, it is not expected that the Long-Term Plan would result in a significant wastewater treatment plant impact. Therefore, the Long-Term Plan would not require or result in the construction of new or expanded wastewater treatment facilities, the construction of which could cause significant environmental effects.

Page 6.10-38, under Impact UT-11, paragraph 1, last three sentences are revised as follows:

In addition, the Master Plan is updated every five years to account for changes in existing and projected population. SRCSD periodically updates the Master Plan on an as-needed basis to account for increased development and growth in population, and with that, plans for the expansion and upgrading of SRCSD facilities. Any necessary changes to capacity would occur incrementally, as regional population growth demands greater treatment capacity. Therefore, the cumulative impact of future development on SRWTP treatment facilities would be less than significant.

Pages 8-5 through 8-10, concerning the No Project Alternative, are deleted in recognition of the City’s adoption of a new General Plan in March 2009. The previous 1988 General Plan had served as the No Project Alternative in the Swanston TVSP Draft EIR. Since the 1988 General Plan is no longer relevant, it is not an appropriate No Project Alternative, which represents conditions that could be reasonably expected to occur in the foreseeable future in the absence of the proposed project. If the Swanston TVSP were not adopted, then development in the Swanston TVSP would occur in conformance with the recently adopted General Plan. As presented in revisions to Chapter 4 in this Final EIR, the adopted General Plan shares the same vision as the Swanston TVSP to create a mixed use, transit-oriented development in the project area. Because the General Plan update and the Swanston TVSP were prepared concurrently, the policies, development program, and growth assumptions are similar, and thus the No Project Alternative is now virtually identical to the proposed project in terms of policy and land use goals. The primary difference is that the General Plan allows more intensive residential and commercial development than permitted by the Specific Plan. As a result, the No Project Alternative would not reduce significant impacts identified for the proposed Swanston TVSP.

8.3 NO PROJECT ALTERNATIVE

Potential Development under No Project Alternative

Under CEQA, the “No Project Alternative” must evaluate not only existing conditions, but also development that could be reasonably expected to occur in the foreseeable future. For the purposes of
this EIR, the “No Project” Alternative is defined by continuation of the 2030 General Plan, which was adopted in March 2009 and became effective April 2009. The 2030 General Plan land use designations for the Swanston TVSP project area are illustrated in Figure 2-3 and anticipate that the area would be developed as a mixed used, transit-oriented development, allowing much greater residential densities and commercial building intensities than presently on the site and allowed by current zoning districts and regulations. Because the 2030 General Plan (i.e., the No Project Alternative) and the Swanston TVSP were prepared concurrently, the detailed development assumptions and market overview used for the Swanston TVSP project area were incorporated into the General Plan development assumptions. As a result, the potential development under the No Project Alternative is essentially the same as that assumed for the Swanston TVSP.

Impact Assessment

This section evaluates whether the No Project Alternative would have greater or lesser environmental impacts than the proposed Swanston TVSP project. Because the No Project Alternative (i.e., adopted General Plan) and the Swanston TVSP share virtually the same visions for the project area (i.e., mixed use, transit-oriented development), policies (see Table 4-1 in Chapter 4 of this document), and growth (see discussion immediately above), the impacts of the two alternatives are expectedly similar. The primary difference is that the No Project Alternative would permit greater residential densities and commercial building intensities than identified in the Swanston TVSP. As a result, it is possible that the Swanston TVSP project area would accommodate even greater population and jobs under the No Project Alternative than under the proposed Specific Plan. In this event, the population- and employment-based impacts such as transportation, public services, utilities, air quality, etc. would be greater under the No Project Alternative than under the Swanston TVSP.

For impacts that are based on the location of development such as biological resources, cultural resources, geology, and hydrology, the No Project Alternative would result in impacts similar to those identified for the proposed Specific Plan, because the areas identified for development are the same. In addition, federal, state, and local regulations that govern development in areas with biological or cultural resources or with seismic, hydrologic, or environmental hazards apply equally to development that would occur under the No Project Alternative or the Swanston TVSP.

In light of the above considerations that affect development and impacts under the No Project Alternative, there is no substantial reduction in significant impacts that would result from the No Project Alternative compared to the proposed Swanston TVSP. In fact, the development intensities under the No Project Alternative could result in greater impacts than identified for the proposed project.

Page 8-10, paragraph 2 is revised as follows:

The No Project Alternative may result in greater impacts to the environment, primarily because it could allow greater development since the residential densities and commercial building intensities permitted by the 2030 General Plan are greater than permitted by the proposed project, results in greater vehicular traffic and related noise and air quality impacts than under the proposed Swanston TVSP project.
many other respects, the No Project Alternative is similar to the proposed Swanston TVSP, primarily in emphasizing addition, benefits to pedestrian and bicycle circulation that are identified for the proposed Swanston TVSP project would not be realized. The proposed Swanston TVSP project would introduce environmental-friendly, low-impact design for stormwater runoff management that are not part of the No Project Alternative. Finally, the opportunities to create a new image for the area and to promote revitalization of the area as a mixed use, transit village would not be possible under a scenario with the existing General Plan land-use designations and zoning. Therefore, in light of the greater development potential and resulting impacts associated with the No Project Alternative, the proposed Swanston TVSP project would be environmentally superior to the No Project Alternative.
MEMORANDUM

Date: February 20, 2009

To: Interested Parties

From: Jennifer Hageman, Senior Planner
       Environmental Planning Services

SUBJECT: Swanston Station Transit Village Specific Plan EIR

ERRATA

The following corrects the text in Chapter 1, Section 1.3, Page 1-4, of the Draft EIR and results in an insignificant modification to an adequate EIR. The technical analyses of the potential impacts due to development within the Strategic Plan area are at the project-level and focus on the changes in the environment that would result from all phases of the project (CEQA Guidelines Section 15161).

The text in the Draft EIR is correct that the technical analyses of the potential impacts due to development within the Long-Term Plan area are at the programmatic level. Development within this area must be examined in light of this EIR to determine whether additional environmental analysis is necessary (CEQA Guidelines Section 15168(c)).

The following revisions correct the text in Section 1.3 and add text to explain a Project-Level EIR.

1.3 SCOPE OF THIS EIR

This EIR is both a “Project-Level EIR” and a “Program EIR,” pursuant to Sections 15161 and 15168 of the CEQA Guidelines. A Project-Level EIR focuses on the changes in the environment that would result from all phases of the project, including planning, construction, and operation. The analysis of the potential impacts due to development within the Strategic Plan area is at the project level. A Program EIR examines the environmental impacts for a series of actions that is characterized by one large project or multiple or phased projects. This type of EIR analyzes changes in the environment that would result from implementation of the project, including construction and operation, while considering broader policy alternatives and program-wide mitigation measures early in the planning process. A Program EIR provides the City with greater consideration of effects of the entire
proposed Swanston TVSP and cumulative impacts, and reduces future duplication of paperwork for individual projects within the Swanston TVSP project Long-Term Plan area.

As discussed in Chapter 2, Project Description, the proposed Swanston TVSP project area is divided into two areas. The smaller area, the Strategic Plan Area, is expected to develop first, with planned buildout occurring around 2025. The remainder of the TVSP area, the Long-Term Plan Area, is expected to develop some time after 2025. Because this project is a specific plan, rather than a project, the analyses include assumptions about the level of development that could occur within the respective areas. Development within the Strategic Plan Area is based on the development assumptions derived in a market analysis prepared for the TVSP area. For the Long-Term Plan Area, the assumptions are based on the proposed land uses and the amount of development that would be allowed, based on the proposed zoning within each land use designation. In addition to the development of parcels, the public improvements needed for the TVSP, and based on the infrastructure evaluation of the TVSP area and the market analysis, are also analyzed in this EIR. Because the Specific Plan provides a long-range guide and implementation guide for public and private improvements in the Long-Term Plan area, the potential impacts are analyzed to the extent possible, with mitigations based on performance standards to ensure future implementation in the Long-Term Plan area.

Population and employment estimates required to analyze the impact of the proposed Swanston TVSP project can be derived based on the number dwelling units and non-residential space at buildout. Impacts to transportation and circulation, air quality impacts, and noise impacts can be evaluated in the context of regional and citywide traffic models and population/employment forecasts.

The City of Sacramento, as lead agency, is responsible for identifying potentially significant impacts that could result from implementation of the proposed Swanston TVSP project. Based on the NOP (see Appendix A), the City determined that this EIR address the following technical issue areas:

- Aesthetics
- Air Quality
- Biological Resources
- Cultural Resources
- Geology, Soils, and Seismicity
- Hazardous Materials
- Hydrology and Water Quality
- Noise
- Public Services
- Utilities
- Transportation and Circulation
CHAPTER 4  RESPONSES TO COMMENTS ON THE DRAFT EIR
March 5, 2009

Ms. Jennifer Hageman, Senior Planner
City of Sacramento
Development Services Department
300 Richards Boulevard
Sacramento, CA 95811

SUBJECT: DRAFT ENVIRONMENTAL IMPACT REPORT FOR THE SWANSTON TRANSIT VILLAGE STATION SPECIFIC PLAN

Dear Ms. Hageman:

The Sacramento County Department of Transportation has reviewed the Draft Environmental Impact Report (DEIR) for the Swanston Station Transit Village Specific Plan, dated February 18, 2009. We appreciate the opportunity to review this DEIR, and have the following comments:

1. General Comment. The DEIR should include the detailed traffic study that was prepared for the project. Chapter 6.11 summarizes the results of the traffic study, but not all information is available for review. Appendix E only includes the calculations related to the traffic study, but not the traffic study itself.

2. Page 6.11-1, Introduction. Even though the project site is less than 3000 feet from the County line, the DEIR does not analyze any County facilities. The DEIR should analyze the impacts of the Strategic Plan and the Long-Term Plan areas on the segments of El Camino Avenue, Arden Way, Alta Arden Expressway, and Ethan Way located within the County. The DEIR should also analyze the project impacts on the major County intersections along these routes.

3. Page 6.11-18, Trip Generation. The DEIR does not include a trip generation table for the project. Only the total number of trips generated by the Strategic Plan and the Long-Term Plan areas are presented. Please provide detailed trip generation tables for the Strategic Plan and the Long-Term Plan areas.

4. On Page 6.11-21, Net Effect. The DEIR concludes that the Strategic Plan area would result in approximately 1,332 fewer daily vehicle trips compared to the current trip rates. The DEIR also states that the existing uses that would be replaced by new development in the area have greater trip generation characteristics than the new uses. Does the...
Strategic Plan area result in fewer trips compared to the existing conditions, or compared to the existing general plan zoning? As shown on Table 5-1 of the DEIR, the potential development in the Strategic Plan and the Long-Term Plan areas would substantially increase the development levels in the area relative to the existing (2005) conditions. This table also states that the Strategic Plan area would, at best, replace 22 existing units. How was this reduction in trip generation calculated? Please show the detailed calculations that justify this conclusion.

The DEIR also concludes that the full implementation of the proposed Swanston Transit Village Station Specific Plan project would lead to the elimination of approximately 7,300 daily trips compared to existing zoning. Even though general discussions of internalization and mode split have been presented, the DEIR does not provide any detailed calculations showing that the project would generate less traffic than the existing land uses or the existing general plan zoning. The DEIR should provide detailed trip generation tables that clearly substantiate these conclusions.

5. 6.11-38, Cumulative Analysis. The DEIR should also evaluate the project impacts in comparison to the existing physical environment, and not just in comparison to the existing general plan and zoning. The case of Woodward Park Homeowners Association v. City of Fresno highlights that comparing the project impacts to the existing general plan can underestimate impacts. The DEIR only evaluates the cumulative impacts of the Long-Term Plan area and compares it to the existing general plan zoning. The DEIR also needs to analyze the impacts of the Long-Term Plan area on the existing physical environment.

We appreciate the opportunity to comment on this DEIR. If you have any questions, please call Angie Raygani at 916/874-5602.

Sincerely,

Matthew G. Darrow
Senior Transportation Engineer
Department of Transportation

MGD:ar

cc: Dean Blank, SacDOT
Steve Hong, IFS
March 30, 2009

Jennifer Hageman
City of Sacramento
Development Services Department
300 Richards Boulevard
Sacramento, CA 95811

Dear Ms. Hageman:

Subject: Swanston Station Transit Village Specific Plan – Draft Environmental Report (DEIR) February 2009
SCH #: 2007062130

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

The proposed project is a long-range urban design and implementation plan that would guide public and private improvements in the Swanston Station Transit Village Specific Plan (Swanston TVSP). The project area is generally bounded by El Camino Avenue, Arden Way, the Capital City Freeway, and Beaumont and Erickson Streets in the City of Sacramento (City).

SRCSD has the 72-inch Dry Creek Interceptor within the Beaumont Street public right-of-way.

Please find below comments and advisories regarding the subject project.

