

RESOLUTION NO. 2009-775

Adopted by the Sacramento City Council

December 15, 2009

ACCESS IMPROVEMENTS FROM THE RAILYARDS TO RICHARDS BOULEVARD AND INTERSTATE 5 INTERCHANGE PROJECT (T15088300)

BACKGROUND

- A. The primary goal of the Access Improvements from the Railyards to Richards Boulevard and Interstate 5 Project (T15088300) is to provide near-term circulation improvements for the surrounding redevelopment areas. These improvements are expected to include the extension of Bercut Drive from Richards Boulevard to Railyards Boulevard, widening Jibboom Street from Richards Boulevard to Railyards, connecting Jibboom Street and Bercut Drive under Interstate 5 in the Railyards, and improving the existing Richards Boulevard and Interstate 5 interchange to the maximum extent possible under the Caltrans encroachment permit process. This project is not expected to construct the ultimate roadway improvements for the Richards Boulevard Interchange with Interstate 5.
- B. As the Richards Boulevard and Railyards areas redevelop, there are increasing needs for circulation improvements. The infrastructure elements of this project have been analyzed in several past EIRs in the area, including the EIR for the Railyards Specific Plan. The proposed projects are intended to be largely consistent with these past documents, with the understanding that minor changes to the roadway geometry may result as more detailed studies are performed during the delivery of this project.
- C. This project is located on the border of two important City of Sacramento development districts: the Richards Boulevard area and the Railyards area. The Richards Boulevard area has traditionally been an industrial area that is currently in a renaissance era as it converts to an extension of the downtown urban core. The Railyards area has received its name from its long-term use as Southern Pacific's primary west coast railroad service yard. In December 2006, Thomas Enterprises purchased the Railyards from the railroad company and is in the approval process for a new Railyards Specific Plan. The Final Environmental Impact Report (EIR) for the specific plan was certified on December 11, 2007.
- D. On April 10, 2008, the City Council approved a Professional Services Agreement with David Evans and Associates, Inc. in the amount of \$1,344,362 to provide preliminary engineering, environmental services, and final design services for this project. Supplemental Agreement No. 1 in the amount of \$114,501 was approved by City Council on January 5, 2009. Supplemental Agreement No. 2 in the amount of \$77,062 was approved on April 7, 2009 and provided additional services for the environmental document.

- E. The North Central Business District (CBD) Access Study includes federal funding that will lapse June 30, 2010. Due to additional time necessary for the California Department of Transportation to complete a Project Study Report for the Richards Boulevard/I-5 interchange, additional time is needed to expend all the funding and a one-year extension is needed.

BASED ON THE FACTS SET FORTH IN THE BACKGROUND, THE CITY COUNCIL RESOLVES AS FOLLOWS:

- Section 1. The preliminary design plan 90% Plans and Specifications are approved.
- Section 2. The FY09/10 Capital Improvement Program revenue and expenditure budget is amended by transferring \$325,000 (Fund 3703) from the North CBD Access Study (T15028200) to the Access Improvements from the Railyards to Richards Boulevard and Interstate 5 Project (T15088300).
- Section 3. The City Manager is authorized to execute Supplemental Agreement No. 3 (2008-0307) for an amount not to exceed \$95,662 with David Evans and Associates, Inc.
- Section 4. The City Manager's Supplemental Agreement authority is reset.
- Section 5. The Director of the Department of Transportation is authorized to sign and submit a request to Caltrans for a Cooperative Work Agreement (CWA) time extension to utilize the federal funds authorized for the North Central Business District (CBD) Access Study (T15028200) (STPL-5002 (097)).
- Section 6. Exhibit A is incorporated into and made part of this resolution.

Table of Contents:

- Exhibit A: Map of the Access Improvements from the Railyards to Richards Boulevard and Interstate 5 Project (T15088300)

Adopted by the City of Sacramento City Council on December 15, 2009 by the following vote:

Ayes: Councilmembers Cohn, Fong, McCarty, Pannell, Sheedy, Tretheway, Waters, and Mayor Johnson.

Noes: None.

Abstain: None.

Absent: Councilmember Hammond.

