

RESOLUTION NO. 2003-089

ADOPTED BY THE CITY OF SACRAMENTO

FEB 25 2003

ON DATE OF: _____

RESOLUTION TO APPROVE MASTER PLAN, RATIFY THE NEGATIVE DECLARATION AND ADOPT THE MITIGATION REPORTING PLAN FOR THE NORTH LAGUNA CREEK WILDLIFE AREA BIKETRAIL CIP (PN: HC46)

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

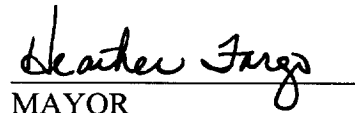
WHEREAS, the Initial Study concluded that there is no substantial evidence that the Project, or any of its aspects, may cause a significant effect on the environment and, therefore, a Negative Declaration is appropriate; and

WHEREAS, A Mitigation Reporting Program (Exhibit A) has been prepared which is designed to ensure compliance with the mitigation measures incorporated into the Project Negative Declaration; and

WHEREAS, the City of Sacramento has circulated the Negative Declaration for public review in accordance with CEQA.

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

1. Approves the Master Plan for the North Laguna Wildlife Area Biketrail;
2. Ratifies the North Laguna Creek Wildlife Area Biketrail Negative Declaration finding on the basis of the Initial Study that there is no substantial evidence that the Project may have a significant effect on the environment.
3. The City Council hereby approves and adopts the Mitigation Reporting Program.


MAYOR

ATTEST:


CITY CLERK

FOR CITY CLERK USE ONLY

RESOLUTION NO.: 2003-089

DATE ADOPTED: **FEB 25 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 Department of Parks and Recreation 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 Department of Parks and Recreation 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#HC46, North Laguna Creek Wildlife Bike Trail

Project Location: This proposed project site is located on the North Fork of Laguna Creek between Center Parkway and Bruceville Road, in South Sacramento. The Class I bike trail will be located on the crown of the north levee of North Laguna Creek.

Project Description: The Department of Parks and Recreation proposes to develop a Class I bike trail along the North Fork of Laguna Creek. The location for the trail is on the crown of the levee on the north side of the creek. Access to the bike trail would be provided from the sidewalk on the east side of Center Parkway, a curb cut at Bruceville Road, and at the cul de sacs at Falmouth Way, Ferncliff Way and Clearbrook Way. Bollards will be placed at each access point. The bike trail will be 10 feet in width, including 2-foot shoulders on each side for a length of 2,050 feet long. The trail will be constructed of asphaltic concrete with shoulders of decomposed granite. The City's design consultant, Callander Associates, estimates that the trail would require approximately 135 cubic yard of cut for the asphalt and aggregate base placement for the 20,500 sq. ft. of trail. A post and cable fence will be installed between the trail and the vernal pools and creek corridor to prevent the disturbance to wildlife and the riparian vegetation. The project will also include maintenance or restoration of native grasses, installation of drought tolerant native and ornamental trees, shrubs and groundcovers in the existing floodway area. Additionally, the project may include installation of interpretive signage within the trail parameters, picnic tables and benches. The construction staging area is anticipated to be located north of and adjacent to the bike trail, between Bruceville Road and the eastern boundary of the Laguna Parkway residential development. The staging area is approximately 22,500 square feet. A Bikeway Master Plan Amendment will also be completed as part of this project.

MITIGATION REPORTING PROGRAM CHECKLIST

MITIGATION MEASURE		VERIFICATION OF COMPLIANCE		
Mitigation Measure	Reporting Milestone	Reporting/ Responsible Party	Initials	Date
<p>SOILS: The potential for soil erosion into Laguna Creek would be reduced through following the City's Grading, Erosion, and Sediment Control Ordinance (Code 15.88.250), the Standard Specifications for Public Works Construction (Section 6(6)), in addition to implementing the following appropriate BMPs. The implementation of these measures will ensure that the proposed project will have a less than significant impact on erosion, changes in topography, and unstable soil conditions.</p> <p>Mitigation Measures</p> <ol style="list-style-type: none"> To prevent inadvertent sedimentation of other secondary construction effects on water quality, construction activities shall be limited to the extent feasible within proximity to the Laguna Creek corridor. Construction shall take place during May through September, to correspond with the giant garter snake construction window. The contractor shall be required to use BMPs (e.g., placement of hay bales, sediment fencing, or similar structures) to prevent inadvertent erosion and to prevent sediment from entering the creek. Construction vehicle access to the corridor shall be carefully delineated with temporary orange mesh fencing around the vernal pools prior to the start of work to help alert the Contractor to the limits of the work area. A qualified biologist shall be responsible for overseeing the avoidance of sensitive resources and the alerting of construction workers to the location of these resources. The construction staging area shall not be placed near the Laguna Creek corridor, or near the riparian vegetation. This staging area shall be kept at a minimum 200 feet from the corridor and shall be delineated on all construction plans. 	<p>Before and during construction</p>	<p>Parks and Recreation Department and Contractor</p>		

