

RESOLUTION NO. 2005-567

Adopted by the Sacramento City Council

July 26, 2005

APPROVING THE NEGATIVE DECLARATION AND APPROVING THE MITIGATION MONITORING PLAN FOR THE NATOMAS FIELD PROJECT, LOCATED SOUTH EAST OF THE INTERSECTION OF ARENA BOULEVARD AND EAST COMMERCEWAY, IN NORTH NATOMAS, SACRAMENTO, CALIFORNIA. (P04-236) (APN: 225-0150-014, 418, -025, -027, ,028, -030, -032, AND -036)

BACKGROUND

- A. The Environmental Coordinator has prepared a Negative Declaration for the above identified project.
- B. The proposed Negative Declaration finds that the proposed project will not have a significant effect on the environment provided that mitigation measures are added to the above identified project.
- C. 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 D. 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.

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

- Section 1 The City Council ratifies the Negative Declaration for Natomas Field (PQ4-236).
- Section 2. The City Council approves the Mitigation Monitoring Plan for the Natomas Field project (P04-236) based upon the following findings:
 - 1. One or more mitigation measures have been added to the above-identified project;
 - 2. 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 A;

Table of Contents

Exhibit A: Mitigation Monitoring Plan - 11 Pages


Adopted by the City of Sacramento City Council on July 26, 2005 by the following vote:

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

Noes: None

Abstain: None

Absent: None



Mayor Heather Fargo



Shirley Concolino, City Clerk

Exhibit A: Mitigation Monitoring Plan

**STRAWBERRY NATOMAS FIELD PROJECT (P04-236)
MITIGATION MONITORING PLAN**

FOR

**TYPE OF ENVIRONMENTAL DOCUMENT:
INITIAL STUDY/ MITIGATED NEGATIVE DECLARATION**

**PREPARED FOR:
CITY OF SACRAMENTO, DEVELOPMENT SERVICES DEPARTMENT**

**DATE:
May 3, 2005**

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

DATE:

ATTEST:

**NATOMAS FIELD PROJECT (P04-236)
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: Natomas Field Project (P04-236)
Owner/Developer- Name: JB Management
Address: 2101 Evergreen Street
Sacramento, CA 95815

Project Location / Legal Description of Property (if recorded):

The proposed project site is located at south of Arena Boulevard, east of East Commerce Way, and west of Airport Road on APNs 225-0150-014, -025, -027, -028, -030, and -036 in the North Natomas Community Plan area.

Project Description:

The proposed project consists of the entitlements to allow the development of the project site for commercial, medium- and high-density residential, and park use.

SECTION 2: GENERAL INFORMATION

The Plan includes mitigation for Water, Air Quality, Biological, Hazards, Noise, 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 within the MMP. The City of Sacramento will be responsible for ensuring compliance.

**NATOMAS FIELD PROJECT (P04-236)
MITIGATION MONITORING PLAN**

Mitigation Measure	Implementing Responsibility	Monitoring Responsibility	VERIFICATION OF COMPLIANCE		
			Compliance Standards	Timing	Verification of Compliance (Initials/Date)
<p>Water: W-1: A Waste Discharge Requirements Permit shall be obtained. The groundwater beneath the project site shall be tested for contaminants as specified by the California Regional Water Quality Control Board. If the results of the testing indicate the groundwater beneath the site is a threat to human health, then remediation shall be completed.</p>	Developer	City Development Services Department	Submittal of copy of Waste Discharge Requirements Permit. Submittal of groundwater testing results and letter from CRWQCB agreeing to results. Submittal of letter from CRWQCB that groundwater has been remediated (if human health hazard).	Measures shall be implemented in field during grading on APN 225-0150-030 and portions of APNs 225-0150-014 and 225-0150-028.	

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<p>Air Quality:</p> <p>Mitigation Measures for Operational Emissions</p> <p>AQ-1: The Project Applicant/Developer shall submit an Air Quality Mitigation Plan to the SMAQMD for review and approval. The Project Applicant/Developer shall coordinate with the SMAQMD concerning the details of this Air Quality Mitigation Plan.</p> <p>AQ-2: The Project Applicant/Developer shall implement the following list of items or a list of items as determined through coordination with the SMAQMD:</p> <ul style="list-style-type: none"> • Install only natural gas fireplaces. • Exceed Title 24 Energy standards for cooling energy by 25% or comply with SMUD Advantage (Tier II) energy standards. <p>AQ-3: Category 1: Reducing NOx emissions from off-road diesel powered equipment</p> <p>The project shall provide a plan for approval by the lead agency, in consultation with SMAQMD, demonstrating that the heavy duty (>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 at time of construction; and</p> <p>The project representative shall submit to the lead agency and SMAQMD a comprehensive inventory of all off-road construction equipment, equal to or greater than 50 horsepower, that will be</p>	<p>Applicant/Developer</p> <p>Applicant/Developer</p> <p>Developer</p>	<p>City of Sacramento and SMAQMD</p> <p>City Development Services Department and SMAQMD</p> <p>City Development Services Department and SMAQMD</p>	<p>Submission of TMA.</p> <p>Submission of plan showing items.</p> <p>Submission of an inventory of construction equipment that reduce NOx emissions.</p>	<p>Prior to receipt of building permit for construction.</p> <p>Prior to receipt of building permit for construction.</p> <p>Measures shall be implemented in field during grading and construction activities.</p>	

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<p>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 projected hours of use or 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> <p>AQ-4: <u>Controlling visible emissions from off-road diesel powered equipment</u> The project shall ensure that exhaust 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 one hour. Any equipment found to exceed 40 percent opacity (or Ringelmann 2.0) shall be repaired immediately, and the lead agency and SMAQMD shall be notified within 48 hours 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>	Developer	City Development Services Department and SMAQMD	Monthly summary of the visual survey results.	Measures shall be implemented in field during grading and construction activities.	