Attest:


Shirley Concolino, City Clerk

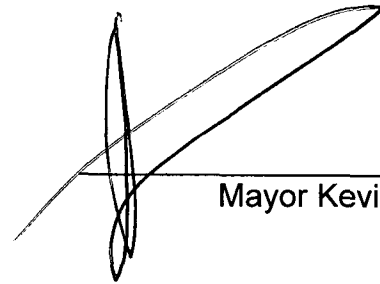
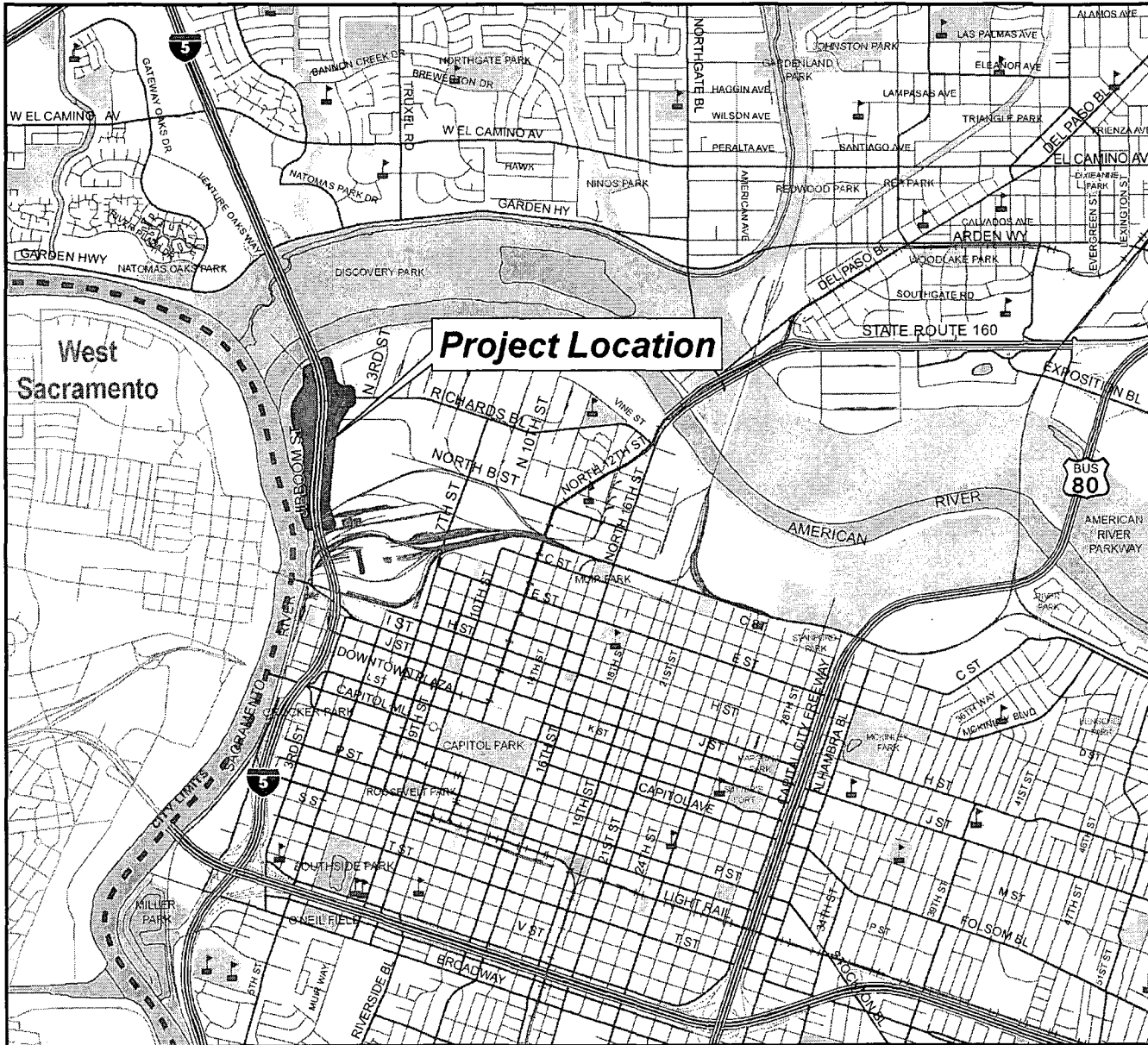