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North Laguna Creek Wildlife Area Bike Trail (HC46)
Initial Study/ Mitigated Negative Declaration

Mitigation Measure		VERIFICATION OF COMPLIANCE		
Reporting Milestone	Reporting/ Responsible Party	Initials	Date	Remarks
<p>AIR QUALITY: The construction of the proposed project is well below the significance thresholds, and therefore will have a less than significant impact on air quality. However, considering sensitive receptors are located adjacent to the project, the following mitigation measures will be applied.</p> <p>Mitigation Measures</p> <ol style="list-style-type: none"> 1. Water exposed soils twice daily to control wind borne dust. 2. Enclose, cover, or water twice daily any exposed piles of dirt, sand, gravel, or other construction debris. 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. 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. 5. Construction equipment shall be maintained and tuned at the interval recommended by the manufacturers to minimize exhaust emissions and odors and increase fuel efficiency. 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. 7. On-site vehicle speed shall be limited to 15 miles per hour on unpaved surfaces. 8. Revegetate disturbed areas immediately after the completion of construction to reduce wind erosion. 9. 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. 10. Vehicle trips will be reduced via carpool, transit, and other alternative modes. 11. Compliant asphalt materials shall be used (Rule 435). 	<p>Parks and Recreation Department and Contractor</p>			

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Mitigation Measure		VERIFICATION OF COMPLIANCE		
Reporting Milestone	Reporting/ Responsible Party	Initials	Date	Remarks
<p>Mitigation Measure</p> <p>BIOLOGICAL: (see summary below) Impacts to Listed Vernal Pool Crustaceans Grading and construction activities will occur within 250 feet of seasonal wetlands, potential habitat for vernal pool fairy shrimp (<i>Branchinecta lynchi</i>) and vernal pool tadpole shrimp (<i>Lepidurus packardii</i>). These activities could extend into the seasonal wetlands. This would result in direct impacts to potential fairy shrimp habitat. Direct and indirect impacts to these species would require mitigation.</p> <p>Mitigation Measures for Listed Vernal Pool Crustaceans</p> <ol style="list-style-type: none"> 1. Monitor Hydrology. <ul style="list-style-type: none"> • Monitor the hydrology of the Mitigation Wetland for the duration of the rainy season. Measure the depth of water and the water temperature. Document the date, time, and weather conditions for each survey event. • If the Mitigation Wetland is not inundated for a sufficient duration for listed invertebrate crustaceans to complete their life cycle, it would be demonstrated that they are not present in the study area and no further mitigation would be required. 2. Avoidance and Construction Monitoring. <ul style="list-style-type: none"> • Design the project to minimize the area of wetlands that would be affected. • The construction contractor shall establish an Environmentally Sensitive Area (ESA) around the wetlands to be avoided. <ul style="list-style-type: none"> ○ The contractor shall install temporary exclusionary fencing to define the limits of the ESA. ○ Vehicles shall not be allowed to park in, nor shall equipment be stored in the ESA. No storage of oil, gasoline, or other substances shall be permitted in the ESA. No vegetation removal, ground disturbing activities, or burning shall be permitted in the ESA. ○ Signs shall be placed on the exclusionary fencing that state "Environmentally Sensitive Area - Area Off Limits." • A qualified biologist shall monitor construction activities within 250 feet of the ESA to ensure that construction activities do not occur within the ESA. The biologist shall have the authority to stop construction if the biologist deems that the activities could result in an unauthorized take of these species or destruction of habitat for these species. Construction shall not commence 	<p>Before, during, and after Construction</p>	<p>Parks and Recreation Department and Contractor</p>		

