

RESOLUTION NO. 2003-158

ADOPTED BY THE SACRAMENTO CITY COUNCIL

ON DATE OF APR - 1 2003

RESOLUTION RATIFYING THE PROJECT NEGATIVE DECLARATION, ADOPTING THE MITIGATION MONITORING PLAN, AND AUTHORIZING THE CITY MANAGER AND CITY CLERK TO SIGN AND EXECUTE A CONTRACT WITH WESTCON CONSTRUCTION CORPORATION FOR THE SUMP 159 INLET & TRASH RAKE PROJECT (PN:WJ21 & WJ26) FOR AN AMOUNT NOT TO EXCEED \$610,647

WHEREAS, the City of Sacramento has determined the need for the Sump 159 & Inlet Trash Rake construction, hereinafter called the "Project", and has conditionally included the Project in the City of Sacramento Capital Improvement Program pending CEQA compliance, and

WHEREAS, the City of Sacramento has conducted an initial study to determine if the Project may have a significant effect on the environment, and

WHEREAS, the Initial Study concludes that there is no substantial evidence that the Project, or any of its aspects, may cause a significant effect on the environment and a Negative Declaration is therefore appropriate, and

WHEREAS, the Initial Study concluded that the Project involves no potential for any adverse effect, either individually or cumulatively on wildlife resources, and

WHEREAS, the City of Sacramento has provided for public review to accommodate response to the proposed Negative Declaration on the Project, and

WHEREAS, the City of Sacramento has requested, received, opened, and evaluated bids for the Project construction in accordance with City Code Chapter 3.60,

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

1. The City Council hereby ratifies the Project Negative Declaration, finding on the basis of the Initial Study and comments received, that there is no substantial evidence that the Project may have a significant effect on the environment.


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RESOLUTION NO.: 2003-158
APR - 1 2003
DATE ADOPTED: _____

2. The City Council hereby adopts the Project Mitigation Reporting Program to ensure compliance with incorporated mitigation measures during Project implementation.
3. The City Manager and City Clerk are authorized to sign and execute a contract with Westcon Construction Corporation for the Sump 159 & Inlet Trash Rake Project (WJ21 & WJ26) for an amount not to exceed \$610,647.


MAYOR

ATTEST:


CITY CLERK

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RESOLUTION NO.: 2003-158
DATE ADOPTED: APR - 1 2003

MITIGATION REPORTING PLAN

In January 1989, Assembly Bill 3180 went into effect requiring the City to monitor all mitigation measures included in this Negative Declaration. For this project, mitigation reporting will be performed by the City of Sacramento Utilities Department in accordance with the monitoring and reporting program developed by the City to implement AB 3180.

This Mitigation Reporting Plan is being prepared by the Planning and Building Department Environmental Planning Services, 1231 I Street, Suite 300, Sacramento, CA 95814, (916) 264-2762, pursuant to the California Environmental Quality Guidelines, Section 21081.

The Utilities Department will submit its completed Reporting Plan to the Environmental Planning Services for inclusion in the annual report to the City Council.

Project Name and Number: CIP#WJ26, SUMP 159 RECONSTRUCTION PROJECT

Project Location: Sump 159 pump station is located on the south side of Arcade Creek, west of the Sacramento Northern Railroad Bikeway, on the western portion of Arcade Boulevard in North Sacramento. The trash screens are located 800 feet south of the pump station at the Hagginwood Creek channel at the entrance of the two pipes that lead to the pump station.

Project Description: The Department of Utilities proposes to repair and restore the Sump 159 pump station's outfall structures and pipes. The project consists of installing replacement lining in Outfalls 1, 2, and 3; rehabilitation of the Harris valves on Outfalls 2 and 3; and repair the flap gate on Outfall 1. To alleviate scour of the outlet structure by erosion from Arcade Creek, soft sediment will be removed from beneath the undermined portions of the structure and backfilled with concrete. The project will also improve Arcade Creek by removing two clumps of giant reed (*Arundo donax*) and existing concrete rubble.

RESOLUTION NO. 2003-158

APR - 1 2003

MITIGATION REPORTING PROGRAM CHECKLIST

Mitigation Measure		VERIFICATION OF COMPLIANCE		
Reporting Milestone	Reporting/ Responsible Party	Initials	Date	Remarks
SOILS: Mitigation Measures 1. During construction, all grading activities associated with project development are required to comply with Title 8 of the CCR, and all relevant OSHA, UBC and Standard Specifications requirements and regulations as they relate to sediment control and erosion prevention. 2. All grading and erosion control shall be conducted in compliance with the requirements of the Sacramento City Code to prevent erosion of soils during construction (Ordinance 15.88.250). An Erosion Control Plan and Best Management Plans are required under this Ordinance.				