Mayor Kevin Johnson

EXHIBIT A

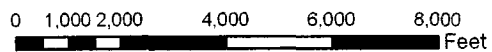
Location Map for

Access Improvements from Railyards to Richards Boulevard and Interstate 5 Project (PN:TR71, T15088300)



Department of
TRANSPORTATION
City of Sacramento

Map Contact: S. Tobin
Map Date: March 2008





State of California • The Resources Agency
DEPARTMENT OF PARKS AND RECREATION

Arnold Schwarzenegger, Governor
Ruth Coleman, Director

letter #1

November 17, 2009

VIA E-MAIL AND U.S. MAIL

City of Sacramento
Community Development Department
Attn: Jennifer Hageman
300 Richards Boulevard
Sacramento, CA 95811
E-Mail -- jhageman@cityofsacramento.org

Re: Comments to Draft Mitigated Negative Declaration for Access Improvements from Railyards to Richards Boulevard and Interstate 5 Project

Dear Ms. Hageman:

We have reviewed the above-referenced Draft Mitigated Negative Declaration for the proposed initial roadway extensions into the Downtown Sacramento Railyards. Our comments relate to one issue: The lack of mention or inclusion whatsoever in the MND of Track 150. This track currently traverses nearly the entire Railyards and is located in the proposed Project Area.

Lack of Study Inclusion for Track 150

The Project Description does not include mention of the existence of any tracks within the Project Area. This lack of inclusion for tracks results in a corresponding lack of discussion, analysis, and proposed mitigation measures related to Track 150 which currently runs through the Project Area.

Figure 2-2 (Project Location) correctly identifies the Project Location and shows the project's features including proposed roadway extensions and new intersections. Track 150 is not highlighted or shown in the Project Location. Were it to be shown, it would conflict with the proposed intersection of Bercut Drive and Railyards Boulevard.

This is a significant oversight. New at-grade public roadway crossings of railroad tracks are generally discouraged by regulatory agencies including the California Public Utilities Commission. In those rare instances where they are allowed, a full array of grade crossing warning and protection systems—gates and flashers actuated by trains—are required. These grade crossing systems are expensive to install, costing several hundreds of thousands of dollars for each such installation.

Background and Related Issues – Track 150

Track 150 is the sole remaining track traversing the Downtown Sacramento Railyards and providing rail access connecting the California State Railroad Museum campus, part of the Old Sacramento State Historic Park, with the Museum's repair and maintenance facilities located in the Boiler Shop and Erecting Shop buildings in the Railyards. Track 150 also exists to provide continuing freight service to a rail customer located along the Railroad Museum's tracks south of Old Sacramento. Track 150 connects to the Union Pacific Railroad mainline and the North American General Railroad System.

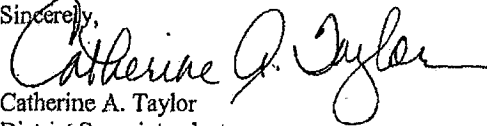
The California State Railroad Museum has a Federal right of rail access to and from the Union Pacific Railroad mainline and the North American General Railroad System, and a Federally mandated requirement to provide continued freight service to on-line freight customers south of Old Sacramento. Due to the lack of any mention of Track 150 in the MND as noted above, the Draft Mitigated Negative Declaration fails to assess impacts to this legally required access. The Declaration in turn does not address any mitigation that may be necessitated due to these potential impacts.

Conclusion

For the foregoing reasons, we object to this MND being formally adopted unless and until the following conditions are satisfied: (1) The City of Sacramento acknowledges the existence of Track 150 as part of this MND, and (2) agrees not to proceed with any construction which would interfere with Track 150 operations by the Union Pacific Railroad, the California State Railroad Museum, or any agents or designees thereof, until such time as Track 150's functions have been relocated to a suitable replacement track (which track is currently being planned as part of the Track Relocation Project).