**SRCSD Comments:**

**Page 2-25: Figure 2-14 – Proposed Water System Improvements**
The figure depicts a proposed 8-inch water line within Beaumont Street, where the 72-inch Dry Creek Interceptor is located. Plans regarding the proposed 8-inch water line shall be sent to SRCSD for review and approval when available. Close coordination between SRCSD and the applicant shall be required to ensure minimal conflicts to the Dry Creek Interceptor.

**Page 2-26: Sanitary Sewer, 2nd paragraph**
Please remove the sentence “The SRWTP has adequate capacity to serve the full project Swanston TVSP project development.”

**Page 2-27: Figure 2-15 – Proposed Sanitary Sewer Improvements**
The figure depicts a proposed 18-inch sewer line within Beaumont Street, where the 72-inch Dry Creek Interceptor is located. Plans regarding the
Ms. Jennifer Hageman
March 30, 2009
Page 2

proposed 18-inch sewer line shall be sent to SRCSD for review and approval when available. Close coordination between SRCSD and the applicant shall be required to ensure minimal conflicts to the Dry Creek Interceptor.

Page 6.10.3: Wastewater, 1st paragraph
Please revise “Sacramento Regional County Services District” and “Sacramento County Sanitation District” to “Sacramento Regional County Sanitation District” and “Sacramento Area Sewer District,” respectively.

Page 6.10.4: City of Sacramento Service Area, 2nd paragraph
Please revise “Sacramento Regional County Services District” to Sacramento Regional County Sanitation District.”

Page 6.10-38: Cumulative Analysis – UT-11, 1st paragraph
Please remove “In addition, the Master Plan is updated every five years to account for changes in existing and projected population.” SRCSD periodically updates the Master Plan on an as-needed basis to account for the increase in development and growth in population, and with that, plan for the expansion and upgrading of SRCSD facilities.

SRCSD Advisories:
Local sanitary sewer service for a portion of 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:

<table>
<thead>
<tr>
<th>Service Area</th>
<th>Maximum Flow Rate</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sump 2</td>
<td>60 MGD</td>
</tr>
</tbody>
</table>

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

| Sump 21, 55 and 119 | 38 MGD |

cont’d

2.3

2.4

2.5

2.6
Ms. Jennifer Hageman  
March 30, 2009  
Page 3  

Gravity intercepts to City Interceptor at or downstream of the North Meadowview Intercept Structures 10.5 MGD  
Total to City Interceptor 108.5 MGD  

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. 

Sacramento Area Sewer District (SASD) shall respond in a separate correspondence. 

If you have any questions regarding these comments please feel free to contact me at (916) 876-5608, or by e-mail at obonel@sacsewer.com. Attached for your reference is the as-built for the 72-inch Dry Creek Interceptor. 

Sincerely, 

Elizabeth Obonel  
Sacramento Regional County Sanitation District  

Attachment: Dry Creek Interceptor Plan and Profile Sheet 8  

cc: SRCSD Development Services  
SASD Development Services
April 2, 2009

Jennifer Hageman  
City of Sacramento  
(916) 808-5538  
300 Richards Boulevard, 3rd Floor  
Sacramento, CA 95811

Re: Comments on Swanston Station Transit Village Specific Plan Draft Subsequent EIR  
(SCH Number: 2007062130).

Dear Ms. Hageman,

Sacramento Audubon Society offers the following comments on the Draft EIR for the Swanston Station Transit Village Specific Plan project.

Sacramento Audubon has declared the protection and recovery of the Purple Martin (Progne subis) as one of its primary conservation objectives for the Sacramento region. While common east of the Rockies, the Purple Martin has been eliminated from practically its entire former range in California’s Central Valley, primarily due to the historical conversion of its native habitat for urban and agricultural uses, followed by competition with the non-native European Starling for remaining, adaptive habitats. Due to dwindling population numbers throughout the state, and the threat that ongoing infrastructure and redevelopment projects within the City of Sacramento (including the Swanston Station Transit Village project) pose to the species’ continued existence in the Central Valley, the Purple Martin has been formally designated as a bird species of “special concern” by the California Department of Fish and Game (Airola and Williams 2008).

For the reasons set forth in more detail below, Sacramento Audubon Society objects to the City’s Draft Subsequent EIR, because it fails to adequately disclose, analyze or mitigate impacts to this species of special concern. The Draft EIR’s informational inadequacies have precluded a meaningful opportunity for the public to consider and respond to the project’s potentially significant, adverse impacts to purple martins, or the availability and effectiveness of alternatives or mitigation measures to reduce or avoid such impacts. The City should not proceed with completing its environmental review for the Swanston Station Transit Village project unless and until it recirculates an informationally adequate Draft EIR for public review and comment.

Sacramento Audubon’s specific concerns about the Draft EIR’s content and conclusions are as follows:
Biological Resources Setting

Surveys in Feb 2006 not adequately timed to detect nesting burrowing owls, purple martins, or Swainson’s Hawks.

Purple martins nest annually in the Arden overpass, as documented in the CNDDB and in numerous references previously provided to the project consultants (Airola and Kopp 2005, 2007, Airola et al 2003, 2008).

P. 6.3-1. Regarding the statement that “Other sensitive natural communities, plants, and wildlife identified in from database queries were not observed within the Swanson TVSP area.” The EIR should add “... however the timing of surveys would not have permitted observation of the migratory Swainson’s hawk and would not have detected breeding burrowing owls”.

6.3-1. During Purple Martin studies at the El Camino overpass in July 2008, Dan Kopp observed Swainson’s hawks on several occasions. These were close observations by an experienced observer (including predation on a rehabilitated white-throated swift immediately after release). Given that this area does not support high quality foraging habitat, these observations suggest likely nesting by the species in that area, and thus potentially within the Swanson TVSP area. Therefore, change the species occurrence designation in Table 6.3-1 to “Known” or “Likely”.

Wildlife Resources – should note that bridges in the area are occupied by White-throated Swifts and Northern Rough-winged Swallows.

P6.3-7. The Cooper’s Hawk no longer a California Species of Special Concern. It nests regularly in urban areas in Sacramento.

P 6.3-8. Purple Martin – This account is out of date and somewhat misleading. There are no documented records of Purple Martins nesting in tree cavities in the Central Valley since the 1970s. Martins apparently were outcompeted from nest sites in trees throughout the Central Valley and from buildings in Sacramento following arrival of the European Starling in the 1970s (Airola and Grantham 2003). They have persisted only within bridge sites in Sacramento, which appear to be at least somewhat resistant to starling competition. A nesting colony in the Arden Way overpass has been well-documented in the CNDDB and in publications, and supported 3-13 nesting pairs during 2004-2008 (Airola et al, 2004, 2008, Airola et al. in review).

The EIR should note that The Sacramento Purple Martin population is a remnant of a much more widespread former Central Valley population. It represents the potential source population for recently initiated emergency recovery efforts in the Central Valley population. The remnant Sacramento nesting population also has declined by 52% between 2004 and 2008 from 173 pairs to 83 pairs (Airola et al 2008, Airola et al. in review). The El Camino and Arden overpasses within the project area have supported a combined population of 15-34 nesting pairs of martins. As the Sacramento population of martins has declined, these two colonies have remained the most robust, and over the last 3 years, they have supported over 25% of the total
population (Airola et al 2008, Airola et al., in review). Therefore, protection of the nesting populations within the project area is a critical component to species protection and recovery.

6.3-8. Heritage Trees. The EIR should note that the heritage trees, especially large remnant valley oaks, are the most likely to be used as nesting sites by Swainson’s Hawks, which have been documented to occur in the plan area.

6.3-8. Migratory Bird Treaty Act. The EIR should noted that several species covered by the MBTA nest within the Arden and El Camino Avenue overpasses in the project area, including the White-throated Swift and Northern Rough-winged Swallow, as well as the Purple Martin.

6.3-15. The second sentence should acknowledge that it would be impossible to detect several special-status species during a February survey, including nesting Swainson’s Hawks and White-tailed Kites, purple martins, and nesting Burrowing Owls. Therefore absence of evidence of these species during these critical periods does not suggest that they do not nest there.

6.3-16. Paragraph 2. CEQA specifies that project effects that “interfere substantially with the movement of any native resident or migratory fish or wildlife species …or impede the use of a native wildlfe nursery site” are significant effects. Therefore, this section incorrectly narrows the standard for significance to effects on migratory movements. This distinction is important, as project activities, including landscaping and construction of tall buildings, have the potential to disrupt movements by purple martins during foraging flights to and from bridge nesting sites at Arden Way and El Camino Avenue. Measures to avoid such impacts should be incorporated into the EIR.

Biological Impact Analysis

6.3-17. Impact Bio 3. These same types of impacts to Purple Martins that are described for the El Camino overpass could apply to the Purple Martin nesting colony in the Arden Way overpass, depending on what actions are proposed there.

The impact analysis for the Purple Martin addresses only effects of construction, but does not address the long-term effects of changes in habitat conditions on the suitability of nesting areas for the Purple Martin. These potential impacts include the long-term changes in availability of sites to collect nesting material and access to nesting sites as a result of landscaping or development activities (construction of multistory buildings). The proposed use of the transfer station site is particularly important because of its proximity to the Arden overpass nesting area. If not addressed, potential long-term habitat changes could eliminate or reduce nesting use at the Arden and El Camino colonies, which supported 22 pairs (26% of the 2008 population of 83 nesting pairs; Airola et al. 2008, in review). These impacts were outlined and partially addressed in the FEIR for the Downtown Railyards and were described by Airola et al. (2008), and so should have been recognized and addressed in this EIR.

The impact analysis does not address the effects of increased train and automobile traffic on Purple Martins. Collisions with trains, cars, and trucks have been documented as regular mortality source that may be contributing to declines in martin populations (Airola and Kopp
2007, Airola et al. 2008). For example, 12 adult martins were documented to have been killed by light rail trains at the El Camino overpass in 2005. The transit oriented intent of this project suggests a potential increase in light rail trip frequencies and train lengths, which could increase collision mortality of martins. Although the project is characterized as a transit-oriented development, it appears that population density within the plan area would increase, which would likely result in a net increase in automobile traffic. Auto vehicle collisions have not been documented to be an issue currently at the Arden and El Camion overpasses, probably in part because of the overpasses are fenced, which would discourage martins from flying into the path of vehicles. During improvements, a similar fence should be retained to reduce the potential for collisions with likely increased traffic at these overpasses. Existing unimproved access roads beneath the overpasses should not be improved to support higher traffic volumes or increased speeds, as these outcomes also could increase collisions with martins nesting overhead.

6.3-18. Mitigation Measure BIO-3. This measure is contradictory, in that it specifies exclusion from the buffer zone from Mar 15-May 15, but later says no construction activity may occur in the buffer until nesting is completed. Martins typically arrive at Sacramento colonies during March 10-30, and do not settle into substantial colony use until early April. Nestling Purple Martins at the Arden and El Camino colonies are present as late as mid-July (D. Kopp unpub. data), and then nest holes are used for night roosting by family groups for several more weeks. Therefore, the period during which martins are sensitive to construction should be specified as April 1-August.

Importantly, Purple Martins are tolerant of human disturbance around and beneath their colonies, as long as periods of inactivity allow regular feeding of young (see Airola et al. 2009, in press). Therefore, we recommend that where the breeding season cannot be avoided, construction be allowed to occur within the construction buffer, as long as the bridge structure is not modified. Most important is when modifications are required to the bridge (for sidewalk improvements, water lines, etc.) these activities should not occur during the April 1-August 1 nesting period, unless a biologist experienced working with Purple Martin determines that the site is no longer occupied.

6. 3-20. Impact BIO-5. This impact should also note that Swainson’s Hawks are likely to be nesting within the plan area, and are most likely to use heritage trees. Surveys for nesting Swainson’s hawks should be conducted by a qualified biologist before any removal of heritage trees or other suitable nesting tree occurs.

6.3-21. Impact BIO-6. The cumulative analysis for the Purple Martin does not acknowledge that, notwithstanding the existence of laws and regulations protecting Purple Martins, projects previously approved by the City of Sacramento, including the South 65th St redevelopment, the 65th St. University Transit Village, have not included adequate mitigation measures (Airola et al. 2008). In addition, many of the mitigation measures adopted for the City’s Downtown Railyard project have not been proven, and could result in losses in habitats and populations, even with full implementation. Similarly, Caltrans has approved several projects (Mercy Hospital parking lot, I-80 Over-the-Top carpool lanes) that require mitigation measures whose success is uncertain. Finally, the Swanston redevelopment project has not recognized certain potential impacts (blockage of flight paths, potential increases in train and automobile vehicle collisions),
and has prescribed mitigation for impacts that are not fully understood or addressed (lost of nest material collection sites). The lack of recognition of the presence of the Arden Purple Martin colony indicates the risk that continued redevelopment projects pose to martin populations and habitat.

In total, with the addition of the Swanson redevelopment project to those previously identified by Airola et al. 2008, 8 of the 11 Purple Martin colonies in Sacramento (supporting 87% of the 2008 population of 83 pairs) are now within active project sites that require implementation of unproven mitigation. The potential for impacts that may result from uncertainty of success in implementing mitigation over nearly the entire remaining remnant population of the species in the Central Valley (Airola and Grantham 2003) is a significant cumulative impact.

