

**RESOLUTION NO. 2005-299**

ADOPTED BY THE SACRAMENTO CITY COUNCIL

ON DATE OF MAY 03 2005

**A RESOLUTION APPROVING THE MITIGATED NEGATIVE DECLARATION AND ADOPTING THE MITIGATION MONITORING PLAN FOR THE LAGUNA RANCH/SHELDON FARMS SUBDIVISION LOCATED ON THE NORTHWEST CORNER AT THE INTERSECTION OF SHELDON AND LEWIS STEIN ROADS, SACRAMENTO, CALIFORNIA.**

(P04-118) (APNs: 117-0212-006 and 007)

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

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

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

**WHEREAS**, based upon the Mitigated 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 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 Mitigated Negative Declaration for the Laguna Ranch/Sheldon Farms Subdivision be approved.
2. The Mitigation Monitoring Plan is adopted for the proposed Laguna Ranch/Sheldon Farms Subdivision 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.

HEATHER FARGO  
MAYOR

ATTEST:

SHIRLEY CONCOLINO  
CITY CLERK  
P04-118

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**Exhibit 1 – Mitigation Monitoring Plan**

**LAGUNA RANCH/SHELDON FARMS (P04-118)  
MITIGATION MONITORING PLAN**

**OWNER/DEVELOPER:**  
D.R. HORTON, INC. - SACRAMENTO

**TYPE OF ENVIRONMENTAL DOCUMENT:**  
MITIGATED NEGATIVE DECLARATION

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

**DATE:**  
DECEMBER 17, 2004

**ADOPTED BY:**  
CITY OF SACRAMENTO  
PLANNING COMMISSION

DATE:  
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ATTEST:  
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# LAGUNA RANCH/SHELDON FARMS (P04-118)

## Mitigation Monitoring Plan

This Mitigation Monitoring Plan (MMP) has been required by and prepared for the City of Sacramento Development Services 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:** Laguna Ranch / P04-118

**Owner/Developer- Name:** D.R. Horton, Inc. – Sacramento  
**Address:** Attn: Nate Newberry  
4401 Hazel Ave, Suite 225  
**Sacramento, CA 95628**

(916) 965-2200

**City of Sacramento Contact:** Erik de Kok, Associate Planner  
Environmental Planning Services  
(916) 808-2022

#### Project Location:

The proposed project is located northwest of the intersection of Sheldon Road and Lewis Stein Road, west of State Highway 99, east of Bruceville Road, and north of the City/County line, within the Jacinto Creek Planning Area in South Sacramento (APNs #117-0212-006, -007).

#### Project Description:

The site consists of two vacant parcels totaling 19.5+/- acres that were used for agricultural purposes at one time, but have not been farmed for several years. This proposed project is the development the site into a low-density single-family residential housing development with 103 lots and 1 landscaped lot. The proposed project includes the following entitlements:

- **Rezone** of 19.5+/- acres of Rural Estates (RE-1/4) to Standard Single Family (R-1R); and
- **Tentative Map** to subdivide 19.5+/- acres into 103 single-family lots and 1 landscaped lot.

The proposed project would also require the construction of infrastructure to serve future single-family homes on the site. Lewis Stein Road would be extended north along the east side of the property to connect with a planned extension east to Stockton Boulevard, and local streets would

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be constructed within the development to provide access to all lots via the extension of Lewis Stein Road.

Water, sewer, phone, and other public utilities would also be extended from existing nearby facilities into the new subdivision. One existing structure, an abandoned grain silo, would be demolished. Some trees and bushes would also be removed. A landscaped lot at 25 feet in width would be provided along the length of Sheldon Road.

## **SECTION 2: GENERAL INFORMATION**

The Plan includes project specific mitigation for Air Quality, Biological Resources, Noise, 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 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.

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.

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**Exhibit 1**

**MITIGATION MONITORING PROGRAM CHECKLIST FOR THE LAGUNA RANCH /  
SHELDON FARMS PROJECT (P04-118) NEGATIVE DECLARATION**

Mitigation Measure	Implementing Responsibility	Monitoring Responsibility	VERIFICATION OF COMPLIANCE		
			Compliance Standards	Timing	Verification of Compliance Initials/Date
<p><b>AIR QUALITY</b></p> <p>AQ 1. Water exposed soils twice daily to control wind borne dust.</p> <p>AQ 2. Enclose, cover, or water twice daily any exposed piles of dirt, sand, gravel, or other construction debris.</p> <p>AQ 3. 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.</p> <p>AQ 4. Construction activities shall comply with SMAQMD rule 403 on dust and condensed fumes, so that emissions do not exceed hourly levels as - regulated per processing weight.</p> <p>AQ 5. Construction equipment shall be reduced-emission heavy-duty equipment for all diesel-powered off road construction activities. This equipment should be used for clearing, grading, and other earthmoving operations to minimize exhaust emissions and odors and increase fuel</p>	Applicant	<p>City of Sacramento Development Services Department; and</p> <p>Sacramento Metropolitan Air Quality Management District (SMAQMD)</p>	<p>Applicant shall include mitigation measures on project plans.</p> <p>SMAQMD to review and approve compliance with measures.</p> <p>Site visits may be conducted by SMAQMD to confirm compliance, and response on a complaint basis.</p>	<p>Project plans shall be reviewed and approved by SMAQMD prior to issuance of grading or construction permits.</p> <p>On-site monitoring conducted during construction</p>	Applicant