RESOLUTION NO. 2003-158
 APR - 1 2003

VERIFICATION OF COMPLIANCE			
Mitigation Measure	Reporting Milestone	Reporting/ Responsible Party	Initials Date Remarks
<p>WATER: Mitigation Measures</p> <ol style="list-style-type: none"> The contractor shall employ Best Management Practices (BMPs) before, during and after construction. Compliance with BMP provisions will ensure that construction at the site will not result in the alteration of surface water quality. These provisions also include the following guidelines: <ul style="list-style-type: none"> Any fill material, including rip-rap for rock slope protection imported from off-site, will be clean fill. No petroleum-based products such as asphalt will be used. Concrete, if used, will be free of trash and rebar. The contractor shall comply with the City of Sacramento Code 15.88.250, Erosion and Sediment Control (ESC). This ordinance will require project applicants to prepare erosion, sediment, and pollution control plans for both during and after construction of a proposed project, and preliminary and final grading plans. 	Before, during, and after construction	Utilities Department and Contractor	

RESOLUTION NO. 2003-158

APR - 1 2003

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<p>WATER: Mitigation Measures</p> <ol style="list-style-type: none"> 1. The terms and conditions of the United States Army Corps of Engineers (Corps) Section 404 Nationwide Permit shall be met. 2. The terms and conditions of the Regional Water Quality Control Board Section 401 Water Quality Certification shall be met. 3. Department of Fish and Game Streambed Alteration Agreement shall be met. The notification requirement applies to any work undertaken in or near a river, stream, or lake that flows at least intermittently through a bed or channel. The Streambed Alteration Agreement restricts construction of the project to period of low stream flow and between the dates of April 15 and November 15. 4. The contractor shall comply with the City of Sacramento Code 15.88.250, Erosion and Sediment Control (ESC). This ordinance will require project applicants to prepare erosion, sediment, and pollution control plans for both during and after construction of a proposed project, and preliminary and final grading plans. 5. The contractor shall employ Best Management Practices (BMPs) before, during and after construction. Compliance with BMP provisions will ensure that construction at the site will not result in the alteration of surface water quality. 	<p>Utilities Department and Contractor</p>				

RESOLUTION NO. 2003-158
APR - 1 2003

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AIR QUALITY: Mitigation Measures 1. Standard Specifications will include the compliance with SMAQMD's Rule 405 on dust and fume control and Rule 435 on using compliant asphalt paving materials. 2. Water exposed soil with adequate frequency to keep soil moist at all times. 3. Cover loads of haul/dump trucks securely. 4. Enclose, cover, or water twice daily any exposed piles of dirt, sand, gravel, or other construction debris. 5. At a minimum of three times per week, remove from all neighborhood streets, all dirt and mud which has been generated from or deposited by construction equipment going to and from the construction site. 6. Revegetate disturbed areas immediately after the completion of construction to reduce wind erosion.		Utilities Department and Contractor		
AIR QUALITY: Mitigation Measures 1. Standard Specifications will include the compliance with SMAQMD's Rule 405 on dust and fume control and Rule 435 on using compliant asphalt paving materials. 2. Construction equipment shall be maintained and tuned at the interval recommended by the manufacturers to minimize exhaust emissions and odors and increase fuel efficiency. 3. 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. 4. On-site vehicle speeds shall be limited to 15 miles per hour on unpaved surfaces.		Utilities Department and Contractor		

SOLUTION NO. 2003-158

APR - 1 2003

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<p>BIOLOGICAL: Mitigation Measures</p> <ol style="list-style-type: none"> All work in water shall be restricted to the period from August 1 to October 1. The City of Sacramento has committed to limiting construction to this window. A biological monitor shall be present during dewatering activities to ensure that no fish are trapped in temporary pools in the dewatered area. After construction, 0.003 acre (3 x 0.001 ac) of potential spawning habitat will be revegetated with native grass and other herbaceous perennial species. No nonnative seed will be used. The type of seed that will be used will be commercially available native grass and herb species (e.g., including but not limited to <i>Bromus carinatus</i>, <i>Elymus glaucus</i>, <i>Poa secunda</i>, <i>Scirpus californicus</i>, <i>Scirpus attenuata</i>, and/or <i>Carex</i> sp.). Revegetation will occur onsite and below the OHWM of Arcade Creek within the area of the clearing of existing vegetation. The City will remove the trash and debris, including an old car, old tires, and chunks of concrete from Arcade Creek in the immediate vicinity of the project. The removal of trash and debris as well as a large patch of giant reed (<i>Arundo donax</i>) will improve the overall habitat values of the area. Riparian vegetation shall be avoided to the maximum extent practicable. All construction materials placed within the active stream channel shall conform to the following guidelines: <ul style="list-style-type: none"> Any fill material, including rip-rap for rock slope protection imported from off-site, shall be clean fill. No petroleum-based products such as asphalt will be used. Concrete, if used, will be free of trash and rebar. Soil anchoring and stabilizing fabrics, if used, will be silt in appropriate locations to allow for plant growth. No culverts or other impediments shall be placed in the channel in such a way as to impede movement of fish in either the upstream or downstream direction. The project shall comply with the City of Sacramento Code, Ordinance 15.88.250, Erosion and Sediment Control and further, the City shall employ Best Management Practices (BMPs) before, during and after construction. 	<p>During and after construction</p>	<p>Utilities Department and Contractor</p>		