Mitigation for the cumulative impacts to the Purple Martin should include the following measures:

- Prepare a city-wide management plan that summarizes available unpublished information for each colony on key martin habitat areas (perch sites, nest material collection sites, flight paths), analysis methods for impact assessment, complete mitigation measures, and monitoring protocols. This recommendation was previously proposed for the Downtown Railyards project and was not adopted by the City.

- Implement new planning for mitigation implementation and a public review process for previously approved city projects that did not fully consider Purple Martin needs, including the two projects at 65th St.

- Support for an ongoing monitoring program to evaluate the status of the martin nesting population, so effectiveness of mitigation measures can be evaluated.

- Rigorous monitoring of compliance and effectiveness of all previously adopted mitigation.

Sacramento Audubon Society appreciates the opportunity to review and comment on the Draft Subsequent EIR that the City has circulated for the Swanston Village Transit Station project. We request that the City prepare and circulate a revised Draft EIR that meets CEQA’s information disclosure and environmental protection mandates.

Sincerely,

Keith G. Wagner, Attorney at Law and President, Sacramento Audubon Society
References Cited


April 23, 2009

Jennifer Hageman
City of Sacramento
300 Richards Blvd, 3rd Floor
Sacramento, CA 95811

Re: Notice of Completion, Supplemental/Subsequent EIR
Swanston Station Transit Village Specific Plan
SCH# 2007062130

Dear Ms. Hageman:

As the state agency responsible for rail safety within California, the California Public Utilities Commission (CPUC or Commission) recommends that development projects proposed near rail corridors be planned with the safety of these corridors in mind. New developments and improvements to existing facilities may increase vehicular traffic volumes, not only on streets and at intersections, but also at at-grade highway-rail crossings. In addition, projects may increase pedestrian traffic at crossings, and elsewhere along rail corridor rights-of-way. Working with CPUC staff early in project planning will help project proponents, agency staff, and other reviewers to identify potential project impacts and appropriate mitigation measures, and thereby improve the safety of motorists, pedestrians, railroad personnel, and railroad passengers.

The Commission requests that the DEIR for the proposed project evaluate potential project-related rail safety impacts since our previous NOP comment letter was not adequately addressed. In addition to the potential impacts of the proposed project itself, the DEIR needs to consider cumulative rail safety-related impacts created by other projects.

In general, the major types of impacts to consider are collisions between trains and vehicles, and between trains and pedestrians. The proposed project has the potential to increase vehicular and pedestrian traffic in the vicinity. A Sacramento Regional Transit light rail line runs in the middle of the proposed project. While traffic congestion impacts are evaluated in the DEIR, the document does not consider potential rail safety impacts of the proposed project.

Measures to reduce adverse impacts to rail safety need to be considered in the CEQA documentation. General categories of such measures include:

- Installation of grade separations at crossings, i.e., physically separating roads and railroad track by constructing overpasses or underpasses
- Improvements to warning devices at existing highway-rail crossings
- Installation of additional warning signage
- Improvements to traffic signaling at intersections adjacent to crossings, e.g., traffic preemption
Installation of median separation to prevent vehicles from driving around railroad crossing gates
Prohibition of parking within 100 feet of crossings to improve the visibility of warning devices and approaching trains
Installation of pedestrian-specific warning devices and channelization
Construction of pull out lanes for buses and vehicles transporting hazardous materials
Installation of vandal-resistant fencing or walls to limit the access of pedestrians onto the railroad right-of-way
Elimination of driveways near crossings
Increased enforcement of traffic laws at crossings
Rail safety awareness programs to educate the public about the hazards of highway-rail grade crossings

Commission approval is required to modify an existing highway-rail crossing or to construct a new crossing.

The CPUC is a responsible agency under CEQA and needs to be referenced accordingly in the FEIR. The mitigation monitoring section of the FEIR needs to be modified to include any of the above mitigation measures for this project.

Thank you for your consideration of these comments. If you have any questions in this matter, please contact me at (415) 713-0092 or email at 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
NANCY BOSLEY  
935 Arden Way  
Sacramento, CA 95815

April 16, 2009

Jennifer Hageman, Senior Planner  
City of Sacramento, Development Services Department  
300 Richards Blvd.  
Sacramento, CA 95811

Re: Swanston Transit Village Station Specific Plan

Dear Ms. Hageman:

I have reviewed the Notice of Completion -Draft EIR for the above location and have some comments. First, the parcel at the corner of Arden Way and Erickson is zoned C2. However, the overpass on Arden Way makes this side of the parcel inaccessible. It seems that the C2 designation is in error for this parcel because the South side of the parcel is closed off by the overpass.

Second, it seems like this is a huge task to develop this area into residential units. There are now mostly warehouses in the area. Do you have a map showing the seven-block area to be included in the initial investment area?

Thank you for your consideration.

Yours truly,

Nancy Bosley
April 28, 2009

Jennifer Hageman
City of Sacramento
300 Richards Boulevard, 3rd Floor
Sacramento, CA 95811

Subject: Swanston Station Transit Village Specific Plan
SCH#: 2007062130

Dear Jennifer Hageman:

The State Clearinghouse submitted the above named Subsequent EIR to selected state agencies for review. The review period closed on April 24, 2009, and no state agencies submitted comments by that date. This letter acknowledges that you have complied with the State Clearinghouse review requirements for draft environmental documents, pursuant to the California Environmental Quality Act.

Please call the State Clearinghouse at (916) 445-0613 if you have any questions regarding the environmental review process. If you have a question about the above-named project, please refer to the ten-digit State Clearinghouse number when contacting this office.

Sincerely,

Terry Roberts
Director, State Clearinghouse
**Document Details Report**  
**State Clearinghouse Data Base**

<table>
<thead>
<tr>
<th>SCH#</th>
<th>2007062130</th>
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<tbody>
<tr>
<td><strong>Project Title</strong></td>
<td>Swanston Station Transit Village Specific Plan</td>
</tr>
<tr>
<td><strong>Lead Agency</strong></td>
<td>Sacramento, City of</td>
</tr>
<tr>
<td><strong>Type</strong></td>
<td>SBE Subsequent EIR</td>
</tr>
<tr>
<td><strong>Description</strong></td>
<td>The proposed Swanston Station Transit Village Specific Plan is a long-range urban design and implementation plan that would guide public and private improvements in the Swanston Station Transit Village Specific Plan area. The proposed Swanston TVSP project addresses land use, traffic and circulation, infrastructure, financing strategies, and implementation measures needed to support the vision for future development and investment in the project area.</td>
</tr>
</tbody>
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<table>
<thead>
<tr>
<th><strong>Lead Agency Contact</strong></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Name</strong></td>
<td>Jennifer Hageman</td>
</tr>
<tr>
<td><strong>Agency</strong></td>
<td>City of Sacramento</td>
</tr>
<tr>
<td><strong>Phone</strong></td>
<td>(916) 808-5538</td>
</tr>
<tr>
<td><strong>email</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Address</strong></td>
<td>300 Richards Boulevard, 3rd Floor</td>
</tr>
<tr>
<td><strong>City</strong></td>
<td>Sacramento</td>
</tr>
<tr>
<td><strong>State</strong></td>
<td>CA</td>
</tr>
<tr>
<td><strong>Zip</strong></td>
<td>95811</td>
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<table>
<thead>
<tr>
<th><strong>Project Location</strong></th>
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<tbody>
<tr>
<td><strong>County</strong></td>
<td>Sacramento</td>
</tr>
<tr>
<td><strong>City</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Region</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Cross Streets</strong></td>
<td>Along Sac RT light Rail Line ~ 1/4 mi. raidus from El Camino Avenue and Arden Way</td>
</tr>
<tr>
<td><strong>Lat / Long</strong></td>
<td>38° 36' 27.29&quot; N / 121° 26' 22.14&quot; W</td>
</tr>
<tr>
<td><strong>Parcel No.</strong></td>
<td>Several</td>
</tr>
<tr>
<td><strong>Township</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Range</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Section</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Base</strong></td>
<td></td>
</tr>
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</table>

<table>
<thead>
<tr>
<th><strong>Proximity to:</strong></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Highways</strong></td>
<td>160, Business 80</td>
</tr>
<tr>
<td><strong>Airports</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Railways</strong></td>
<td>Southern Pacific</td>
</tr>
<tr>
<td><strong>Waterways</strong></td>
<td>American River</td>
</tr>
<tr>
<td><strong>Schools</strong></td>
<td>SCUSD</td>
</tr>
<tr>
<td><strong>Land Use</strong></td>
<td>Several: Residential uses (various densitites); Commercial use; Industrial Uses and Transit</td>
</tr>
</tbody>
</table>

| **Project Issues** | Air Quality; Archaeologic-Historic; Noise; Population/Housing Balance; Public Services; Soil Erosion/Compaction/Grading; Toxic/Hazardous; Water Quality; Landuse; Aesthetic/Visual |
| **Reviewing Agencies** | Resources Agency; Department of Fish and Game, Region 2; Office of Historic Preservation; Department of Parks and Recreation; Central Valley Flood Protection Board; Caltrans, District 3; Caltrans, Division of Transportation Planning; Air Resources Board, Transportation Projects; Regional Water Quality Control Bd., Region 5 (Sacramento); Native American Heritage Commission; Public Utilities Commission; Department of Housing and Community Development |

| **Date Received** | 02/23/2009 |
| **Start of Review** | 02/23/2009 |
| **End of Review** | 04/24/2009 |

Note: Blanks in data fields result from insufficient information provided by lead agency.
May 5, 2009

Jennifer Hageman
City of Sacramento
300 Richards Boulevard, 3rd Floor
Sacramento, CA 95811

Subject: Swanston Station Transit Village Specific Plan
SCH#: 2007062130

Dear Jennifer Hageman:

The enclosed comment(s) on your Subsequent EIR was (were) received by the State Clearinghouse after the end of the state review period, which closed on April 24, 2009. We are forwarding these comments to you because they provide information or raise issues that should be addressed in your final environmental document.

The California Environmental Quality Act does not require Lead Agencies to respond to late comments. However, we encourage you to incorporate these additional comments into your final environmental document and to consider them prior to taking final action on the proposed project.

Please contact the State Clearinghouse at (916) 445-0613 if you have any questions concerning the environmental review process. If you have a question regarding the above-named project, please refer to the ten-digit State Clearinghouse number (2007062130) when contacting this office.

Sincerely,

[Signature]

Terry Roberts
Senior Planner, State Clearinghouse

Enclosures
cc: Resources Agency
April 23, 2009

Jennifer Hageman
City of Sacramento
300 Richards Blvd, 3rd Floor
Sacramento, CA 95811

Re: Notice of Completion, Supplemental/Subsequent EIR
Swanston Station Transit Village Specific Plan
SCH# 2007062130

Dear Ms. Hageman:

As the state agency responsible for rail safety within California, the California Public Utilities Commission (CPUC or Commission) recommends that development projects proposed near rail corridors be planned with the safety of these corridors in mind. New developments and improvements to existing facilities may increase vehicular traffic volumes, not only on streets and at intersections, but also at at-grade highway-rail crossings. In addition, projects may increase pedestrian traffic at crossings, and elsewhere along rail corridor rights-of-way. Working with CPUC staff early in project planning will help project proponents, agency staff, and other reviewers to identify potential project impacts and appropriate mitigation measures, and thereby improve the safety of motorists, pedestrians, railroad personnel, and railroad passengers.

The Commission requests that the DEIR for the proposed project evaluate potential project-related rail safety impacts since our previous NOP comment letter was not adequately addressed. In addition to the potential impacts of the proposed project itself, the DEIR needs to consider cumulative rail safety-related impacts created by other projects.

In general, the major types of impacts to consider are collisions between trains and vehicles, and between trains and pedestrians. The proposed project has the potential to increase vehicular and pedestrian traffic in the vicinity. A Sacramento Regional Transit light rail line runs in the middle of the proposed project. While traffic congestion impacts are evaluated in the DEIR, the document does not consider potential rail safety impacts of the proposed project.

Measures to reduce adverse impacts to rail safety need to be considered in the CEQA documentation. General categories of such measures include:

- Installation of grade separations at crossings, i.e., physically separating roads and railroad track by constructing overpasses or underpasses
- Improvements to warning devices at existing highway-rail crossings
- Installation of additional warning signage
- Improvements to traffic signaling at intersections adjacent to crossings, e.g., traffic preemption
• Installation of median separation to prevent vehicles from driving around railroad crossing gates
• Prohibition of parking within 100 feet of crossings to improve the visibility of warning devices and approaching trains
• Installation of pedestrian-specific warning devices and channelization
• Construction of pull out lanes for buses and vehicles transporting hazardous materials
• Installation of vandal-resistant fencing or walls to limit the access of pedestrians onto the railroad right-of-way
• Elimination of driveways near crossings
• Increased enforcement of traffic laws at crossings
• Rail safety awareness programs to educate the public about the hazards of highway-rail grade crossings

Commission approval is required to modify an existing highway-rail crossing or to construct a new crossing.