We thank you for the opportunity to submit these comments to the Draft Mitigated Negative Declaration for Access Improvements from Railyards to Richards Boulevard and Interstate 5. I would be happy to personally discuss these matters with you and/or to clarify any questions you might have. Please feel free to contact me at (916) 445-7387, or via e-mail at ctaylor@parks.ca.gov.

Sincerely,



Catherine A. Taylor
District Superintendent
Capital District State Museums and Historic Parks

Cc: Jerry Way, Director, Department of Transportation, City of Sacramento
Jon Blank, Supervising Engineer and Track Relocation Project Manager, City of Sacramento
Paul Hammond, Museum Director
Robert Baxter, District Environmental Coordinator



Response 1 pHe ✓ # 1

DEPARTMENT OF
TRANSPORTATION

ENGINEERING SERVICES DIVISION

CITY OF SACRAMENTO
CALIFORNIA

915 I STREET
ROOM 2000
SACRAMENTO, CA
95814-2604

PH (916) 808-8300
FAX (916) 808-8281

November 23, 2009

State of California, Department of Parks and Recreation
Capital District State Museums and Historic Parks
111 I Street
Sacramento, Ca 95814
Attn: Catherine A. Taylor

**Re: Comments to Draft Mitigated Negative Declaration for Access Improvements from
Railyards to Richards Boulevard and Interstate 5 Project**

Dear Ms. Taylor:

Thank you for your response to the above referenced project (I-5 Richards project). The City did recognize Track 150 in the planning and implementation of this project. The I-5 Richards project team has been closely coordinating with the Track 150 relocation plans since project inception.

Relocation of Track 150 was originally scheduled to occur prior to beginning construction of the interim I-5 Richards project, but has since been delayed. Consequently, the portion of the I-5 Richards project affected by the relocation of Track 150 will be constructed in a later phase, following relocation of Track 150.

Construction of the other I-5 Richards project components will continue as scheduled. Phasing of the I-5 Richards project was addressed in the Initial Study, which provides the vehicle for environmental approval for all of these project phases.

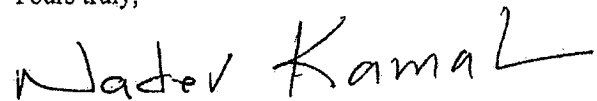
From a planning, coordination and phasing standpoint there has been no oversight of the important issue of the Track 150 relocation. Prior to adoption by the City Council, the City will revise the Mitigated Negative Declaration to clarify that construction of the connection between Jibbom Street and Bercut Drive (Railyards Blvd) will occur after relocation of Track 150.

Department of
TRANSPORTATION
City of Sacramento

On behalf of the project team, we would like to thank you for pointing out the need for clarification on how the project will be constructed to accommodate the relocation of Track 150 in the environmental document.

If you have any further questions, please do not hesitate to contact me at (916) 808-7035.

Yours truly,

A handwritten signature in black ink that reads "Nader Kamal". The signature is written in a cursive style with a long horizontal line extending from the end of the name.

Nader Kamal, PE
Special Projects Engineer,
City of Sacramento

c: Jon Blank, City of Sacramento
Jennifer Hageman, City of Sacramento



CENTRAL VALLEY FLOOD PROTECTION BOARD

3310 El Camino Ave., Rm. LL40
 SACRAMENTO, CA 95821
 (916) 574-0609 FAX: (916) 574-0682
 PERMITS: (916) 574-0685 FAX: (916) 574-0682



letter #2

November 10, 2009

2009 NOV 13 PM 1 51

Nader Kamal
 City of Sacramento, DOT
 915 I Street
 Sacramento, CA 95814

113
 SACRAMENTO
 95814

Dear Mr. Kamal:

State Clearinghouse (SCH) Number: SCH Number: 2009102064
 Access Improvements from Railyards to Richards Boulevard and Interstate 5 Project
 Mitigated Negative Declaration

Staff for the Central Valley Flood Protection Board has reviewed the subject document and provides the following comments:

The proposed project is located within the jurisdiction of the Central Valley Flood Protection Board (Formerly known as The Reclamation Board). The Board is required to enforce standards for the construction, maintenance and protection of adopted flood control plans that will protect public lands from floods. The jurisdiction of the Board includes the Central Valley, including all tributaries and distributaries of the Sacramento River and the San Joaquin River, and designated floodways (Title 23 California Code of Regulations (CCR), Section 2).

