

RESOLUTION NO. 2005-100

ADOPTED BY THE SACRAMENTO CITY COUNCIL

ON DATE OF FEB 22 2005

A RESOLUTION APPROVING THE NEGATIVE DECLARATION AND ADOPTING THE MITIGATION MONITORING PLAN FOR THE MACHADO ESTATES PROJECT, LOCATED AT 3600 AIRPORT ROAD IN NORTH NATOMAS.

(APN: 225-0150-023) (P04-114)

WHEREAS, the Environmental Coordinator has prepared a Negative Declaration for the above identified project;

WHEREAS, the Negative Declaration was prepared and circulated for the above identified project pursuant to the requirements of CEQA;

WHEREAS, the proposed Negative Declaration and comments received during the public review process were considered prior to action being taken on the project;

WHEREAS, based upon the Negative Declaration and the comments received during the public review process, there is no substantial evidence that the project will have a significant effect on the environment, provided that mitigation measures are added to the above identified project;

WHEREAS, the Environmental Coordinator has prepared a Mitigation Monitoring Plan for ensuring compliance and implementation of the mitigation measures as proscribed in the Initial Study for the above identified project; a copy of which is attached as Exhibit 1;

WHEREAS, in accordance with Section 21081.6 of the California Public Resources Code, the City of Sacramento requires that a Mitigation Monitoring Plan be developed for implementing mitigation measures as identified in the Initial Study for the project.

NOW, THEREFORE BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SACRAMENTO THAT:

The Mitigation Monitoring Plan for Machado Estates (P04-114) project be approved and adopted as shown in the attached Mitigation Monitoring Plan dated December 21, 2004.

FOR CITY CLERK USE ONLY

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DATE ADOPTED: FEB 22 2005

HEATHER FARGO

MAYOR

ATTEST:

SHIRLEY CONCOLINO

CITY CLERK

(P04-114)

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DATE ADOPTED:

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**MACHADO PROPERTY (P04-114)
MITIGATION MONITORING PLAN**

APPLICANT:
BEAZER HOMES OF NORTHERN CA

TYPE OF ENVIRONMENTAL DOCUMENT:
MITIGATED NEGATIVE DECLARATION

PREPARED BY:
ERIK DE KOK
CITY OF SACRAMENTO
DEVELOPMENT SERVICES DEPARTMENT
ENVIRONMENTAL PLANNING SERVICES

DATE:
DECEMBER 21, 2004

ADOPTED BY:
CITY OF SACRAMENTO
PLANNING COMMISSION

DATE:

ATTEST:

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DATE ADOPTED: FEB 14 2005

**CITY OF SACRAMENTO
MITIGATION MONITORING PLAN**

This Mitigation Monitoring Plan (MMP) has been required by and prepared by the City of Sacramento Development Services Department, 1231 I Street, Room 300, Sacramento, CA 95814, pursuant to CEQA Guidelines section 15097.

SECTION 1: PROJECT IDENTIFICATION

Project Name/File Number: *Machado Property (P04-114)*

Applicant: Beazer Homes of Northern CA
Attn: Carol Hill
3721 Douglas Blvd, Suite 100
Roseville, CA
(916) 746-8371

Lead Agency Contact: Erik de Kok, Associate Planner
Environmental Planning Services
Development Services Department
1231 I Street, Room 300
Sacramento, CA 95814
(916) 808-2022

Project Location/APN: The proposed project is located east of Airport Road, north of San Juan Road, and northwest of Tanzanite Park, within the North Natomas Community Plan Area in the City of Sacramento (APN 225-0150-023).

Project Description: The proposed project site is located on 8.7+/- acres owned by the Olga W. Machado Revocable Trust. The purpose of the proposed project is to obtain the necessary entitlements to develop 6.3+/- of the 8.7+/- acres for 78 medium-density, single-family housing units within the Natomas Crossing PUD. The remaining 2.4+/- acres would be retained, including the existing residence on site, by one of the trustees.

SECTION 2: GENERAL INFORMATION

The Mitigation Monitoring Plan (MMP) includes mitigation measures for Biological Resources, Hazards, and Cultural Resources. The intent of the Plan is to prescribe and enforce a means for properly and successfully implementing the mitigation measures as identified within the Initial Study for the project. Unless otherwise noted, the cost of implementing the mitigation measures as prescribed by this Plan shall be funded by the owner/developer identified above. The MMP is designed to assist the City of Sacramento in its implementation and monitoring of mitigation measures adopted for the proposed project.

The mitigation measures have been taken verbatim from the Initial Study and are assigned the same number as in the Initial Study. The MMP describes the actions that must take place to implement each mitigation measure, the timing of such actions, and the entities responsible for implementing and monitoring the actions. The developer will be responsible for fully understanding and cooperating to achieve compliance with the MMP. The City of Sacramento is responsible for ensuring compliance.