The CPUC is a responsible agency under CEQA and needs to be referenced accordingly in the FEIR. The mitigation monitoring section of the FEIR needs to be modified to include any of the above mitigation measures for this project.

Thank you for your consideration of these comments. If you have any questions in this matter, please contact me at (415) 713-0092 or email at 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
1. Matthew G. Darrow, County of Sacramento, Department of Transportation, March 5, 2009

1.1 The traffic analysis for the Swanston Station Transit Village Specific Plan was prepared as a section for the Draft EIR, and a separate “Traffic Impact Analysis” document was not developed. Section 6.11, Transportation, contains the information from the traffic analysis performed by Kimley and Horn Associates for the proposed project. The only substantive piece that was inadvertently not incorporated into Section 6.11 and the traffic appendix is a letter documenting the trip generation assumptions and calculations for the proposed development. This information is attached in its entirety at the end of these responses.

1.2 The selection of the transportation facilities to study as part of the EIR was based on those facilities determined most likely to provide access to the plan area and to experience significant changes in traffic volumes. The trip generation data presented in the traffic study show that the proposed project would generate fewer trips than those created by the existing land uses that would be replaced. As a result, project impacts would be less than significant. The facilities included in the study, whether those roadways were City or County facilities, were selected by City staff and Kimley-Horn and Associates, who prepared the traffic analysis, to ensure that the facilities studied would adequately capture the potentially significant impacts of future development that could occur under the proposed Swanston Station Transit Village Specific Plan.

1.3 As explained in Response 1.1 above, trip generation data were unintentionally excluded from Section 6.11. That information is produced in Response 1.1. It should be recognized that the City anticipates that only development in the Strategic Plan area would occur over the next 20 years or so. Future development in the Long-Term Plan area is anticipated but in a future horizon far beyond the 20-year timeframe. Page 6.11-48 of the Draft EIR explains that:

Given the uncertainty associated with the ultimate shape, form, intensity, and timing (after 2025) that development within the Long-Term Plan area will take, as well as the inaccuracies associated with the estimation of traffic impacts for a scenario that extends 25 years beyond the currently available analytic tools (SACOG’s regional model), resulted in the adoption of a much more qualitative analysis approach being conducted for the Long-Term Plan.

1.4 The goal and objectives of the proposed specific plan is to create transit-oriented, pedestrian friendly, mixed use and residential development adjacent to the Sacramento Regional Transit light rail system, and, in particular, the Swanston and Royal Oaks light rail stations. The proposed mix of land uses and intensities will provide transit and neighborhood retail near residential development to shorten or reduce the number of vehicle trips and encourage pedestrian and bicycle access to the light rail stations within the study area.
The trip generation letter presented at the end of these responses shows the derivation of the trips under existing conditions and under the proposed Strategic Plan. Trips for existing land uses, and for future land uses that would displace existing land uses were calculated based on the Institute of Transportation Engineers, *Trip Generation, 7th Edition* and *Trip Generation Handbook, Second Edition*.

1.5

As explained in Response 1.1 above, trip generation data were unintentionally excluded from Section 6.11. That information is produced in Response 1.1.

1.6

As shown on page 6.11-1 of the Draft EIR, the cumulative analysis was conducted for both scenarios: the No Project Conditions and the Project Conditions. For the cumulative No Project scenario, the 2025 SACMET model was modified so that the general plan land uses were replaced by the existing land uses (please see Cumulative Analysis discussion presented on page 6.11-38 and 39). For the cumulative analysis with the Project, the Swanston TVSP land uses were input into the 2025 SACMET model. These adjustments to the land uses for the plan area accurately reflects existing uses and trips, as well as plan land uses and trips, and thus allows a direct comparison of future conditions with the proposed project against existing conditions, as required by CEQA. This comparison is consistent with the methodology that the City of Sacramento used in evaluating cumulative impacts.

The impracticality and infeasibility of evaluating the traffic impacts of the Long-Term Plan in a quantitative fashion against existing conditions is documented and explained on page 6.11-48 of the Draft EIR.
September 5, 2007

Mr. Jesse Gothan, PE
City of Sacramento
Development Services Department
915 I Street, 3rd Floor
Sacramento, California 95814

Re: Swanston Station Transit Village
Proposed Trip Generation and Study Facilities - Revision 1

Dear Mr. Gothan:

I am writing to obtain City concurrence on critical aspects of the traffic study for the above referenced project. This letter documents trip generation assumptions, analysis scenarios, and the facilities to be included in the traffic impact analysis (the "study") for the Swanston Station Land Use Plan.

Changes to the Proposed Project
Kimley-Horn and Associates, Inc., (KHA) originally sent you a letter documenting trip generation assumptions for the study on June 19, 2007. Since that time, the Proposed Project has been redefined by the City and the land use consultant, Moore, Iacifano, and Goltsman (MIG). The Proposed Project now includes land uses designated in the "Strategic Land Use Plan" and the rezoning of nine other parcels (the "project"). The land uses included in the revised Proposed Project are shown in Table 1. Information in this table was provided by MIG on August 24, 2007.

Table 1 Summary of Proposed Land Uses

<table>
<thead>
<tr>
<th>Specific Land Uses</th>
<th>Commercial Uses, ksf</th>
<th>Residential Units</th>
</tr>
</thead>
<tbody>
<tr>
<td>Rezoned Parcels</td>
<td>10</td>
<td>66</td>
</tr>
<tr>
<td>Total</td>
<td>70</td>
<td>366</td>
</tr>
</tbody>
</table>

Trip Generation
The trip generation assumptions for the Proposed Project were revised based on the revision to the Proposed Project. Trips for the project were calculated using *Trip Generation, 7th Edition, and Trip Generation Handbook*, both published by the Institute of Transportation Engineers (ITE). The trip generation is shown in Attachment A and Table 2.

The trips were then adjusted to account for characteristics of the specific land uses and interaction between the land uses. These adjustments included internal
reduction factors and pass-by trips for the commercial uses. The internal reduction factors were derived using ITE methodologies and calculation sheets are included in Attachment A. The pass-by rate was estimated to be below the national average of 34%. This is due to the size of the retail area and the fact that most of it will not front onto an arterial.

Table 2 - Trip Generation for the Proposed Project

<table>
<thead>
<tr>
<th>Land Use</th>
<th>Land Use Density or Intensity</th>
<th>ITE LAND USE CODE</th>
<th>ITE LAND USE SIZE (UNITS)</th>
<th>Daily Trips</th>
<th>AM PEAK HOUR TRIPS</th>
<th>PM PEAK HOUR TRIPS</th>
</tr>
</thead>
<tbody>
<tr>
<td>RMX Residential</td>
<td>15.00</td>
<td>220</td>
<td>300</td>
<td>2,350</td>
<td>37</td>
<td>148</td>
</tr>
<tr>
<td>RMX Retail</td>
<td>Varies</td>
<td>820</td>
<td>73,033</td>
<td>5,386</td>
<td>77</td>
<td>49</td>
</tr>
<tr>
<td></td>
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<td></td>
<td></td>
<td>126</td>
<td>257</td>
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<td>237</td>
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<td></td>
<td></td>
<td></td>
<td>495</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Subtotal Raw Trip Generation</td>
<td></td>
<td></td>
<td>7,736</td>
<td>114</td>
<td>195</td>
</tr>
<tr>
<td></td>
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<td>309</td>
<td>379</td>
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<td></td>
<td></td>
<td></td>
<td></td>
<td>714</td>
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<tr>
<td>ITE Internal Reduction</td>
<td>Daily: 13.3%</td>
<td></td>
<td></td>
<td>-1,076</td>
<td>-55</td>
<td>-49</td>
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<tr>
<td></td>
<td>PM: 14.5%</td>
<td></td>
<td></td>
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<td>-55</td>
<td>-49</td>
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<tr>
<td>Alternate Modes: Residential</td>
<td>1%</td>
<td></td>
<td></td>
<td>-23</td>
<td>0</td>
<td>-1</td>
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<tr>
<td>Alternate Modes: Commercial</td>
<td>1%</td>
<td></td>
<td></td>
<td>-54</td>
<td>-1</td>
<td>0</td>
</tr>
<tr>
<td>Alternate Mode: Office</td>
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<td></td>
<td></td>
<td>0</td>
<td>0</td>
<td>0</td>
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<td>Pass-by trips (Commercial Uses)</td>
<td>30%</td>
<td></td>
<td></td>
<td>-1,618</td>
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<td>-15</td>
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<td>Subtotal of Reductions</td>
<td></td>
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<td>-2,769</td>
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<td>179</td>
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<td></td>
<td>454</td>
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</tbody>
</table>

The Proposed Project land uses are intended to replace existing uses. As a result, trips for the existing uses were subtracted from the trips estimated for the Proposed Project. Detailed trip generation calculations for the existing uses are included in Attachment A and the net trips proposed to be analyzed for this phase are shown in Table 3. Table 3 indicates that the proposed land uses will result in fewer trips being generated by the Proposed Project than are currently being generated by existing uses.

Table 3 - Proposed Project Trip Generation Summary

<table>
<thead>
<tr>
<th>Daily Trips</th>
<th>AM PEAK HOUR TRIPS</th>
<th>PM PEAK HOUR TRIPS</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>IN</td>
<td>OUT</td>
</tr>
<tr>
<td>Strategic Plan</td>
<td>4,967</td>
<td>90</td>
</tr>
<tr>
<td>Existing Uses</td>
<td>6,216</td>
<td>195</td>
</tr>
<tr>
<td>Net Trips</td>
<td>-1250</td>
<td>-105</td>
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Analysis Scenarios and Study Facilities
The Scope of Services for this project (approved as part of a sub-consultant agreement between KHA and MIG) assumed the proposed would be evaluated in two phases. Phase one was envisioned to consist of several "opportunity sites" and the phase two was envisioned to be a comprehensive "land use plan" for the project area. The "opportunity sites" are now depicted in the Strategic Plan and
the "land use plan" is now depicted on the Long Term Plan, both developed by MIG, the City, and various stakeholders. It is our understanding, that, based on the results of the market study conducted for the project and direction from the City, the Proposed Project description to be used for the project EIR has been redefined to include only the Strategic Plan and the Long Term Plan will not be analyzed in the EIR.1

As noted above, the "project" now consists of the Strategic Plan and will not be phased. However, since the original Scope of Services for the traffic impact analysis was developed assuming a phased approach, that Scope of Services is no longer appropriate for the current Proposed Project. As a result, we are proposing a revision to the scope of services. Attachment B includes the current Scope of Services and Attachment C includes the revised Scope of Services.

The revised Scope of Services includes a project level analysis for existing, baseline and future conditions. The revised Scope of Services was developed based on the following:

- Per the trip generation data presented above, the Proposed Project will generate significantly fewer trips than the current land uses. As a result, project impacts will be less than those created by the current land uses.
- The facilities to be studied under the current scope were developed assuming a project-specific analysis for the current year and a programmatic analysis for future build-out. For the new project definition, a project-specific analysis should be conducted for current and future scenarios.

We would like to proceed with the analysis as quickly as possible and information noted herein is critical to the study for this project. We appreciate your prompt response and indication of concurrence with the information provided.

Please contact me at (916) 797-3811 if you have any questions or require additional information.

---
1 Per Mukul Mahotra, MIG, Project Manager, Rodney Jeung, Environmental Document Project Manager
Very truly yours,

KIMLEY-HORN AND ASSOCIATES, INC.

