

**RESOLUTION NO. 2005-275**

ADOPTED BY THE SACRAMENTO CITY COUNCIL

APR 26 2005

ON DATE OF \_\_\_\_\_

**A RESOLUTION APPROVING THE MITIGATED NEGATIVE DECLARATION AND ADOPTING THE MITIGATION MONITORING PLAN FOR THE NORTH LAGUNA POINTE CONDOMINIUMS LOCATED AT THE NORTHEAST CORNER OF BRUCEVILLE ROAD AND SHELDON ROAD, SACRAMENTO, CALIFORNIA.**

(P04-066)

(APNs: 117-0212-010 & -054)

**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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*FOR CITY CLERK USE ONLY*

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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 North Laguna Pointe Condominiums be approved.
2. The Mitigation Monitoring Plan is adopted for the proposed North Laguna Pointe Condominiums 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  
P04-066

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**Exhibit 1 – Mitigation Monitoring Plan**

**NORTH LAGUNA POINTE PROJECT (P04-066)  
MITIGATION MONITORING PLAN**

**FOR**

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

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

**DATE:  
January 5, 2005**

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

**DATE:**  
\_\_\_\_\_

**ATTEST:**  
\_\_\_\_\_

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## Exhibit 1 – Mitigation Monitoring Plan

### NORTH LAGUNA POINTE PROJECT (P04-066) 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:** North Laguna Pointe Project (P04-066)  
**Owner/Developer- Name:** Martinsen Family Trust/Sheldon Laguna Props.  
**Address:** 9415 Half Dome Ct./3825 Atherton Rd., #115  
Elk Grove/Rocklin, CA 95758/95675

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

The proposed project site is located at the northeast corner of Bruceville and Sheldon Roads on APNs 117-0212-010 and -054 in the Jacinto Creek Planning area. The site address is 7515 Sheldon Road.

**Project Description:**

The proposed project consists of the entitlements to construct 153 condominium units on 11.0+ acres in the North Laguna Pointe Planning Unit Development – Multi-Family (R-2A-PUD) zone.

#### SECTION 2: GENERAL INFORMATION

The Plan includes mitigation for Biological, 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 with the MMP. The City of Sacramento will be responsible for ensuring compliance.

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**NORTH LAGUNA POINTE PROJECT (P04-066)  
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Mitigation Measure	Implementing Responsibility	Monitoring Responsibility	VERIFICATION OF COMPLIANCE		
			Compliance Standards	Timing	Verification of Compliance (Initials/Date)
<p><b>Biological:</b></p> <p>BR-1: Projects within one mile of an active nest tree shall provide:</p> <ul style="list-style-type: none"> <li>One acre of Habitat Management (HM) land (at least 10% of the HM land requirements shall be met by fee title acquisition or a conservation easement allowing for the active management of the habitat, with the remaining 90% of the HM lands protected by a conservation easement that is acceptable to the Department) on agricultural lands or other suitable habitats which provide foraging habitat for Swainson's hawk, for each acre of development authorized (1:1 ratio);</li> </ul> <p align="center">or</p> <ul style="list-style-type: none"> <li>One-half acre of HM land (all of the HM land requirements shall be met by fee title acquisition or a conservation easement that is acceptable to the Department) which allows for the active management of the habitat for prey production on the HM lands, for each acre of development authorized (0.5:1 ratio).</li> </ul> <p>Projects within 5 miles of an active nest tree but greater than one mile from the nest tree:</p> <ul style="list-style-type: none"> <li>0.75 acres of HM land for each acre of urban development authorized (0.75:1 ratio) shall be provided. All HM lands protected under this requirement may be protected through fee title acquisition or conservation easement (acceptable to the Department) on agricultural lands or other</li> </ul>	Developer	City of Sacramento, Development Services Dept., CA Dept. of Fish and Game	Submittal of documentation that credits, land, and or fees have been paid.	Prior to the issuance of a grading permit.	

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<p>suitable habitats which provide foraging habitat for Swainson's hawk.</p> <p>Projects within 10 miles of an active nest tree but greater than 5 miles from an active nest tree:</p> <ul style="list-style-type: none"> <li>0.5 acres of HM land for each acre of urban development authorized (0.5:1 ratio) shall be provided. All HM lands protected under this requirement may be protected through fee title acquisition or conservation easement (acceptable to the Department) on agricultural lands or other suitable habitats which provide foraging habitat for Swainson's hawk.</li> </ul> <p align="center"><b>OR</b></p> <p>BR-2: The Applicant shall satisfy any other mitigation measures that the Department of Fish and Game develops and deems appropriate.</p>					

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<p><b>Cultural Resources:</b></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.	

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			Compliance Standards	Timing	Verification of Compliance (Initials/Date)
<p><b>Noise:</b> N-1: The Developer shall construct a solid noise barrier between the nearest residential outdoor activity areas and Sheldon and Bruceville Roads. The noise barrier along Sheldon Road shall be 7 feet in height, while the noise barrier along Bruceville Road shall be 6 feet in height. The noise barrier must be constructed from masonry block, precast concrete panels or other massive materials that would provide a surface density of four lbs/square feet.</p>	Developer	City Development Services Department	Note shall be included on the Map.	Measures shall be implemented prior to issuance of a building permit.	

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