

RESOLUTION NO. 2003-666

ADOPTED BY THE SACRAMENTO CITY COUNCIL

ON DATE OF SEP 23 2003

A RESOLUTION RATIFYING THE MITIGATED NEGATIVE DECLARATION AND ADOPTING THE MITIGATION MONITORING PLAN FOR TRUXEL 3 PLANNED UNIT DEVELOPMENT, LOCATED AT THE SOUTHEAST CORNER OF TRUXEL ROAD AND GATEWAY PARK BOULEVARD, SACRAMENTO, CALIFORNIA.

(APN: 225-0170-043)
(P00-123)

WHEREAS, the Environmental Coordinator has prepared an Initial Study and Mitigated Negative Declaration for the above identified project;

WHEREAS, the Initial Study and Mitigated 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, this Mitigated Negative Declaration reflects the lead agency's independent judgment and analysis;

WHEREAS, the Environmental Coordinator has prepared a Mitigation Monitoring Plan for ensuring compliance and implementation of the mitigation measures as prescribed in the Initial Study for the above identified project; and

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;

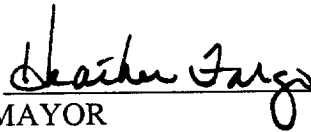
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NOW, THEREFORE BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SACRAMENTO THAT:

1. The Negative Declaration for Truxel 3 Planned Unit Development (P00-1213) be ratified.
2. The Mitigation Monitoring Plan is approved for the proposed Truxel 3 Planned Unit Development project based upon the following findings:
 - a. One or more mitigation measures have been added to the above identified project;
 - b. A Mitigation Monitoring Plan, has been prepared to ensure compliance and implementation of the mitigation measures for the above identified project, a copy of which is attached as Exhibit 1.


MAYOR

ATTEST:

CITY CLERK

P00-123

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EXHIBIT 1 – Mitigation Monitoring Plan

**TRUXEL 3 PROJECT (P00-123)
MITIGATION MONITORING PLAN**

This Mitigation Monitoring Plan (MMP) has been required by and prepared for the City of Sacramento Planning and Building Department, Environmental Planning Services, 1231 I Street, Room 300, Sacramento, CA 95814, pursuant to CEQA Guidelines Section 21081.6.

SECTION 1: PROJECT IDENTIFICATION

Project Name / File Number: Truxel 3 Project (P00-123)
Owner/Developer- Name: Armrod Charitable Foundation, Eleni Tsakopoulos
Address: 7700 College Town Drive, Suite 101
Sacramento, CA 95826

Project Location / Legal Description of Property (if recorded): The Project is located within the North Natomas Community Plan area. The project site is located at the southeast intersection of Truxel Road and Gateway Park Boulevard. (APN: 225-0170-043).

Project Description: The proposed Truxel 3 Project would consist of establishing a Planned Unit Development for developing approximately 5.0± gross acres (2.8 net acres) of vacant land for the purpose of constructing Highway Commercial uses. The Truxel 3 project would provide highway commercial uses for both the North Natomas Community and travelers of I-80. Appropriate off-street parking would be required in accordance with the City's Zoning Ordinance for projects being constructed within the Planned Unit Development.

Specific entitlements being requested for the proposed project include:

- A. Development Agreement
- B. Rezone - to Highway Commercial
- C. Planned Unit Development (PUD) Establishment (PUD Guidelines and PUD Schematic Plan)

SECTION 2: GENERAL INFORMATION

The Plan includes mitigation for Seismicity, Soils, and Geology; Air Quality; Biological Resources; 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 this 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. This Mitigation Monitoring Plan (MMP) is designed to aid the City of Sacramento in its implementation and monitoring of mitigation measures adopted for the proposed project.

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

MITIGATION MONITORING PROGRAM

Introduction

The California Environmental Quality Act (CEQA) requires review of any plan or project that could have significant adverse effects on the environment. In 1988, CEQA was amended to require reporting on and monitoring of mitigation measures adopted as part of the environmental review process. This MMP is designed to aid the City of Sacramento in its implementation and monitoring of mitigation measures adopted for the Proposed Project.

MMP Components

The components of each monitoring form are addressed briefly, below.

Mitigation Measure: All mitigation measures that were identified in the Initial Study are presented, and numbered accordingly. The mitigation measures are presented by topic (e.g., Air Quality).

Implementing Responsibility: This item identifies the entity that will undertake the required action.

Monitoring Responsibility: This item identifies the entity that will monitor the required action.

Compliance Standards: This item identifies the specific actions that are required in each mitigation measure.

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

Verification of Compliance: The individual assigned to assure compliance with identified mitigation measures will initial the form when the measure has been successfully implemented. The individual assigned to assure compliance will date the form when the measure has been successfully implemented.