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Mitigation Measure	Implementing Responsibility	Monitoring Responsibility	VERIFICATION OF COMPLIANCE		
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<p>efficiency.</p> <p>AQ 6. 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 7. On-site construction vehicle speed shall be limited to 15 miles per hour on unpaved surfaces.</p> <p>AQ 8. The loads on all haul/dump trucks shall be covered securely or at least two feet of freeboard shall be maintained on trucks hauling loads.</p> <p>AQ 9. Compliant asphalt materials shall be used (Rule 435).</p> <p>AQ 10. Reduced-emission heavy-duty equipment for all diesel powered off-road construction activities shall be utilized. This equipment should be used for clearing, grading, and other earthmoving operations.</p> <p>AQ 11. The following shall be included to ensure a construction mitigation of 20 percent NOx reduction and 45 percent particulate reduction compared to the most recent California Air Resources Board fleet average:</p> <p>Category 1: Reducing NOx emissions from off-road diesel powered equipment:</p> <p>The project shall provide a plan</p>					

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Mitigation Measure	Implementing Responsibility	Monitoring Responsibility	VERIFICATION OF COMPLIANCE		
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<p>for approval by the City of Sacramento and SMAQMD demonstrating that the heavy-duty (&gt;50 horsepower) off-road vehicles to be used in the construction project, including owned, leased, and subcontractor vehicles, will achieve a project wide fleet average 20 percent NOx reduction and 45 percent particulate reduction compared to the most recent CARB fleet average; and</p> <p>The project representative shall submit to the City of Sacramento and SMAQMD a comprehensive inventory of all off-road construction equipment, equal to or greater than 50 horsepower, that will be used an aggregate of 40 or more hours during any portion of the construction project. The inventory shall include the horsepower rating, engine production year, and house of use of fuel throughput for each piece of equipment. The inventory shall be updated and submitted monthly throughout the duration of the project, except that an inventory shall not be required for any 30-day period in which no construction activity occurs. At least 48 hours prior to the use of subject heavy-duty off-road equipment, the project representative shall provide SMAQMD with the anticipated construction timeline including start date, and name and phone number of the project manager and on-site foreman.</p> <p>And:</p>					

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Mitigation Measure	Implementing Responsibility	Monitoring Responsibility	VERIFICATION OF COMPLIANCE		
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<p>Category 2: Controlling visible emissions from off-road diesel powered equipment:</p> <p>The project shall ensure that emissions from all off-road diesel powered equipment used on the project site do not exceed 40 percent opacity for more than three minutes in any hour. Any equipment found to exceed 40 percent opacity shall be repaired immediately, and the City of Sacramento and SMAQMD shall be notified within 48 hours of identification of non-compliant equipment. A visual survey of all in-operation equipment shall be made at least weekly, and a monthly summary of the visual survey results shall be submitted throughout the duration of the project, except that the monthly summary shall not be required for any 30-day period in which no construction activity occurs. The monthly summary shall include the quantity and type of vehicles surveyed as well as the dates of each survey. The SMAQMD and/or other officials may conduct periodic site inspections to determine compliance. Nothing in this section shall supercede other SMAQMD or state rules or regulations.</p>					

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<p><b>BIOLOGICAL RESOURCES</b></p> <p>BR 1. The applicant/developer/construction contractor shall submit to the City of Sacramento, Development Services Department verification from the California Department of Fish and Game (DFG) that the applicant has satisfied DFG requirements for mitigating loss of Swainson's hawk foraging habitat. The project applicant shall purchase compensatory Swainson's hawk foraging habitat at a ratio acceptable to DFG from an approved mitigation bank or develop other arrangements acceptable to the DFG prior to building/grading permits being issued.</p> <p>BR 2. If any construction or grading activity is going to occur during the nesting season of February to August, a qualified biologist shall prepare a pre-construction survey within thirty (30) days prior to any grading or construction activity to determine if any special status species or species of special concern are present (that is, nesting raptor species [including Swainson's hawk] and western burrowing owls).</p> <p>BR 3. If active raptor nests are found on the site, the applicant/developer/contractor shall work with the DFG to determine the appropriate mitigation actions needed prior to proceeding. A copy of the pre-construction study and DFG concurrence with proposed actions shall be</p>	Applicant	<p>City of Sacramento – Development Services Department</p> <p>CA Dept of Fish and Game (DFG)</p>	<p>Measures shall be included with the Construction Specifications on all plans.</p> <p>Copies of pre-construction surveys submitted to Development Services Dept</p> <p>Proof of DFG concurrence, where applicable</p>	<p>Measures shall be implemented prior to issuance of grading permits, and monitored concurrent with construction activities, where applicable</p>	Applicant