[Signature]

Stephen M. Pyburn, C.E., T.E.
Senior Project Manager
PE No. C49598 & TR1904

Copy to:  Mukul Mahotra, MIG
          Dan Drazen, MIG
          Rodney Jeung, EIP

Attachments:

Attachment A - Trip Generation and Trip Reduction Worksheets
Attachment B - Current Traffic Study Scope of Services
Attachment C - Revised Traffic Study Scope of Services
Attachment A
Trip Generation Worksheets
### Proposed Land Uses

<table>
<thead>
<tr>
<th>Land Use</th>
<th>ITE LAND USE CODE</th>
<th>ITE LAND USE DESCRIPTION</th>
<th>SIZE (UNITS)</th>
<th>Daily Trips</th>
<th>AM PEAK HOUR TRIPS</th>
<th>PM PEAK HOUR TRIPS</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>IN</td>
<td>OUT</td>
<td>Total</td>
</tr>
<tr>
<td>RMX Residential</td>
<td>15.00</td>
<td>Apartment, D.U.</td>
<td>366</td>
<td>2,350</td>
<td>37</td>
<td>145</td>
</tr>
<tr>
<td>RMX Retail</td>
<td>Varies</td>
<td>Shopping Center, ksf</td>
<td>7,386</td>
<td>5,386</td>
<td>77</td>
<td>49</td>
</tr>
<tr>
<td><strong>Total area:</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td><strong>Subtotal Raw Trip Generation</strong></td>
<td>7,736</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td><strong>ITE Internal Reduction</strong></td>
<td>Daily:</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Alternate Modes: Residential</td>
<td>1%</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Alternate Modes: Commercial</td>
<td>1%</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Alternate Mode: Office</td>
<td>1%</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Pass-by trips (Commercial Uses)</td>
<td>30%</td>
</tr>
<tr>
<td><strong>Subtotal of Reductions</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Strategic Alternative Trips</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>4,967</td>
<td>90</td>
<td>179</td>
<td>268</td>
<td>249</td>
<td>205</td>
</tr>
</tbody>
</table>

### Existing Land Uses Being Replaced by Proposed Land Uses and Rezones

<table>
<thead>
<tr>
<th>Land Use</th>
<th>ITE LAND USE CODE</th>
<th>ITE LAND USE DESCRIPTION</th>
<th>SIZE (UNITS)</th>
<th>Daily Trips</th>
<th>AM PEAK HOUR TRIPS</th>
<th>PM PEAK HOUR TRIPS</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>IN</td>
<td>OUT</td>
<td>Total</td>
</tr>
<tr>
<td>Manufacturing (7)</td>
<td>140</td>
<td>Light Industrial, ksf</td>
<td>147.5</td>
<td>564</td>
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<tr>
<td>Shopping Center</td>
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<td></td>
<td></td>
<td><strong>Pass-by trips (Commercial Uses)</strong></td>
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<tr>
<td><strong>Total Existing Uses</strong></td>
<td></td>
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<tr>
<td></td>
<td>6,216</td>
<td>195</td>
<td>97</td>
<td>292</td>
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**Net New Trips**

|          | 1,249            | 105                      | 82           | -23         | -41               | -137              | -177              |
ITE MULTI-USE PROJECT INTERNAL CAPTURE WORKSHEET
(Source: Chapter 7, ITE Trip Generation Handbook, October 1998)

Land Use A: Residential
ITE Land Use Code 220
Size: 380

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<th>Entry</th>
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<tr>
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<td>242</td>
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<tr>
<td>Exit</td>
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</tr>
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<td>484</td>
</tr>
<tr>
<td>%</td>
<td>100%</td>
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</table>

Demand: 38.0% 446
Balanced: 242

Land Use B: Retail
ITE Land Use Code 820
Size: 72

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<tr>
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<td>484</td>
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<tr>
<td>%</td>
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</table>

Demand: 33.0% 266
Balanced: 242

Land Use C: None
ITE Land Use Code 0
Size: 0

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<tr>
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</tr>
<tr>
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<td>0</td>
</tr>
<tr>
<td>%</td>
<td>0.0%</td>
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</table>

Demand: 0.0% 0
Balanced: 0

Land Use D: None
ITE Land Use Code 0
Size: 0

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<thead>
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</thead>
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</tr>
<tr>
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</tr>
<tr>
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<td>0</td>
</tr>
<tr>
<td>%</td>
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<td>0.0%</td>
</tr>
</tbody>
</table>

Demand: 0.0% 0
Balanced: 0

NET EXTERNAL TRIPS FOR MULTI-USE DEVELOPMENT

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<th>B</th>
<th>C</th>
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<td>0</td>
<td>3,530</td>
</tr>
</tbody>
</table>

Single Use Trip Dan Estimate: 3,530

Overall Internal Capture = 13.91%
As noted by the commenter, Figure 2-14 (Proposed Water System Improvements) shows an existing 6-inch water main with the Beaumont Street right-of-way that would be improved to 8 inches to satisfy the City’s minimum standards. The commenter reports that the 72-inch Dry Creek interceptor also lies within that right-of-way. Future plans to improve the water line will be closely coordinated with the District to ensure minimal conflicts with the Dry Creek interceptor.

The analysis of future wastewater capacity and flows from development that could occur under the proposed plan (see Impact UT-2 beginning on page 6.10-24 and Impact UT-7 beginning on page 6.10-32) indicate that the treatment plant would have sufficient capacity to serve the net increase in total average daily sewer flow from development that could occur in the plan area. The District wants to clarify that it cannot guarantee that capacity would be available at the time future development occurs. To reflect this point, the text in Chapter 2 cited by the commenter has been revised to include a discussion that the flows are on a “first come, first served” basis.

Page 6.10-32, under Impact UT-7, paragraph 1, is revised as follows:

At buildout, development that could occur in the Long-Term Plan area would generate a net increase of approximately 0.577 mgd of wastewater (Table 6.10-15). As the SRWTP currently treats 155 mgd and has the capacity to treat 181 mgd, the net increase in wastewater from development during the Long-Term Plan phase is not expected to require expansion of the SRWTP facilities. However, as noted by the SRCSD, flows to the SRWTP are on a “first come, first served basis.” Therefore, flows to the plant not anticipated in the SRWTP 2020 Master Plan could result in capacity constraints for new development within the Long-Term Plan area. SRCSD periodically updates the Master Plan on an as-needed basis to account for increased development and growth in population, and with that, plans for the expansion and upgrading of SRCSD facilities. Any necessary changes to capacity would occur incrementally, as regional population growth demands greater treatment capacity. Future updates to the Master Plan will recognize the growth allowed by the Long-Term Plan and plan for the necessary improvements to SRCSD facilities. Accordingly, it is not expected that the Long-Term Plan would result in a significant wastewater treatment plant impact.

As noted by the commenter, Figure 2-15 (Proposed Sanitary System Improvements) shows an existing 12-inch wastewater line with the Beaumont Street right-of-way that would be improved to 18 inches to meet future wastewater flows. The commenter reports that the 72-inch Dry Creek interceptor also lies within that right-of-way. Future plans to improve the wastewater line will be closely coordinated with the District to ensure minimal conflicts with the Dry Creek interceptor.
2.4 The commenter reports that the wastewater agencies serving the Swanston Transit Village Plan area are incorrectly identified on pages 6.10-3 and 6.10-4. These corrections have been made and are reflected in Chapter 3, which contains changes to the Draft EIR text. These changes are also noted below.

Page 6.10-3, paragraph 2, sentence 3 is revised as follows:

Information for this section comes from the infrastructure report prepared for the proposed Swanston Station Specific Plan, as well as information provided by the Sacramento Regional County Sanitation Services District and the Sacramento Area County Sanitation District.

Page 6.10-4, paragraph 2, sentence 1 is revised as follows:

The SRWTP, which is located just south of the city limits, is owned and operated by the Sacramento Regional County Sanitation Services District (SRCSD).

2.5 The commenter provides clarifying language on page 6.10-38, regarding the frequency of the District’s Master Plan. The text has been revised in accordance with the commenter’s suggestion and is reflected in Chapter 3, which contains changes to the Draft EIR text. This change to the first paragraph, last three sentences, under Impact UT-11 is also noted below.

In addition, the Master Plan is updated every five years to account for changes in existing and projected population. SRCSD periodically updates the Master Plan on an as-needed basis to account for increased development and growth in population, and with that, plans for the expansion and upgrading of SRCSD facilities. Any necessary changes to capacity would occur incrementally, as regional population growth demands greater treatment capacity. Therefore, the cumulative impact of future development on SRWTP treatment facilities would be less than significant.

2.6 The commenter has provided advisories and information from a Memorandum of Understanding (MOU) between the District and the City of Sacramento. This MOU identifies flow restrictions for the County Interceptor known as the “City Interceptor” which is located in the south area of the City of Sacramento that runs south from Sump 2 (Riverside Boulevard & 10th Avenue), along Freeport Boulevard, along I-5, and ultimately to the SRWTP. The Swanston Station Transit Village is located in the north area of Sacramento near Business 80 and Arden Way. Sewer flows from this area are conveyed to the SRWTP by a County Interceptor and not the “City Interceptor.” Therefore, the max flow of 108.5 MGD is related to the “City Interceptor” only, and this MOU does not apply to sewer flows generated from this project.

3.1 This comment contains introductory and general information. The City carefully reviewed the commenter’s concerns and finds that that EIR provides sufficient information for the public to consider and respond to the project’s potential impacts to purple martins and associated mitigations. Please refer to specific responses below.

3.2 This comment states that the biological surveys conducted in February 2006 are not adequately timed to detect nesting burrowing owls, purple martins, or Swainson’s hawks. As stated on page 6.3-1 of the Draft EIR, the field surveys focused on potential suitable habitat for special-status species that could potentially occur in the Swanson TVSP project area. Impacts BIO-1, BIO-2, and BIO-3 each address potential impacts to these species, and the latter two impact assessments explicitly acknowledge that nesting birds, and specifically purple martin, could be adversely affected by future development in the plan area. Thus, the EIR discloses that various migratory birds, including burrowing owls, purple martins, and Swainson’s hawks could nest in the plan area. Accordingly, Mitigation Measures BIO-2.1 and BIO-3.1 are proposed to address potential impacts to these species by requiring appropriately timed surveys prior to future development that could disturb these sensitive species, and should such surveys detect active nests, then other appropriate measures to mitigate potential harassment of the birds or abandonment of the nests are prescribed.

3.3 In response to the information provided by the commenter, background information on the purple martin has been added to the Draft EIR. Specifically, the presence of the purple martin at the Arden Way overpass is reported, and effects related to development that could occur under the Long-Term Plan are identified.

Page 6.3-1, paragraph 1, new text inserted before the last sentence in the paragraph:

In addition, information from the Sacramento Audubon Society has been used to supplement background data on the bird species in the Swanson TVSP project area.¹

Page 6.3-1, paragraph 3, sentence 1 has been revised as follows:

The only recorded occurrences of a special-status species within the Swanston TVSP project area is purple martin, a bird that nests under the El Camino Avenue and Arden Way overcrossings.

Page 6.3-8, paragraph 2, last few sentences have been revised as follows:

There are colonies of purple martins that are known to use the underside of the El Camino Avenue and the Arden Way overcrossings within the Swanston TVSP project area. These area by the El Camino Avenue overpass has been used by purple martins since 2002 and at least 20 pairs were observed in a 2007 survey (Dan Airola, 2007). Similarly, the Arden Way overpass has supported 3 to 13 nesting pairs from 2004 through 2008 (Dan Airola et al, 2004, 2008).

Page 6.3-17, under Impact BIO-3, paragraph 2, new text after sentence 5 is inserted as follows:

In addition, a nesting colony uses the Arden Way overpass. Surveys between 2004 and 2008 identified 3 to 13 nesting pairs supported by this bridge.

Page 6.3-17, under Impact BIO-3, paragraph 2, new text before the last sentence is inserted as follows:

At the Arden Way overpass, the Swanston TVSP project proposes sidewalk improvements on both sides of the road, and a transit plaza and promenade on the north side of the overpass. Construction of these improvements could affect the purple martins in a manner similar to those effects identified for the purple martins using the El Camino Avenue bridge.

Page 6.3-17, Mitigation Measure BIO-3.1 has been revised as follows:

**BIO-3.1 Construction Limits Around the Purple Martin Nests.** Although purple martins are tolerant of human activities, if active nests are present, no construction shall be conducted within 120 feet of the edge of the purple martin colony (determined by the closest active nest hole to the construction activity) during the beginning of the purple martin breeding season from March 15 to May 15. April 1 to August 1. The buffer area shall be avoided to prevent destruction or disturbance of the nest(s) or until it is no longer active, as determined by a biologist experienced in working with purple martins. In addition, no equipment taller than 9 feet in height shall be parked or stored beneath the El Camino Avenue or Arden Way overcrossings within 100 horizontal feet of nest holes from April 15 to July 31.
3.4 The statement on page 6.3-1 of the Draft EIR states the results of the biological field survey. Information on nesting avian species is included in Table 6.3-1, and in the Environmental Analysis portion of Section 6.3, Biological Resources, beginning on page 6.3-14. Notably, Impact BIO-2 acknowledges potential impacts to nesting birds. Therefore, the analysis acknowledges that although nesting birds were not observed during the field survey, and that CDFG CNDDDB lists low likelihoods of occurrences of burrowing owls and Swainson’s hawks in the Swanston TVSP area, such species could occur within the project area and mitigation is necessary.

3.5 The Swainson’s hawk discussion on page 6.3-7 of the Draft EIR notes that, “Although no nesting Swainson’s hawks have been observed within the Swanston TVSP project area, the area is within the foraging range of approximately 10 Swainson’s hawk nests.” However, given the discontinuous patches of ruderal vegetation within the undeveloped lots, their small size (less than approximately two acres), and the high level of urban disturbance, the Swanston TVSP project area does not provide significant foraging or nesting habitat for this species. For these reasons, the field biologists who prepared the analysis continue to support the designation of a “low” probability of occurrence in Table 6.3-1.

3.6 These species were not observed during the field surveys and as such were not included within the survey results. However, the City does not dispute that these species would likely be present within the area as they are commonly associated with habitats similar to those of the purple martin. It should be noted that neither white-throated swifts nor northern rough-winged swallows are special-status species. Impacts to nesting birds are covered under Impact BIO-2, beginning on page 6.3-15.