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**MITIGATION MONITORING PLAN CHECKLIST FOR THE
MACHADO ESTATES (P04-114) MITIGATED NEGATIVE DECLARATION**

VERIFICATION OF COMPLIANCE					
Mitigation Measure	Implementing Responsibility	Monitoring Responsibility	Compliance Standards	Timing	Verification of Compliance Initials/Date
<p>Biological Resources</p> <p><u>General Mitigation Requirements in the NBHCP:</u></p> <p>BR-1. The applicant shall pay the required HCP fees or dedicate land at a ratio of 0.5 to 1 for each acre of land to be developed.</p> <p>BR-2. Pre-construction surveys for potential special status species will be required, not less than 30 days or more than 6 months prior to construction activities.</p> <p><u>Specific Mitigation for State-listed Special Status Species:</u></p> <p><i>Nesting Raptor Species:</i></p> <p>BR-3. If active raptor nests are found during pre-construction surveys for the species identified as having potential habitat on the site (including Swainson's hawk, white-tailed kite, or western burrowing owl), the applicant/developer/contractor shall work with the CDFG and USFWS to determine the appropriate mitigation actions needed prior to proceeding, consistent with the requirements of the NBHCP. A copy of the pre-construction survey report,</p>	Applicant	<p>City of Sacramento – Development Services Department</p> <p>CA Dept of Fish and Game (DFG)</p> <p>US Fish and Wildlife Service (USFWS)</p>	<p>Measures shall be included with the Construction Specifications on all plans.</p> <p>On-site monitoring by resource agencies, where applicable.</p> <p>City of Sacramento will respond on a complaint basis.</p>	<p>NBHCP fees paid and pre-construction surveys conducted prior to issuance of grading permits.</p> <p>On-site monitoring to be implemented during construction, where applicable.</p>	

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<p>along with CDFG and USFWS concurrence with proposed actions, shall be submitted to the Development Services Department prior to issuance of grading or construction permits.</p> <p><i>Tri-colored blackbird:</i></p> <p>BR-4. If the pre-construction surveys determine that tricolored blackbirds are present on the site, the implementation of the minimization and avoidance measures identified in the NBHCP in accordance with the Migratory Bird Treaty Act will be required, in consultation with USFWS.</p> <p><u>For Federally-listed Special Status Species:</u></p> <p><i>Valley Elderberry Longhorn Beetle (VELB):</i></p> <p>BR-5. Elderberry shrubs shall be avoided whenever possible. Complete avoidance may be assumed with a 100-foot (or wider) buffer established and maintained around elderberry shrubs. Firebreaks may not be included in the buffer zone. Encroachment on the 100-foot buffer shall be approved</p>					

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<p>by the USFWS prior to the issuance of a grading permit.</p> <p>BR-6. All buffer areas to be avoided during construction activities shall be fenced and flagged, according to USFWS guidelines. In areas where encroachment on the 100-foot buffer has been approved by the USFWS, a minimum setback of at least 20 feet from the dripline of each elderberry shrub shall be provided.</p> <p>BR-7. All contractors and construction crews shall be briefed on the status of VELB (federally listed as threatened) and the need to protect its host plant, requirements to avoid damaging elderberry plants, and possible penalties for not complying with identified mitigation and monitoring measures.</p> <p>BR-8. Signs shall be erected every 50 feet along the edge of the avoidance area with the following information: "This area is habitat for the valley elderberry longhorn beetle (VELB), a threatened species, and must not be disturbed. This species is protected under the Endangered Species Act of 1973, as amended. Violators are subject to prosecution,</p>					

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<p>BR-9. All elderberry plants with one or more stems of at least 1.0 inch diameter at ground level that cannot be avoided during construction activities shall be transplanted to a USFWS-approved mitigation area. All transplanting of elderberry plants shall occur during the plants' dormant season (November to mid-February) and should follow the standards set forth in the Compensation Guidelines for the Valley Elderberry Longhorn Beetle (July 1999).</p>	Applicant.	City of Sacramento Development Services Department	Measures to be included with Construction Specifications on all project plans. Inspections conducted to confirm compliance.	Project plans shall be reviewed to determine compliance, and monitored during inspections.	
<p>Hazards</p> <p>H1. Machinery used during construction shall be maintained according to manufacturers specifications to prevent accidental sparks, and fire extinguishers shall be kept onsite during all construction activities.</p>	Applicant shall include the mitigation measure on	City of Sacramento Development Services Department	Project plans shall include the required design requirements.	Project plans shall be reviewed to determine compliance	
<p>Cultural Resources</p> <p>CR 1. If subsurface archaeological or historical remains</p>					

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are discovered during construction, work in the area shall stop immediately and a qualified archaeologist and a representative of the Native American Heritage Commission shall be consulted to develop, if necessary, further mitigation measures to reduce any archaeological impact to a less than significant level before construction continues.	project plans, and instruct construction personnel of requirements.	Native American Heritage Commission	City of Sacramento will respond on a complaint basis.	Mitigation measure will be enforced during the construction process.	
CR 2. If human burials are encountered, all work in the area shall stop immediately and the Sacramento County Coroner's office shall be notified immediately. If the remains are determined to be Native American in origin, both the Native American Heritage Commission and any identified descendants must be notified and recommendations for treatment solicited (CEQA Section 15064.5); Health and Safety Code Section 7050.5; Public Resources Code Section 5097.94 and 5097.98.					

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