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<p>until appropriate measures are taken. The biologist shall be required to immediately report unauthorized impacts to these species or their habitat to USFWS.</p> <ul style="list-style-type: none"> All on-site construction personnel shall receive instruction regarding the presence of listed species and the importance of avoiding impacts to these species and their habitat. <p>3. Mitigate for Impacts.</p> <ul style="list-style-type: none"> The Corps may initiate consultation with USFWS as part of the Section 404 CWA permit process. The consultation may be based on the <i>Programmatic Formal Endangered Species Act Consultation on Issuance of 404 Permits for Projects with Relatively Small Effects on Listed Vernal Pool Crustaceans Within the Jurisdiction of the Sacramento Field Office, California</i> (USFWS 1996). The Corps shall be allowed to issue the Section 404 CWA permit after USFWS has provided a Biological Opinion approving a mitigation plan for these species. The City's Department of Parks and Recreation shall prepare a mitigation plan for submittal to USFWS. The mitigation plan shall include the following components for direct and indirect impacts: <ul style="list-style-type: none"> Avoidance Component. Demonstrate how the project has been designed to minimize impacts to federal-listed vernal pool crustaceans and their habitat (e.g. ESA, biological monitor, and special-status species training for construction personnel). Preservation Component. For every acre of habitat directly or indirectly affected, at least two vernal pool credits shall be dedicated within a USFWS-approved ecosystem preservation bank. Conservation Component. For every acre of habitat directly affected, at least one vernal pool creation credit shall be dedicated within a USFWS-approved habitat mitigation bank. <p>Impacts to Swainson's Hawk</p> <p>Construction of the project could result in a significant impact to nesting Swainson's hawk (<i>Buteo swainsoni</i>) without the implementation of mitigation measures. Mature trees in the NFLC riparian corridor provide potential nesting habitat for this species. A significant impact would occur if construction activities resulted in the destruction of an active Swainson's hawk nest, nest abandonment, or forced fledging.</p>			

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<p>Mitigation Measures for Swainson's Hawk</p> <ol style="list-style-type: none"> 1. If construction begins outside the March 1 to September 15 breeding season, there will be no need to conduct a preconstruction survey for active nests. 2. If construction is scheduled to commence during the Swainson's hawk breeding season, a preconstruction survey shall be conducted by a qualified biologist to determine if Swainson's hawks are nesting within 0.25 mile of the project study area. 3. A preconstruction survey shall be conducted not more than 2 weeks prior to construction. 4. If no active nests are found, no mitigation will be necessary. 5. If active Swainson's hawk nests are found within 0.25 mile of the project area, DFG will be notified and no project related activities that would result in nest abandonment (e.g., noise generated from the operation of heavy equipment) shall be conducted during the March 1 to September 15 breeding season without DFG approval. 	
<p>Impacts to Other Birds of Prey</p> <p>Without mitigation, project construction could result in a significant impact to nesting birds of prey including white-tailed kite and northern harrier. A significant impact would occur if construction activities resulted in the destruction of an active nest, nest abandonment, or forced fledging.</p>	
<p>Mitigation Measures for Other Birds of Prey</p> <ol style="list-style-type: none"> 1. If construction begins outside the February 1 to October 30 breeding season (inclusive of the breeding season for white-tailed kite and northern harrier), there will be no need to conduct a preconstruction survey for active nests. 2. If construction is scheduled to commence during the breeding season, a preconstruction survey shall be conducted by a qualified biologist to determine if birds of prey are nesting within 250 feet of the project study area. The biologist shall survey for nests on the ground as well as for nests in trees. 3. A preconstruction survey shall be conducted not more than 2 weeks prior to construction. 4. If no active nests are found, no mitigation will be necessary. 5. If an active raptor nest is located within 250 feet of the impact area, a biologist shall record the location(s) on a site map. A minimum 250-foot ESA (buffer) shall be established around the nest site. A biologist shall delimit the buffer zone with yellow caution tape or temporary flagging where feasible. The buffer zone shall 	