RESOLUTION NO. 2003-158

APR - 1 2003

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<p>BIOLOGICAL: Mitigation Measures</p> <ol style="list-style-type: none"> 1. An on-site biological monitor shall be present during initial construction activities (cleaning, grubbing, tree removal, etc.). Any frogs (or pond turtles) observed by the biological monitor will be gently "herded" out of the study area. 2. During construction, water quality shall be protected by implementation of best management practices (BMPs) to minimize the potential for siltation and downstream sedimentation of Steelhead Creek. 3. After construction, the cleared areas will be revegetated with native grass and herb species. No nonnative seed will be used. The type of seed that will be used will be commercially available native grass and herb species (e.g., including but not limited to <i>Bromus carinatus</i>, <i>Elymus glaucus</i>, <i>Poa secunda</i>, <i>Scirpus californicus</i>, <i>Scirpus attenuata</i>, and/or <i>Carex</i> sp.). <p>BIOLOGICAL: Mitigation Measures</p> <ol style="list-style-type: none"> 1. A qualified botanist will conduct a preconstruction survey for this species two weeks prior to construction. 2. If found within the project study area an environmentally sensitive area (ESA) will be established around the plants. The boundary of the ESA will be delimited with temporary fencing. No construction activities will be permitted within the ESA. 3. If construction of the proposed project cannot avoid impacts to this species, DFG will be contacted to develop appropriate mitigation measures. 	<p>During and after construction</p>	<p>Utilities Department and Contractor</p>	
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RESOLUTION NO. 2003-158

APR - 1 2003

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<p>Mitigation Measure</p> <p>BIOLOGICAL: Mitigation Measures</p> <ol style="list-style-type: none"> 1. If construction begins outside the breeding season (1 March to 30 August), there will be no need to conduct surveys for active nests. If construction is scheduled to commence during the breeding season (i.e., 1 March to 30 August) a preconstruction survey will be conducted by a qualified biologist to determine if raptors are nesting within 0.25 mile of the project study area. If no active nests are found in the project study area, no mitigation will be necessary. Preconstruction surveys will be conducted at least 2 weeks prior to construction. 2. If active raptor nests are located within 75 m (250 ft) of the impact area, the biologist will record the location(s) on a site map. A minimum 75 m (250 ft) Environmentally Sensitive Area (buffer) shall be established around the tree. A biologist shall delimit the buffer zone with yellow caution tape or temporary flagging. The construction contractor shall be responsible for installing stakes or temporary fencing at the edge of the buffer zone. The buffer zone shall be maintained throughout the construction period. No disturbance shall occur within 75 m (250 ft) of a nest tree during the breeding season. 3. During construction, a biologist will monitor raptor nests weekly to evaluate potential nesting disturbance caused by construction activities. The biological monitor will have the authority to stop construction if construction appears to be adversely affecting the nesting raptors. 	During and after construction	Utilities Department and Contractor		

RESOLUTION NO. 2003-158

APR - 1 2003

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<p>BIOLOGICAL: Mitigation Measures</p> <p>1. Living native trees with a dbh of at least six inches that are removed will be replaced at a ratio of 3:1 (pers. comm. Mr. Dan Pskowski, Arborist, City of Sacramento).</p> <p>2. The terms and conditions of the DFG 1601 Streambed Alteration Agreement will be met.</p>	Utilities Department and Contractor				
<p>BIOLOGICAL: Mitigation Measures</p> <p>1. During construction, water quality will be protected by implementation of best management practices (BMPs) to minimize the potential for siltation and downstream sedimentation of Steelhead Creek.</p> <p>2. The terms and conditions of the Regional Water Quality Control Board Section 401 Water Quality Certification shall be met.</p> <p>3. The terms and conditions of the United States Army Corps of Engineers (Corps) Section 404 Nationwide Permit shall be met.</p> <p>4. Department of Fish and Game Streambed Alteration Agreement shall be met.</p>	Utilities Department and Contractor				
<p>HAZARDS: Mitigation Measure</p> <p>1. The construction contractor will take necessary precautions to ensure that a clear space of at least ten feet shall be maintained between piles of cleared vegetation while in the interim of removing it.</p>	Utilities Department and Contractor				

RESOLUTION NO. 2003-158

APR - 1 2003

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<p>Aesthetics: Mitigation Measures</p> <ol style="list-style-type: none"> 1. Replanting of indigenous plant species along the slope of the levee within the affected area will mitigate for the loss in natural landscaping. After construction, 0.003 acre (3 x 0.001 ac) will be revegetated with native grass and other herbaceous perennial species. No nonnative seed will be used. 2. The City will remove the trash and debris, including an old car, old tires, and chunks of concrete from Arcade Creek in the immediate vicinity of the project. The removal of trash and debris as well as a large patch of giant reed (<i>Arundo donax</i>) will improve the overall habitat values of the area. 3. Repaint the pump station in similar tones to existing color. <p>Cultural Resources: Mitigation Measures</p> <ol style="list-style-type: none"> 1. If subsurface archaeological or historical remains 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. 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. 	<p>During construction</p>	<p>Utilities Department and Contractor</p>			
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RESOLUTION NO. 2003-158

APR - 1 2003