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Mitigation Measure	Implementing Responsibility	Monitoring Responsibility	VERIFICATION OF COMPLIANCE		
			Compliance Standards	Timing	Verification of Compliance (Initials/Date)
<p>3. Seismicity, Soils, and Geology:</p> <p>SSG-1. If groundwater were encountered during excavation activities, pumped water shall be channeled to an infiltration basin, located within an upland area of the construction activities and would eventually percolate into the groundwater. Upon percolation of all pumped water, the infiltration basin shall be backfilled and revegetated or developed per City and Regional Water Quality Control Board requirements.</p>	Applicant	City Planning & Building Department, Utilities, and Department of Public Works.	The listed measure shall be included on all construction plans.	Mitigation measures shall be implemented in the field during construction activities.	
<p>5. Air Quality:</p> <p>AQ-1. Exposed soil shall be watered with adequate frequency to keep soil moist at all times.</p> <p>AQ-2. Loads of haul/dump trucks shall be covered securely.</p> <p>AQ-3. Any exposed piles of dirt, sand, gravel, or other construction debris shall be enclosed, covered, or watered twice daily.</p> <p>AQ-4. All dirt and mud which has been generated from or deposited by construction equipment going to and from the construction site along neighborhood streets shall be removed at a minimum of three times per week.</p> <p>AQ-5. Equipment idling shall be kept to a minimum when equipment is not in use. No piece of equipment shall be left to idle in one place for more than 30 minutes.</p> <p>AQ-6. On-site vehicle speeds shall be limited to 15 miles per hour on unpaved surfaces.</p>	Applicant	City Planning & Building Department, Public Works and SMAQMD	The applicant shall include the listed measures on all grading plans (the City shall not approve any construction plans without them).	Mitigation measures shall be implemented in the field during grading and construction activities.	

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Mitigation Measure		VERIFICATION OF COMPLIANCE			
		Implementing Responsibility	Monitoring Responsibility	Compliance Standards	Timing Verification of Compliance (Initials/Date)
AQ-7.	Revegetate disturbed areas immediately after the completion of construction to reduce wind erosion.				
7. Biological:					
BR-1.	Prior to the issuance of a grading permit, the applicant shall either: (i) provide ½ acre of mitigation land that meets the requirements of the Natomas Basin Habitat Conservation Plan (NBHCP) for each acre of land authorized for disturbance; or (ii) pay the required NBHCP fees. No permit can be issued unless one of these has occurred. If the applicant acquires land and transfers it to the Conservancy, the applicant must pay that portion of the NBHCP fees other than the acquisition portion. Applicant land acquisitions must be approved in advance by the Conservancy.	Applicant	City Planning & Building Department; Department of Public Works, The Natomas Basin Conservancy, CA Dept. Fish & Game, U.S. Fish & Wildlife Service.	Mitigation Measures, including construction-timing restrictions shall be included on the Construction Specifications. Pre-construction biological surveys shall be completed as specified and submitted with grading/building plans. The applicant shall comply with all requirements of the NBHCP.	Prior to issuance of any grading or building permit, measures identified on plans shall be verified for compliance. The Building Division and Dept of Public Works shall assure that measures are identified on construction plans and confirm compliance prior to issuance of any grading or building permit. Measures shall also be implemented concurrent with construction activities.
BR-2.	A pre-construction survey shall be completed by a qualified biologist in order to determine the presence and status of special-status species and their habitats within the project area, including Swainson's hawk, western burrowing owl, white-tailed kite, and tricolored blackbird. The results of the pre-construction surveys along with recommended take minimization measures shall be documented in a report and submitted to the USFWS and the CDFG. If necessary, the City shall implement specific take minimization measures as directed by the CDFG and the USFWS.				
BR-3.	The project applicant/developer shall: (1) comply with all requirements of the NBHCP, together with any additional requirements specified in the North Natomas Community Plan EIR; (2) comply with any additional mitigation measures identified in the NBHCP EIR/EIS; and (3) comply with all conditions in the incidental take permits issued by the USFWS and CDFG.				

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Mitigation Measure	VERIFICATION OF COMPLIANCE			
	Implementing Responsibility	Monitoring Responsibility	Compliance Standards	Timing
<p>11. Cultural Resources:</p> <p>CR-1. If subsurface archaeological, historical, or paleontological remains are discovered during construction, work in the area of the find shall stop immediately. A qualified archaeologist and a representative of the Native American Heritage Commission shall be consulted to develop, if necessary, further mitigation measures to reduce cultural resources impacts to a less-than-significant level before construction continues.</p> <p>CR-2. If human burials are encountered, all work in the area of the find shall stop immediately and the Sacramento County Coroner's office shall be notified. If the remains are determined to be Native American in origin, both the Native American Heritage Commission and any identified descendants would 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).</p>	Applicant	City Planning & Building Department, Department of Public Works	Notes shall be included on the Construction Specifications.	Measures shall be implemented in field during grading and construction activities.
				Verification of Compliance (Initials/Date)

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