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<p>be maintained throughout the construction period. No disturbance shall occur within 250 feet of a nest site during the species' breeding season.</p> <p>6. During construction, a biologist shall monitor raptor nests weekly to evaluate potential nesting disturbance caused by construction activities. The biological monitor shall have the authority to stop construction if the nesting raptors appear to be adversely affected.</p> <p>7. If active raptor nests are found within 250 feet of the project area, DFG shall be notified and no project activities that would result in nest abandonment (e.g., noise generated from the operation of heavy equipment) shall be conducted between February 1 and October 30, without DFG approval.</p> <p>Impacts to Burrowing Owl</p> <p>Without mitigation, construction of the proposed project could result in a significant impact to burrowing owl. The following are considered significant impacts:</p> <ol style="list-style-type: none"> 1. Disturbance within 50 meters (approx. 160 feet), which results in harassment of owls at occupied burrows. 2. Destruction of natural burrows and artificial burrows (e.g., culverts, concrete slabs, and debris piles that provide shelter to burrowing owls). 3. Destruction and/or degradation of foraging habitat adjacent (within 100 meters; ± 330 feet) to occupied burrows (CDFG Staff Report on Burrowing Owl Mitigation 1995). <p>Mitigation Measures for Burrowing Owl</p> <ol style="list-style-type: none"> 1. Prior to the initiation of grading, the City shall retain a qualified biologist to conduct a pre-construction survey of all potential burrowing owl habitat within 500 feet of the project corridor, and record the presence of individual burrowing owls, sign of burrowing owls (i.e., fecal whitewash at the entrance to burrows, etc.), and all burrows that are in use by burrowing owls. Preconstruction surveys shall be conducted within two weeks of the commencement of construction activities. If the pre-construction survey reveals that there are no burrowing owls within 500 feet of the project corridor, no further mitigation is necessary. 2. If burrowing owl nests are found, the City shall inform California Department of Fish and Game (DFG) and implement DFG burrowing owl mitigation guidelines (17 October 1995) as follows: <ul style="list-style-type: none"> • No construction activities that could result in nest abandonment or forced fledging shall occur during the breeding season (February 1 to August 31) within 250 feet of active burrows. 					
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<ul style="list-style-type: none"> No construction activities that could result harassment of burrowing owls shall occur during the non-breeding season (September 1 to January 31) within 160 feet of active burrows. If construction activities within 250 feet of active burrows during the breeding season are necessary, passive relocation techniques shall be used to remove western burrowing owls from active burrows under direction from DFG. One-way doors should be installed and left in place for a minimum of 48 hours to insure that owls are not present in the burrow before excavation commences. (The City will obtain permission from appropriate landowners and agencies to access properties upon which burrows are to be passively relocated, e.g., levee banks.) Two natural or artificial burrows shall be provided for each active burrow that will be lost. Before excavating burrows, the study area shall be monitored daily for one week to confirm that owls have not returned. Burrows shall be excavated using hand tools to avoid injury to any owl remaining inside burrows. 			
<p>Impacts to Tricolored Blackbird</p> <p>The construction of the proposed trail will not affect foraging or nesting habitat for tricolored blackbird. A significant impact would occur if construction activities resulted in nest abandonment or forced fledging from an active nesting colony.</p> <p>Mitigation Measures for Tri-colored Blackbird</p> <ol style="list-style-type: none"> If construction begins outside the April 15 to August 1 breeding season, there will be no need to conduct a preconstruction survey for active nesting colonies. If construction is scheduled to commence during the breeding season, a preconstruction survey shall be conducted by a qualified biologist to determine if tricolored blackbirds are nesting within 250 feet of the project study area. A preconstruction survey shall be conducted not more than two weeks prior to construction. If no active nesting colonies are found, no mitigation will be necessary. If active nesting colonies are located within 250 feet of the impact area, a biologist will record the location(s) on a site map. A minimum 250-foot ESA (buffer) shall be established around the active nesting colonies. A biologist shall delimit the buffer zone with yellow caution tape or temporary flagging where feasible. The buffer zone shall be maintained throughout the construction period. No disturbance shall occur within 250 feet of active nesting colonies during the breeding season. During construction, a biologist shall monitor active nesting colonies weekly to evaluate potential nesting disturbance caused by construction activities. The 			