3.7 As stated on page 6.3-4 of the Draft EIR, information on sensitive species was obtained from the CNDDDB dated October 2007 when the Cooper’s hawk was still listed as a California Species of Concern. Since then, the species is no longer considered a California Species of Concern, as noted by the commenter. Accordingly, Table 6.3-1 and the text on page 6.3-7 have been revised (see Chapter 3) to reflect this re-designation of the Cooper’s hawk.

3.8 As noted in Response 3.3, the Draft EIR has been revised to include the colonies of purple martin using the Arden Way overpass. The text revisions are presented in Chapter 3 of this document and in Response 3.3 above. The text on page 6.3-8 notes that abandoned woodpecker holes are one area that purple martins can nest, in addition to nest boxes and other human structures.

3.9 As noted on page 6.3-8, the purple martin is designated as a California Department of Fish and Game Species of Special Concern. In general, the City does not include specific information about why a species is considered endangered. Impact BIO-6 on page 6.3-21 of the Draft EIR discusses the potential cumulative effects of the loss of nesting purple martins and discusses how the protective laws and regulations would reduce the potential disturbances to the resources. Therefore, the Draft EIR recognizes the importance of the protection of the species.
3.10 The commenter requests that the discussion of heritage trees on page 6.3-8 should be modified to recognize that such trees can be used as nesting sites by Swainson's hawks. However, the heritage tree text on page 6.3-8 is intended to acknowledge that certain trees that attain a certain size are by their own rights important biological species, regardless of whether they provide nesting habitat for particular bird species. The commenter's request to recognize heritage trees as possible habitat for the Swainson's hawk is already included on page 6.3-7 of the Draft EIR (paragraph 3), where it explains that Swainson's hawks tend to nest in tall riparian trees (typically oaks or cottonwoods).

3.11 Impact BIO-2 identifies that species protected by the Migratory Bird Treaty Act likely nest within the project area and Mitigation Measure BIO-2.1 is recommended to reduce impacts to these species to less-than-significant levels. The description of the Migratory Bird Treaty Act beginning on page 6.3-8 is intended primarily to identify adopted plans, policies, and regulations that are relevant in the Swanston Transit Village Specific Plan area.

3.12 The commenter is correct in stating that the absence of evidence of special-status species (including Swainson's hawks, white-tailed kites, purple martins, and burrowing owls) does not preclude their nesting potential in the Swanston TVSP project area. The paragraph referenced by the commenter states that no known occurrences have been recorded in the Swanston TVSP project area. As noted previously in Response 3.2, the Draft EIR acknowledges potentially adverse effects to special-status species and proposes Mitigation Measures BIO-2.1 and BIO-3.1 to ensure that surveys for the aforementioned species occur prior to construction, and that if such surveys detect the presence of these species, appropriate measures be implemented to protect these species.

3.13 The information in the paragraph cited by the commenter addresses the movement of species by migratory corridors, connections to open space lands or river corridors, and to/from nursery sites. Ingress and egress to the overpasses used by the purple martins would not be altered by the proposed project because the project does not propose the demolition of the existing development, and the reconstruction of new development, around the bridges. The parcels around the two bridges are currently developed. The railroad tracks would not be altered by the future development in the station area. It is noted that Impact BIO-3 of the Draft EIR does recognize that the proposed project could impact this special-status species, and in response, recommended Mitigation Measure BIO-3.1 to address potential disturbance to purple martins if they are nesting in the project area during construction activities.

3.14 Impact BIO-3 of the Draft EIR addresses all potential impacts to purple martins within the project area, and in recognition of the potentially significant impact identified, recommended Mitigation Measure BIO-3.1 to address potential disturbance to purple martins if they are nesting in the project area during construction activities. Please note that the Draft EIR text has been modified to include the colonies of purple martins using the
Arden Way overpass and the potential effects to them (see Chapter 3 of this Final EIR and Response 3.3 above).

3.15 Potential impacts associated with loss of access to the nesting areas would not be expected to occur as purple martins are tolerant of human activities. In addition, the overpass would not be physically altered to preclude nesting, and the area immediately adjacent to the nesting site is not proposed to be altered in such a way as to significantly impact the approach to the nesting areas. The proposed transit center that would be sited near the Arden overpass is a project being considered by the Sacramento Regional Transit District and would occur independently of the proposed Swanston Transit Village Specific Plan. Therefore, this environmental document does not need to consider the potential impacts to purple martins due to the construction and operation of the proposed transit center. Furthermore, the areas surrounding the colony, including the El Camino and Arden overpasses would remain transportation-oriented uses, the same type of land use that currently exists at the overpasses. Consequently, the access to the nesting area would not be substantially different from its current state and the impact would remain less than significant. In addition, the areas surrounding the colonies would still provide suitable landscaping materials such as pine needles to provide nesting materials for the colony and significant impacts would not be anticipated.

3.16 The commenter expresses concerns regarding increased mortality of the purple martins from vehicle collisions. However, the area surrounding the martin colonies, where collisions would be most likely, would remain in its current transportation-oriented land use and the majority of the changes in circulation would occur away from the nesting area. In addition, as noted on page 6.11-21 of the Draft EIR, development that could occur within the Strategic Plan area is anticipated to result in approximately 1,332 fewer daily vehicle trips on area roads, compared to current trips. Furthermore, it is estimated that full implementation of the proposed Swanston TVSP project (Strategic Plan area and the Long-Term Plan area) would lead to the elimination of approximately 7,300 daily vehicle trips compared to existing uses. Therefore, potential mortality of the purple martins from automobile collisions is expected to be less than significant.

With respect to losses due to increased light rail traffic (LRT), as discussed on page 6.11-37 of the Draft EIR, data from Sacramento Regional Transit indicates that currently LRT service operates at four trips per hour at the Swanston and Royal Oaks Light Rail Stations. Future plans for the Northeast Corridor that is served by these station include adding three additional trips per peak hour period by January 2012 to serve projected ridership and to offer express service. This increase is service was planned by the Sacramento Regional Transit District prior to the City’s specific plan efforts around the Swanston Station, and thus is not due to the transit-oriented development envisioned by the plan. The Swanston TVSP project does not include proposals to alter the fencing on the existing El Camino Avenue and Arden Way overpasses or to enhance the unimproved access roads under the overpasses, both of which could result in greater threats to the
purple martin colonies. As a result, mortality impacts to purple martins from the LRT would not be associated with the proposed Swanston Transit Village Specific Plan.

3.17 As suggested by the commenter, Mitigation Measure BIO-3.1, beginning on page 6.3-17, has been revised. The revised text is presented in Chapter 3 of this document and in Response 3.3 above.

3.18 Please refer to Response 3.17, regarding modifications to Mitigation Measure BIO-3.1.

3.19 No active Swainson’s hawk nests have been identified within 2 miles of the project site (CNDDDB 2009) and thus, there is no evidence that nesting would be likely to occur in the project area. Please refer to Responses 3.5 and 3.12 for additional responses concerning the presence of Swainson’s hawks.

3.20 Impact BIO-6 of the Draft EIR specifically recognizes that the primary effects of the proposed Swanston TVSP project, when considered with other projects in the region, could be the cumulative loss of nesting purple martins. It states that implementation of Mitigation Measures BIO-2.1 and BIO-3.1 would reduce potential direct effects on migratory bird species by identifying occupied nests, delaying construction if necessary, and providing a buffer zone (no construction area) around occupied nests to ensure that no take or destruction of nests or eggs occurs. Because these mitigation measures reduce impacts to nesting birds, their young and eggs, the proposed Swanston TVSP project would not contribute to other losses locally or regionally. Therefore, the impact of the proposed Swanston TVSP project would not be cumulatively considerable.

With respect to the unproven nature of other project’s purple martin mitigation, there is no evidence that the mitigation will fail, and in certain cases such as the Railyards Redevelopment project, the mitigation was designed jointly with purple martin experts, and will be monitored for success. This monitoring effort would ensure that the measures that are designed to reduce reasonably foreseeable project impacts to purple martins to less-than-significant levels would be carried out and monitored. Speculation about future potential impacts that could result from mitigation failure does not mandate additional monitoring for impacts that would be outside the scope of what are the reasonable foreseeable impacts of the project. Consequently, additional monitoring is not proposed. Presumption of failure of these mitigation measures and the subsequent cumulative impact to purple martins would therefore be speculative.

3.21 Please refer to Responses 3.15, 16, and 20 above, for a discussion of the adequacy of the purple martin impact assessment (for both El Camino and Arden Way populations) and mitigation requirements to reduce impacts to less-than-significant levels.

3.22 Please refer to Responses 3.15, 16, and 20 above, for a discussion of cumulative impacts to the purple martin and the proposed mitigation.
3.23 The commentor requests mitigation for cumulative impacts, including preparation of a city-wide management plan for purple martins, new planning for mitigation implementation at previously approved development sites in the City, support for an ongoing monitoring program, and monitoring to evaluate the effectiveness of proposed mitigation measures. This request is beyond the scope of the proposed project. Moreover, as explained in Response 3.20 above, the proposed Swanston TVSP project would have a less than cumulatively considerable effect on purple martins, so that the cumulative impacts to this Species of Special Concern with the proposed project would be less than significant. Nevertheless, the comment is noted and passed on to decision-makers for their consideration.

3.24 See Response 3.23.

3.25 See Response 3.23.

3.26 See Response 3.23.

3.27 As discussed in the above responses to comments, the Draft EIR for the Swanston TVSP project adequately addresses both direct and cumulative impacts to biological resources. Recirculation of the document is not required for reasons given above.
4. Moses Stites, California Public Utilities Commission, April 23, 2009 (This letter was also forwarded to the City by the State Clearinghouse on May 5, 2009)

4.1 In response to the NOP comments from the CPUC, a discussion of rail crossings was included in the Draft EIR, beginning on page 6.11-15. This discussion concludes with the following statement: CPUC regulations will need to be observed in the future planning and design of uses alongside or crossing the rail line.

Because the proposed Swanston TVSP is a planning document, there are no imminent development projects that would occur and potentially raise rail safety concerns. The near-term development (and, in this case, near-term means over the next 20 years) includes possible land development, transportation, and open space improvements in an area referred to as the Strategic Plan area. The only portion of this area in the vicinity of the Union Pacific or Sacramento Regional Transit District rail lines is the former Lumberjack site and land immediately to the east. As specific development applications are submitted to the City of Sacramento for this development area, the City will inform the applicant(s) of the need to coordinate with the CPUC to ensure public safety. As other projects in the vicinity of the rail lines occur, there could be a cumulative rail safety impact, as noted by the commenter, but each of these projects would be expected to comply with the CPUC’s safety regulations, which would reduce the contribution of each project’s impacts to less than cumulatively considerable.

4.2 As explained in the Draft EIR on page 6.11-15:

The light rail line crosses study roadways at five locations. The El Camino Avenue and Arden Way crossings are grade separated. The crossings of Evergreen Street, the driveway to the Caltrans warehouse at 2001 Evergreen Street, and Royal Oaks Drive are at grade. The three existing at-grade crossings are owned and operated by Sacramento Regional Transit (RT) and were designed and constructed to meet RT’s System Safety Program Plan (SSPP). The SSPP is a master plan document that presents a comprehensive safety program for bus and rail operations within RT’s service area. RT provides for the safety of its employees, contractors, patrons and the public by enforcing safety legislation and all applicable environmental, health and security provisions contained within regulatory authority administered through the California Occupational Safety and Health Administration (CALOSHA), the California Public Utilities Commission (CPUC), the California Environmental Protection Agency (CalEPA), and through standard provisions in each contract.

The proposed Swanston TVSP project acknowledges improvements and plans by Sacramento RT, but the City of Sacramento would not be the sponsor or lead agency for

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those plans. Thus, Sacramento RT would be responsible for complying with CPUC rail safety regulations, and RT’s SSPP is intended to accomplish this. In particular, the Sacramento RT proposal to straighten the Lumberjack Curve would eliminate an existing at-grade crossing with Evergreen Street with a new crossing that would be designed in consultation with the CPUC.

The proposed Swanston TVSP would increase development density in the plan area and pedestrian traffic in the vicinity of the UP and Sacramento RT lines, as noted by the commenter. Vehicular traffic across the tracks would be limited to the new Evergreen Street at-grade crossing, described above, and the two grade-separated crossings at El Camino Avenue and Arden Way (neither of which are highways). Because two of the crossings are grade separated already and the third crossing would be a new one and subject to CPUC review, it is not expected that vehicular traffic would result in additional safety concerns beyond those that currently exist.

With respect to pedestrian traffic and the potential to trespass the rail rights-of-way, the proposed Swanston TVSP project identifies two optional locations where pedestrians from east of the tracks could cross the tracks on a pedestrian bridge structure and safely access the Swanston Light Rail Station. The bridge recognizes the need to connect the areas west and east of the tracks in a safe and convenient manner.

4.3

The commenter suggests measures to reduce adverse impacts to rail safety. As noted above in Responses 4.1 and 4.2, the Swanston TVSP project is not expected to result in adverse impacts to rail safety, particularly since the City of Sacramento would expect future development applicants to demonstrate compliance with CPUC regulations and this demonstration would likely be a condition of project approval.