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<p>submitted to the Department of Development Services prior to issuance of grading or construction permits.</p> <p>BR 4. If an adults-only active burrowing owl burrow(s) nest is discovered during the pre-construction survey the monitoring biologist shall install a one-way door on the burrow(s) and monitor and inspect per Department of Fish and Game Guidelines. If an active nest with chicks is encountered one-way doors shall not be used unless authorized by DFG in writing. No construction shall occur near the nest until the monitoring biologist has consulted with the DFG on the allowing construction to proceed. The monitoring biologist shall through consultations with DFG determine an appropriate buffer between the nest and any construction activity allowed to proceed on the project site prior to the fledging of the chicks. No construction or grading activities shall begin until the monitoring biologist has submitted a written clearance to the Department of Development Services that the burrowing owl(s) have vacated or been safely relocated by the monitoring biologist.</p> <p>BR 5. After active burrows are vacated, the burrow must be destroyed completely by the monitoring biologist prior to grading or construction activity.</p>					

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<p><b>HAZARDS</b></p> <p>H-1. If contaminated soil and/or groundwater is encountered or it suspected contamination is encountered during project construction, work shall be halted in the area, and the type and extent of the contaminated shall be identified. A qualified professional, in consultation with the appropriate federal, state, and/or local regulatory agencies shall then develop an appropriate method to remediate the contamination.</p> <p>H-2. Hazardous or contaminated materials shall only be removed and disposed from the proposed project site in accordance with the following regulations and requirements:</p> <ul style="list-style-type: none"> <li>• Chapter 6.5, Division 20, California Health and Safety Code.</li> <li>• California Administration Code, Title 22, relating to Handling, Storage, and Treatment of Hazardous Materials.</li> <li>• City of Sacramento Building Code and the Uniform Building Code, 1994 edition.</li> </ul> <p>H-3. Strict on-site handling rules shall be implemented to minimize spills and keep potentially contaminated materials out of drainage waterways.</p> <p>H-4. Wastes and petroleum products used during</p>	Applicant	<p>City of Sacramento – Development Services Department</p> <p>Sacramento County Environmental Management Department (SCEMD)</p>	<p>Measures shall be included with the Construction Specifications on all plans.</p> <p>SCEMD response on a complaint basis, or in response to a reported condition, where applicable.</p>	<p>Measures shall be implemented and monitored, where applicable, concurrent with construction activities.</p>	

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<p>construction shall be collected and removed from the proposed project site in accordance with the Resource Conservation and Recovery Act regulations and Fed/OSHA standards.</p> <p>H-5. All hazardous materials shall be disposed of at an approved disposal site and shall only be hauled by a current California registered hazardous waste hauler using correct manifesting procedures and vehicles displaying a current Certificate of Compliance. The Contractor shall identify by name and address the site where toxic substances shall be disposed of. No payment for removal and disposal services shall be made without a valid certificate from the approved disposal site that the material was delivered.</p> <p>H-6. Machinery used during construction shall be maintained according to manufacturers specifications to prevent accidental sparks. Fire extinguishers shall be kept onsite during all construction activities.</p>					
<p><b>NOISE</b></p> <p>To reduce exterior sound levels in the backyards of the lots adjacent to Sheldon Road to 60 dB Ldn or less, the normally acceptable level, the following mitigation measures shall be incorporated into the project:</p> <p>N-1. For lots adjacent to Sheldon Road (lots 66, 67, 79, and 80), a sound wall shall be</p>	Applicant	City of Sacramento – Development Services Department	<p>Measures shall be included with the Construction Specifications on all plans.</p> <p>On-site monitoring during inspections, where applicable.</p>	Measures shall be implemented and monitored, where applicable, concurrent with construction activities	Applicant

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<p>constructed as follows:</p> <p>a. Along the south property line of Lots 66, 67, 79, and 80.</p> <p>b. On the west property line of Lot 66 (unless a wall is constructed first by future development west of the site).</p> <p>c. To a position even with the back corner of the home on the east property line of Lot 80.</p> <p>N-2. The sound walls must be constructed as follows:</p> <p>d. Continuous along their widths and heights with no gaps, including at the ground.</p> <p>e. A minimum height of seven (7) feet shall be required.</p> <p>f. Suitable materials for the sound wall include earthen berms, masonry block, pre-cast concrete panels, or combinations thereof, provided that it meets all of the other requirements listed above.</p> <p>To ensure that interior noise levels do not exceed the threshold of 45 dB Ldn, the following measures shall be incorporated into the development project:</p> <p>N-3. Air conditioning should be included for all lots where the 45 dB Ldn interior threshold would potentially be exceeded (lots 66, 67, 79, and 80) to allow the occupants to</p>					

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close doors and windows as desired to achieve acoustical isolation.					
<p><b>CULTURAL RESOURCES</b></p> <p>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.</p> <p>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>	Applicant	<p>City of Sacramento – Development Services Department</p> <p>County of Sacramento Coroner's office</p> <p>CA Native American Heritage Commission</p>	<p>Measures shall be included with Construction Specifications on all plans.</p> <p>Response on a complaint basis, or in response to a reported condition, where applicable.</p>	<p>Measures shall be implemented and monitored, where applicable, concurrent with construction activities</p>	Applicant

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