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AQ-5: Prior to the approval of improvement plans or the issuance of grading permits, the Applicant will submit proof that the off-site air quality mitigation fee of \$3,082.00 has been paid to SMAQMD (or another fee as estimated by SMAQMD), and that the construction air quality mitigation plan has been approved by SMAQMD and the lead agency.	Developer	City Development Services Dept. and SMAQMD	Submittal of mitigation fee to SMAQMD.	Prior to the issuance of grading permits.	
AQ-6: Mitigation Measures AQ-1 and AQ-2 shall be followed for the construction phases of the project.	Developer	City Development Services Dept. and SMAQMD	Submission of an inventory of construction equipment that reduce NOx emissions. Monthly summary of the visual survey results.	Measures shall be implemented in field during grading and construction activities.	
AQ-7: The Developer shall pay an air quality mitigation fee as determined by SMAQMD or a fee of \$42,307.00 for Phase I of construction, \$26,967.00 Phase II of construction, \$27,420.00 for Phase III of construction, and \$7,540.00 for Phase IV of construction.	Developer	City Development Services Dept. and SMAQMD	Submittal of mitigation fee to SMAQMD.	Prior to the issuance of grading permits.	

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<p><u>Biological</u></p> <p>BR-1: The project applicant/developer shall: (i) comply with all requirements of the NBHCP, together with any additional requirements specified in the North Natomas Community Plan EIR; (ii) comply with any additional mitigation measures identified in the Natomas Basin HCP EIR/EIS; and (iii) comply with all conditions in the ITPs that were issued by the USFWS and CDFG.</p>	Developer	City of Sacramento, Development Services Dept., CA Dept. of Fish and Game, USFWS, and US Army Corps of Engineers	<p>Submittal of construction plans with mitigation measures identified.</p> <p>Implementation of mitigation measures prior, during, and after construction.</p> <p>Consultation with the appropriate agencies.</p>	Prior to the issuance of a grading permit.	
<p>BR-2: The Developer shall receive a verification from the U.S. Army Corps of Engineers as to the jurisdictional status of the drainage swale. If the drainage swale is considered Waters of the U.S., then the Developer shall obtain a Section 404 permit, Section 401 Water Quality Certification, and a 1601 Fish and Game Agreement. The Developer shall follow all components of the permits.</p>	Developer	City of Sacramento, Development Services Dept., CA Dept. of Fish and Game, USFWS, and US Army Corps of Engineers	<p>Submittal of construction plans with mitigation measures identified.</p> <p>Implementation of mitigation measures prior, during, and</p>	Prior to the issuance of a grading permit.	

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MITIGATION MONITORING PLAN

Mitigation Measure	Implementing Responsibility	Monitoring Responsibility	VERIFICATION OF COMPLIANCE		
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			after construction. Consultation with the appropriate agencies.		

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<p>Hazards:</p> <p>H-1: The Project Developer shall work with the California Regional Water Quality Control Board (CRWQCB) to develop a remediation plan for the project site. The project site's soils on APNs 225-0150-030, and the contaminated portions of -014, and -028 shall be remediated to a level commensurate with residential health standards. If groundwater is encountered and is considered a threat to human health, remediation of the groundwater shall also be completed.</p> <p>Remediation must be completed to the satisfaction of the CRWQCB before issuance of any permits related to any construction activities, excluding grading, on contaminated areas (APNs 225-0150-030 and portions of -014, and -028) begin. Evidence that the remediation on contaminated areas has been completed to the satisfaction of the CRWQCB must be submitted to the City's Development Services Department, Building Division prior to the start of construction activities, excluding grading. The Project Developer may begin construction activities (excluding grading) in areas that are considered clean (APNs 225-0150-025, -027, and -036 and portions of APNs -014 and -028) with the submittal of a map and letter from the CRWQCB indicating which areas are clean enough to conduct project construction activities (excluding grading). The Project Developer shall cordoned off the contaminated areas prior to beginning grading activities on the clean areas.</p>	<p>Developer</p>	<p>City Development Services Dept., CA Regional Water Quality Control Board</p>	<p>Submittal of remediation plan and evidence that remediation has been completed.</p> <p>Prior to issuance of a grading permit.</p> <p>Submittal of map (with evidence of CRWQCB approval) showing the clean areas.</p>	

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<p>Noise: N-1: A minimum of STC 32 rated windows shall be installed on all second and third floors of residences that face Arena Boulevard.</p>	Developer	City Development Services Department	Note shall be included building plans.	Measures shall be implemented in field during grading and construction activities.	
<p>N-2: Air conditioning shall be provided at all residences to allow the ability to close windows.</p>	Developer	City Development Services Department	Note shall be included building plans.	Measures shall be implemented in field during grading and construction activities.	

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<p>Cultural Resources:</p> <p>CR-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>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.</p>	Developer	City Development Services Department	Note shall be included on the Map and within the Standard Construction Specifications	Measures shall be implemented in field during grading and construction activities.	