In response to the commenter’s suggested measures, the proposed Swanston TVSP project does not propose new at-grade crossings of the Sacramento RT light rail lines, and there are no highway-rail crossings in the plan area. The proposed at-grade crossing of Evergreen Street, when Lumberjack Curve is straightened, would be designed in consultation with the CPUC and could include some of the suggestions (e.g., warning signage and median separation) when that project is advanced by Sacramento RT. The one new crossing of the UP rail line is proposed to be constructed as a grade-separated overpass, which will require CPUC approval.

Because significant adverse impacts are not anticipated from the proposed plan, addition of mitigation measures is not warranted. The City recognizes the safety concerns identified by the commenter and will consult the CPUC on matters concerning changes to circulation or access near the rail lines.

5. Nancy Bosley, April 16, 2009

5.1 The comment questions the zoning for a particular parcel within the Specific Plan area. The comment does not address the adequacy of the EIR or the City’s fulfillment of CEQA.
Accordingly the comments are forwarded to the decision-makers for their consideration during deliberations on the Specific Plan.

6. **Terry Roberts, California Office of Planning and Research, April 28, 2009**

6.1 The letter from the State Clearinghouse does not raise any issues that require a response.
Chapter 5
Mitigation Monitoring Plan

The following is the Mitigation Monitoring Program (MMP) for the Swanston Transit Village Specific Plan project. The project as approved includes mitigation measures to address impacts of the project. The intent of the MMP is to prescribe a means for properly and successfully implementing and enforcing the mitigation measures as identified within the Environmental Impact Report for this project. Unless otherwise noted, the cost of implementing the mitigation measures as prescribed by this MMP shall be funded by the applicant.

4.1 COMPLIANCE CHECKLIST

The MMP contained herein is intended to satisfy the requirements of CEQA as they relate to the Environmental Impact Report for the Swanston Transit Village Specific Plan project prepared by the City of Sacramento. This MMP is intended to be used by City staff and mitigation monitoring personnel to ensure compliance with mitigation measures during project implementation. Mitigation measures identified in this MMP were developed in the Environmental Impact Report prepared for the proposed project.

The Swanston Transit Village Specific Plan project Environmental Impact Report presents a detailed set of mitigation measures that will be implemented throughout the lifetime of the project. Mitigation is defined by CEQA as a measure which:

- Avoids the impact altogether by not taking a certain action or parts of an action;
- Minimizes impacts by limiting the degree or magnitude of the action and its implementation;
- Rectifies the impact by repairing, rehabilitating, or restoring the impacted environment;
- Reduces or eliminates the impact over time by preservation and maintenance operations during the life of the project; or
- Compensates for the impact by replacing or providing substitute resources or environments.

(CEQA Guidelines Section 15370.) The intent of the MMP is to ensure the effective implementation and enforcement of adopted mitigation measures and permit conditions. The MMP will provide for monitoring of construction activities as necessary and in-the-field identification and resolution of environmental concerns.

Monitoring and documenting the implementation of mitigation measures will be coordinated by the City of Sacramento. The table attached to this report identifies the impact number, impact, mitigation measure, the monitoring agency for the mitigation measure, the implementation schedule, and signoff. The applicant will be responsible for fully understanding and effectively implementing the mitigation measures contained within the MMP. The City of Sacramento will be responsible for ensuring compliance.

4.2 MITIGATION MONITORING PLAN

The following table indicates the mitigation measure number, the impact the measure is designed to address, the measure text, the monitoring agency, implementation schedule, and an area for sign-off indicating compliance.
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| Air Quality | AQ-2. Development that could occur in the Strategic Plan area would generate construction-related emissions of particulate matter (PM\textsubscript{10}) that could exceed SMAQMD standards. | During all phases of demolition and construction activities | CDD, SMAQMD | AQ-2.1 Particulate Matter Emission Reduction. The project applicant/developer shall implement the following reduction measures, depending on the size of the proposed development. The project applicant/developer shall ensure that these measures are conducted by requiring that they be included in all construction contracts for all phases of construction and demolition activities.  
a) If a project requires that the maximum disturbance for grading at any given time is 5 acres or less, no mitigation measures would be required unless the SMAQMD stipulates otherwise.  
b) If a project requires that the maximum disturbance for grading at any given time is between 5.1 and 8 acres, Level One mitigation is required, as specified by the prevailing SMAQMD Guide at the time a particular development project is approved.  
- During clearing, grading, earth-moving, or excavation operations, fugitive dust emissions shall be controlled by watering exposed soil two times per day; and  
- Maintain two feet of freeboard space on haul trucks.  
c) If a project requires that the maximum |
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<td>disturbance for grading at any given time is between 8.1 and 12 acres, Level Two mitigation is required, as specified by the prevailing SMAQMD Guide at the time a particular development project is approved.</td>
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<td>• During clearing, grading, earth-moving, or excavation operations, fugitive dust emissions shall be controlled by watering exposed soil three times per day;</td>
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<td>• Soil piles shall be watered three times daily; and</td>
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<td>• Maintain two feet of freeboard space on haul trucks.</td>
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<td>d) If a project requires that the maximum disturbance for grading at any given time is between 12.1 and 15 acres, Level Three mitigation is required, as specified by the prevailing SMAQMD Guide at the time a particular development project is approved.</td>
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<td>• Water all exposed soil with sufficient frequency as to maintain soil moistness;</td>
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<td>• Maintain two feet of freeboard space on haul trucks; and</td>
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<td>• Use emulsified diesel or diesel catalysts on applicable heavy duty diesel construction equipment.</td>
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<td>AQ-5. Development that could occur under the Long-Term Plan would generate construction-related emissions of ozone precursors and particulate matter that could exceed SMAQMD standards.</td>
<td>During all phases of demolition and construction activities</td>
<td>CDD, SMAQMD</td>
<td>Implementation of Mitigation Measure AQ-2.1 (Particulate Matter Emission Reduction) during construction of individual developments under the Long-Term Plan would ensure that impacts due to emissions of PM$_{10}$ during grading phases would be reduced to a less-than-significant level.</td>
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<td>AQ-6. Development that could occur under the Long-Term Plan would generate operational emissions of ozone precursors that may exceed SMAQMD standards</td>
<td>Prior to approval of improvement plans</td>
<td>CDD, SMAQMD</td>
<td>The measures identified in SMAQMD’s Guide in Table E-2 represent strategies for reducing operational emissions. It is noteworthy that the Swanston TVSP project contains specific policies and guidelines that would implement a number of these measures and would therefore reduce many of the potential operational air quality impacts that might otherwise occur. As future individual development projects occur, they could include other measures from the list in Table E-2, or new ones that may be identified in future updates to the SMAQMD’s Guide.</td>
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<td><strong>BIO-2. Development that could occur under the proposed Swanston TVSP project (Strategic Plan area and Long-Term Plan area) would not result in substantial degradation of the quality of the environment or reduction of habitat or population below self-sustaining levels of threatened or endangered species of plant or animal. Development could, however, impact nesting birds protected under state and federal regulations.</strong></td>
<td>During all phases of demolition and construction</td>
<td>CDD</td>
<td><em>BIO-2.1 Preconstruction Surveys and Protection Measures for Nesting Birds.</em> If trees are removed outside the nesting season (typically March 15 to August 30), there would be no effect on nesting birds and no mitigation is required. Construction activities shall be timed to avoid tree removal during the nesting season. If this cannot be accomplished, then a qualified biologist shall conduct a preconstruction nesting survey no more than one week prior to tree removal to determine if nesting birds are present. If nesting birds are present, an appropriate buffer zone (no construction area) shall be developed by the biologist and in consultation with CDFG, and construction activities shall be suspended in the buffer zone until future surveys indicate that the chicks have fully fledged (left the nest). Completion of preconstruction surveys and avoidance of bird nests would result in no impacts to nesting birds. Survey results shall be valid for a period of 21 days from the date of the survey. Should vegetation or building removal fail to be conducted within this time frame, a second survey shall be undertaken. A report shall be submitted to the City of Sacramento, following the completion of the bird nesting survey that includes, at a minimum, the following information:**</td>
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| BIO-3. Development that could occur in the Strategic Plan area would have no effect on species of special concern. However, development that could occur in the Long-Term Plan area could affect the purple martin. | During all phases of demolition and construction | CDD | • A description of methodology including dates of field visits, the names of survey personnel with resumes, and a list of references cited and persons contacted.  
• A map showing the location(s) of any bird nests observed on the Swanston TVSP project area. | BIO-3.1 Construction Limits Around the Purple Martin Nests. Although purple martins are tolerant of human activities, if active nests are present, no construction shall be conducted within 120 feet of the edge of the purple martin colony (determined by the closest active nest hole to the construction activity) during the beginning of the purple martin breeding season from March 15 to May 15. The buffer area shall be avoided to prevent destruction or disturbance of the nest(s) until it is no longer active. The size of the buffer area may be adjusted if a qualified biologist experienced with purple martin biology and/or CDFG determines it would not be likely to have adverse effects on the martins. The site characteristics used to determine the size of the modified buffer should include a) topographic screening; b) distance from disturbance to nest; c) the size and quality of foraging habitat surrounding the nest; and d) sensitivity of the species to nest disturbances to specific construction activities. No project activity shall commence within the buffer area until a qualified biologist experienced with purple martin biology confirms that nests are no |
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| BIO-4. Development that could occur under the proposed Swanston TVSP project (Strategic Plan area and Long-Term Plan area) could affect wetlands, waters of the US, or waters of the State. | Prior to construction and demolition | CDD US Army Corps of Engineers | Before construction occurs within portions of the Swanston TVSP project area that could support potentially jurisdictional wetlands and other waters of the U.S. (i.e., the drainage ditch on the undeveloped parcel at the northwest corner of Green Street and Calvados Avenue and topographic depressions identified along the UP tracks within the UP right-of-way), a wetland delineation shall be conducted and verified by the Corps. Implementation of Mitigation Measure BIO-4.1 would ensure that no net loss of the function or value of wetlands would occur. If avoidance is not possible, then the conditions and mitigation requirements established by the Corps 404 permit shall apply and be implemented by the project applicant seeking to fill the wetland or other waters of the U.S. **BIO-4.1 Avoidance of Wetlands.** The City of Sacramento shall ensure no-net loss of the function or value of all jurisdictional wetlands. This can be achieved through avoidance measures to avoid direct impacts on preserved wetland habitat or other jurisdictional “waters of the U.S.” These measures shall include, but are not limited to, the following:  
- A four-foot-tall, brightly colored (usually... |         |
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<td>orange or yellow) synthetic mesh material fence (or an approved equivalent) shall be installed a minimum of 50 feet outside the edge of any wetland habitats in the immediate vicinity of proposed construction areas. In addition to the orange construction fencing, silt fencing shall be placed next to the orange fence to further protect the wetland from runoff or other potential pollutants. Prior to initiation of construction activities, a qualified biologist shall inspect the protective fencing to ensure that all wetland features have been appropriately fenced. During construction, no encroachment into fenced areas shall be permitted and the fence shall remain in place until all construction activities have been completed.</td>
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<td>• Staging areas shall be located a minimum of 100 feet away from wetland habitats. Temporary stockpiling of excavated or imported material shall occur only in project approved construction staging areas. Excess excavated soil shall be disposed of at a regional landfill or at another approved and/or properly permitted location. Stockpiles that are to remain on the site throughout the wet season shall be protected to prevent erosion.</td>
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<td>• The wetlands not directly affected by construction activities shall be protected using Best Management Practices erosion controls.</td>
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<td><strong>Cultural Resources</strong></td>
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<td><strong>CR-2.1 Treatment of Unexpected Archaeological Resources.</strong> In the event that any prehistoric or historic-period subsurface archeological features or deposits, including locally darkened soil (&quot;midden&quot;), that could conceal cultural deposits, animal bone, obsidian, and/or mortar are discovered during demolition/construction-related earth-moving activities, all ground-disturbing activity within 100 feet of the resources shall be halted immediately, and the City of Sacramento Development Services Department and the City’s Preservation Director shall be notified within 24 hours. The project applicant shall retain an archeologist who meets the Secretary of the Interior’s professional qualifications for Archeology. The City Preservation Director shall consult with the archeologist to assess the significance of the find. Impacts to any significant resources shall be mitigated to a less-than-significant level through data recovery or other methods determined adequate by the City Preservation Director and that are consistent with the Secretary of the Interior’s Standards for Archeological Documentation. If Native American archeological, ethnographic, or spiritual resources are discovered, all identification and treatment of the resources shall be conducted by a qualified archaeologist and Native American</td>
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<td>representatives who are approved by the local Native American community as scholars of the cultural traditions. In the event that no such Native American is available, persons who represent tribal governments and/or organizations in the locale in which resources could be affected shall be consulted. When historic archeological sites or historic architectural features are involved, all identification and treatment is to be carried out by historical archaeologists or architectural historians who meet the Secretary of the Interior’s professional qualifications for Archaeology and/or Architectural History.</td>
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<td><strong>CR-2.2 Cessation of Construction if Human Remains Encountered.</strong> If human remains are discovered during any demolition/construction activities, all ground-disturbing activity within 50 feet of the remains shall be halted immediately, and the Sacramento County coroner shall be notified immediately, according to Section 5097.98 of the State Public Resources Code and Section 7050.5 of California’s Health and Safety Code. If the remains are determined by the County coroner to be Native American, the Native American Heritage Commission (NAHC) shall be notified within 24 hours, and the guidelines of the NAHC shall be adhered to in the treatment and disposition of the remains. The project applicant shall also retain a professional archeologist with Native</td>
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<td>American burial experience to conduct a field investigation of the specific site and consult with the Most Likely Descendant, if any, identified by the NAHC. As necessary, the archeologist may provide professional assistance to the Most Likely Descendant, including the excavation and removal of the human remains. The City of Sacramento Development Services Department shall be responsible for approval of recommended mitigation as it deems appropriate, taking account of the provisions of state law, as set forth in CEQA Guidelines Section 15064.5(e) and Public Resources Code Section 5097.98. The project applicant shall implement approved mitigation, to be verified by the City of Sacramento Development Services Department, before the resumption of ground-disturbing activities within 50 feet of where the remains were discovered.</td>
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<td><strong>CR-2.3 Treatment of Unexpected Paleontological Resources.</strong> Should paleontological resources be identified at any project construction sites during any phase of construction, the project manager shall cease operation at the site of the discovery and immediately notify the City of Sacramento Development Services Department. The project applicant shall retain a qualified paleontologist to provide an evaluation of the find and to prescribe mitigation measures to reduce impacts to a less-than-significant level. In considering</td>
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<td>any suggested mitigation proposed by the consulting paleontologist, the City of Sacramento Development Services Department shall determine whether avoidance is necessary and feasible in light of factors such as the nature of the find, project design, costs, specific plan policies and land use assumptions, and other considerations. If avoidance is unnecessary or infeasible, other appropriate measures (e.g., data recovery) shall be instituted. Work may proceed on other parts of the project site while mitigation for paleontological resources is carried out.</td>
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<td>Hazardous Materials</td>
<td>During all phases of demolition and construction</td>
<td>Contractor</td>
<td><em>HM-1.1 Remediation Plan for Contaminated Soils or Groundwater and Site Health and Safety Plan.</em> In the event that previously unidentified underground storage tanks or other features or materials that could present a threat to human health or the environment are discovered during excavation and grading, construction in that immediate area shall cease immediately, a State Registered Environmental Assessor shall evaluate the type and extent of the hazardous materials contamination and make appropriate recommendations, including if necessary, the preparation of a site remediation plan. In the event that site inspections find evidence of contamination, waste discharges, underground storage tanks, abandoned drums, or other environmental impairments, the Sacramento County Environmental Management Department (SCEMD) shall be notified. A site remediation plan shall be prepared that (1) specifies measures to be taken to protect workers and the public from exposure to potential site hazards, and (2) certifies that the proposed remediation measures would clean up the contaminants, dispose of the wastes, and protect public health in accordance with federal, state, and local requirements. In the event contaminated groundwater is identified, any discharges to the sewer shall be in accordance with the City Department of Utilities</td>
<td>CDD</td>
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<td>HM-2.  Construction and/or operation of development that could occur within the Swanston TVSP project area (Strategic Plan area and Long-Term Plan area) could expose workers, the public, and the environment to potential health hazards from lead-based paint, asbestos, and/or PCBs.</td>
<td>Prior to demolition</td>
<td>CDD</td>
<td>Engineering Services Policy No. 0001, adopted as Resolution No. 92-439 by the Sacramento City Council. In addition, a site health and safety plan, which meets the intent of OSHA hazardous materials worker requirements (CCR Title 8), shall be prepared by a qualified professional and in place prior to commencement of site-disturbing activities associated with the investigation and/or remediation. The project applicant, through the project contractor, shall ensure proper implementation of the health and safety plan. Commencement of work in the areas of potential hazards shall not proceed until all identified hazards are managed to the satisfaction of the City and SCEMD and the SCEMD allows work to commence.</td>
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<td>HY-5. Development that could occur under the proposed Swanston TVSP project (Strategic Plan and Long-Term Plan areas) would generate stormwater that would exceed the capacity of the stormwater system. Provisions of the proposed Swanston TVSP project would encourage stormwater control and treatment, but would not ensure that adequate stormwater capacity exists to serve future development.</td>
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<td>Once all abatement measures have been implemented, the project applicant shall provide written documentation to the City that lead-based paint, ACM, and PCB testing, abatement, and/or removal has been completed in accordance with state and local laws and regulations.</td>
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| Hydrology and Water Quality | | | Either of the following mitigation measures would reduce impacts to less than significant. 