A Board permit is required prior to starting the work within the Board's jurisdiction for the following:

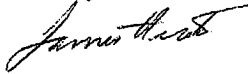
- The placement, construction, reconstruction, removal, or abandonment of any landscaping, culvert, bridge, conduit, fence, projection, fill, embankment, building, structure, obstruction, encroachment, excavation, the planting, or removal of vegetation, and any repair or maintenance that involves cutting into the levee (CCR Section 6);
- Existing structures that predate permitting or where it is necessary to establish the conditions normally imposed by permitting. The circumstances include those where responsibility for the encroachment has not been clearly established or ownership and use have been revised (CCR Section 6);
- An acceptable vegetation plan including, the detailed design drawings, vegetation type and the plant names (i.e. common name and scientific name), total number of each plant, planting spacing and irrigation method that will be within the project area (Title 23, California Code of Regulations CCR Section 131).

The permit application and Title 23 CCR can be found on the Central Valley Flood Protection Board's website at <http://www.cvfpb.ca.gov/>. Contact your local, federal and state agencies, as other permits may apply.

Nader Kamal
November 10, 2009
Page 2 of 2

If you have any questions please contact me at (916) 574-0651 or by email
jherota@water.ca.gov.

Sincerely,



James Herota
Staff Environmental Scientist
Floodway Protection Section

cc:

Governor's Office of Planning and Research
State Clearinghouse
1400 Tenth Street, Room 121
Sacramento, CA 95814



Response letter #2

DEPARTMENT OF
TRANSPORTATION

ENGINEERING SERVICES DIVISION

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November 24, 2009

State of California
Central Valley Flood Protection Board
3310 El Camino Ave., Rm LL40
Sacramento, CA 95821
Attn: James Herota

**Re: Comments on Draft Initial Study/Proposed Mitigated Negative Declaration for Access
Improvements from Railyards to Richards Boulevard and Interstate 5 Project**

Dear Mr. Herota:

Thank you for your comment regarding the Access Improvements from Railyards to Richards Boulevard and Interstate 5 Project (project). The City of Sacramento anticipated that the project would have project features occurring within the Central Valley Flood Protection Board's (CVFPB) jurisdiction and accordingly would need to obtain an Encroachment Permit from the CVFPB. Therefore, the City of Sacramento submitted an encroachment permit application and environmental assessment questionnaire to the CVFPB on October 28, 2009 for the proposed project.

The City understands that it will need to obtain an Encroachment Permit from the CVFPB prior to starting any project improvements occurring within the CVFPB's jurisdiction. Additionally, the City will comply with all requirements included in the CVFPB permit. If you have any further questions, please do not hesitate to contact me at (916)808-7035.

Yours truly,

Nader Kamal, PE
Special Projects Engineer,
City of Sacramento

c: Jennifer Hageman, City of Sacramento

Department of
TRANSPORTATION
City of Sacramento



Sage Institute Inc.

1472R #3

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sage@sageii.com
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Date: November 11, 2009
To: City of Sacramento
Attn: Ms. Jennifer Hageman, Environmental Department
From: Dr. Joel Kirschenstein
Subject: Interstate 5/Richards to Railyards Access Improvements Project
Mitigated Negative Declaration

Our office represents the Twin Rivers Unified School District (District). The following is the response to the Interstate 5/Richards to Railyards Access Improvements Project (Project) Mitigated Negative Declaration. Upon review of the Project, it appears to be a traffic project with widening of several roads and does not include residential or commercial development units. The project, as described, widens off ramps, Richards Blvd, adds bike lines and pedestrian walkways, improves roadway crossings, and installs landscaping and streetscaping.

Therefore, there are no impacts on the District unless the project becomes growth inducing whereby District Development Fees, including both residential and commercial, will apply at the time of the issuance of building permits.

Please contact our office if you have any questions.

CC: Mr. Alan Colombo, Assistant Superintendent of Facilities,
Twin Rivers Unified School District

PUBLIC POLICY CONSULTING / ENVIRONMENTAL & BIOLOGICAL CONSULTING