HY-5.1 Construction of Recommended Stormwater Detention Basins. The City shall identify a mechanism to fund the construction of the required detention basins by requiring individual project applicants to pay their fair share towards the improvement. Funds from this mechanism shall be used to pay for the drainage improvements identified in the Swanston Station Specific Plan. Funding mechanisms identified for consideration in the Swanston Station Specific Plan include impact fees, utility user fees, and regional and federal grants.

HY-5.2 On-site Stormwater Detention. Project applicants shall provide on-site stormwater detention to ensure that peak runoff from the project site will not exceed existing runoff volumes, until the required detention basins are constructed. | |
| Noise | | | NO-2.1 Vibration Reduction Practices for Pile Driving. For pile driving within 100 feet of an existing building, project | |
| NO-2. Development that could occur under the proposed Swanston TVSP project (Strategic Plan area and | During all phases of construction requiring pile | CDD | |


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<td>Long-Term Plan area) would temporarily increase levels of ground-borne vibration as a result of construction activities associated with the development.</td>
<td>driving</td>
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<td>applicants shall implement vibration reduction practices, such as drilling pilot holes for piles, to the extent feasible, prior to commencement of impact pile driving. Prior to issuance of a building permit, project applicants shall submit to the City for approval a report specifying the vibration reduction practices that will be implemented and the estimated vibration reduction potential of such practices</td>
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| NO-4. Development that could occur within the Strategic Plan area could permanently expose sensitive receptors to increased noise produced by on-site stationary sources. | Prior to issuance of building permits | CDD               | **NO-4.1 HVAC Noise Control.** Prior to the issuance of building permits, development applicants shall submit engineering and acoustical specification for a project’s mechanical HVAC equipment to the Planning Director demonstrating that the equipment will control its noise emissions to the degree specified under the appropriate provision of the Sacramento General Plan or Municipal Code.  
**NO-4.2 Garbage Disposal and Loading Dock Noise Reduction.** Garbage storage areas and building loading docks shall be sited to allow adequate separation or shielding to protect adjacent noise-sensitive uses from noise emissions associated with truck pickup and delivery activity. Prior to the issuance of building permits, the project applicants shall submit acoustical studies to the Planning Director demonstrating that noise emissions from truck activities will be controlled to the degree specified by the appropriate provisions of the Sacramento General Plan or Municipal Code.  
**NO-4.3 Other Stationary Source Noise Reduction.** Noise generating stationary equipment associated with proposed commercial uses, including portable generators, compressors, trash compactors, etc. shall be enclosed or acoustically shielded to reduce noise-related impacts to nearby noise-sensitive uses. Prior to the issuance of building permits, the project applicants shall submit acoustical studies to |
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<td>the Planning Director demonstrating that noise emissions from all significant on-site stationary sources of noise will be controlled to the degree specified by the appropriate provisions of the Sacramento General Plan or Municipal Code.</td>
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<td>NO-6. Development that could occur within the Long-Term Plan area could expose sensitive receptors to increased noise levels.</td>
<td>Prior to issuance of building permits</td>
<td>CDD</td>
<td><strong>NO-6.1 Residential Construction and Uses near I-80 Business Loop.</strong> Proposed new residential construction and uses within 500 feet the I-80 Business Loop (based on Traffic Noise Model estimates for receptors with an unobstructed line-of-sight to the freeway) shall incorporate special construction measures as determined by acoustic study to ensure that interior noise levels from project and other anticipated noise sources are within the City’s General Plan standards. <strong>NO-6.2 Residential Construction and Uses near Rail Operations.</strong> Proposed new residential uses within 350 feet of the LRT tracks or within 750 feet of the Union Pacific tracks (based on FTA screening distances without intervening structures) shall incorporate special construction measures as determined by acoustic study to ensure that interior noise levels from project and other anticipated noise sources are within the City’s General Plan standards.</td>
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<td>NO-7. Development that could occur within the Long-Term Plan area could permanently expose sensitive receptors to increased noise produced by on-site stationary sources.</td>
<td>Prior to issuance of building permits</td>
<td>CDD</td>
<td>Implementation of Mitigation Measures NO-4.1, NO-4.2, and NO-4.3, which address noise control for HVAC systems, garbage disposal and loading dock, and other stationary sources, would substantially</td>
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<td>Impact</td>
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<td>NO-8. Development that could occur within the Long-Term Plan area could expose sensitive receptors to excessive vibration levels.</td>
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<td>reduce predicted noise levels at noise sensitive receptors to the limits in the Sacramento General Plan or Municipal Code. As a result, residual noise impacts from stationary sources would be reduced to a less-than-significant level.</td>
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<td><strong>NO-8.1 Buffer Zones or Structural Measures to Reduce Vibration Levels.</strong> The City shall exclude proposed residential uses within 150 feet and 200 feet of the LRT and UPRR tracks, respectively; or prior to issuance of building permits for residential structures within 150 feet and 200 feet of the LRT and UPRR tracks, respectively, the project applicants shall submit to the City for approval a report specifying the vibration reduction measures that will be incorporated into their structural design to reduce vibration impacts to acceptable levels.</td>
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<td>Public Utilities</td>
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<td>UT-2. Development that could occur within the Strategic Plan area would result in the generation and discharge of additional wastewater. While the projected increase in wastewater flows would not require modifications at the SRWTP, the projected increase in wastewater flows would require improvements to the wastewater conveyance system.</td>
<td>Prior to occupancy</td>
<td>Department of Utilities</td>
<td><strong>UT-2.1 Sewer Study and Necessary Improvements.</strong> Prior to occupancy of new development, project applicants shall perform individual sewer studies to confirm that wastewater lines that serve the project as well as downstream would operate acceptably in accordance with Section 9 of the City Design Standards. If the sewer study determines that a project would result in capacity deficiencies that would not comply with the City’s standards, then a corrective program shall be required. The program shall include participation by the project applicant and result in improvements</td>
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| UT-3. Development that could occur in the Strategic Plan area would increase water demand but would not exceed available sources of water supply. While the projected increase in water demand would not require modifications to water supply deliveries or the City’s water treatment plants, improvements to the wastewater conveyance system would be necessary. | Prior to occupancy | Department of Utilities | None required; however, the following measure would ensure that adequate water supply is provided to new development and adequate water pressure for fire flow conditions. *UT-3.1 Hydraulic Modeling and Necessary Improvements.* Prior to occupancy of new development, project applicants shall perform hydraulic modeling to confirm that water main sizes are adequate to meet the following City standards:  
- A maximum velocity of 10 feet per second  
- Fire flow demands of:  
  1. 1,500 gallons per minute for single-family  
  2. 2,000 gallons per minute for multi-family  
  3. 3,000 gallons per minute for commercial/industrial  
The hydraulic modeling shall be submitted to the City’s Department of Utilities for confirmation and approval. If the hydraulic modeling indicates that improvements to the water distribution system are needed, these improvements will become conditions of project approval. As appropriate, major improvements that benefit a number of property owners may be funded through the City’s Capital Improvement Program; otherwise, the Department of Utilities might require project applicants to improve the |
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<td>UT-7. Development that could occur within the Long-Term Plan area would generate additional wastewater flow in the City of Sacramento and SASD service areas. While the projected increase in wastewater flows would not require modifications at the SRWTP, the projected increase in wastewater flows would require improvements to the wastewater conveyance system.</td>
<td>Prior to occupancy</td>
<td>Department of Utilities</td>
<td>Implementation of Mitigation Measure UT-2.1, which calls for preparation of sewer studies and making the necessary improvements to avoid capacity deficiencies, would ensure that adequate wastewater conveyance capacity is provided to new development prior to occupancy. This measure shall be included as a condition of project approval and would reduce wastewater conveyance system impacts to a less-than-significant level</td>
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<td>UT-8. Development that could occur within the Long-Term Plan area would not exceed available sources of water supply. While the projected increase in water demand would not require modifications to water supply deliveries or the City’s water treatment plants, improvements to the wastewater conveyance system would be necessary</td>
<td>Prior to occupancy</td>
<td>Department of Utilities</td>
<td>Implementation of Mitigation Measure UT-3.1, which calls for individual project applicants to perform hydraulic modeling and to make necessary improvements to the water distribution system, would ensure that adequate water supply is provided to new development prior to occupancy. The mitigation measure would also ensure that adequate water pressure would be provided under fire flow conditions. As a result, this measure would ensure that impacts remain less than significant.</td>
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