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<p>biological monitor will have the authority to stop construction if the active nesting colonies appear to be adversely affected.</p> <p>7. If active nesting colonies are found within 250 feet of the project area, DFG shall be notified and no project activities that would result in nest abandonment (e.g., noise generated from the operation of heavy equipment) shall be conducted during the April 15 to August 1 breeding season, without DFG approval.</p> <p>Impacts to Giant Garter Snake</p> <p>Aquatic and upland habitats suitable for giant garter snake (GGS) are present in and adjacent to the study area. Project construction could directly affect GGS resulting in direct mortality (e.g. accidentally killing a snake during clearing and grubbing activities). The grading and earthmoving activities could result in the loss or destruction of hibernaculæ and temporarily disturb upland habitat. These are potentially significant impacts. The project will not affect the potential aquatic foraging habitat in NFLC.</p> <p>Mitigation Measures for Giant Garter Snake</p> <p>1. Avoidance and Construction Monitoring.</p> <ul style="list-style-type: none"> • The project shall be designed to minimize the area of wetlands to be affected. • The construction contractor shall establish an Environmentally Sensitive Area (ESA) around the wetlands to be avoided. <ul style="list-style-type: none"> ○ The contractor shall install temporary exclusionary fencing to define the limits of the ESA. ○ Vehicles shall not be allowed to park in, nor shall equipment be stored in the ESA. No storage of oil, gasoline, or other substances will be permitted in the ESA. No vegetation removal, ground disturbing activities, or burning shall be permitted in the ESA. ○ Signs shall be placed on the exclusionary fencing that state "Environmentally Sensitive Area – Area Off Limits." • A qualified biologist shall monitor construction activities within 250 feet of the wetlands to ensure that no take of GGS or destruction of their habitat occurs. The biologist will have the authority to stop construction if the biologist deems that the activities could result in such take or destruction until appropriate measures are taken. The biologist is required to immediately report unauthorized impacts to USFWS and DFG. • All on-site construction personnel shall receive instruction regarding the presence of listed species and the importance of avoiding impacts to these 					
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<p>species and their habitat.</p> <ul style="list-style-type: none"> • Construction in areas containing potential giant garter snake habitat shall only occur during the active period (May 1 to October 1). If construction occurs between October 2 and April 30, the USFWS Sacramento office shall be contacted to determine if additional measures are necessary to minimize and avoid take. • Twenty-four hours prior to construction activities, the project area shall be surveyed for giant garter snakes. If a lapse in construction activity of two weeks or greater occurs, the survey of the project area shall be repeated. • A qualified biological monitor shall be present during construction activities within potentially suitable habitat. If a snake is encountered during construction, activities shall cease until appropriate corrective measures have been completed or it has been determined that the snake will not be harmed. All sightings and any incidental take shall be reported to the USFWS immediately by telephone. • BMPs shall be implemented during construction activities to minimize the potential for siltation and sedimentation in NFLC and the Mitigation Wetland. <p>2. Mitigate for impacts.</p> <ul style="list-style-type: none"> • The Corps may initiate consultation with USFWS as part of the Section 404 CWA permit process. The consultation may be based on the <i>Programmatic Formal Consultation for U.S. Army Corps of Engineers 404 Permitted Projects with Relatively Small Effects on the Giant Garter Snake</i> (USFWS 1997). • The Corps can issue the Section 404 CWA permit after USFWS has provided a Biological Opinion approving a mitigation plan for these species. • The City's Department of Parks and Recreation shall prepare a mitigation plan for submittal to USFWS. The mitigation plan shall include the following components for direct and indirect impacts: <ul style="list-style-type: none"> ◦ Avoidance Component. Demonstrate how the project has been designed to minimize impacts to federal-listed giant garter snake and their habitat (e.g. ESA, biological monitor, and special-status species training for construction personnel). ◦ The plan may include replacement of affected giant garter snake habitat at a 3:1 ratio. This may include obtaining conservation credits at a USFWS approved habitat mitigation bank. 						
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<p>Impacts to Western Pond Turtle</p> <p>The NFLC provides foraging habitat for western pond turtle. It is unlikely that western pond turtle nests in the study area.</p> <p>Mitigation Measures for Western Pond Turtle</p> <ol style="list-style-type: none"> 1. Implementation of the mitigation measures identified for giant garter snake and wetlands are sufficient to reduce potential impacts to western pond turtle to less than significant. <p>Impacts to Western Spadefoot</p> <p>The Mitigation Wetland provides potential foraging and breeding opportunities for western spadefoot. Loss of wetland habitat would be a significant impact.</p> <p>Mitigation Measures for Western Spadefoot</p> <ol style="list-style-type: none"> 1. Implementation of the mitigation measures identified for giant garter snake and wetlands are sufficient to reduce potential impacts to western spadefoot to less than significant. <p>Impacts to Special-Status Plant Species</p> <p>Grading and construction activities could affect dwarf downingia (<i>Downingia pusilla</i>), legeneere (<i>Legeneere firmosa</i>), Sacramento orcutt grass (<i>Orcuttia viscida</i>), and slender orcutt grass (<i>Orcuttia tenuis</i>) if they are present in the Mitigation Wetland.</p> <p>Mitigation Measures for Special-Status Plant Species</p> <p>A qualified botanist shall conduct a botanical survey for these species during the appropriate blooming period. If any are found, the following additional mitigation measures shall be implemented:</p> <ol style="list-style-type: none"> 1. Avoid potential impacts to populations of these plants through project design. Establish environmentally sensitive areas around the avoided populations prior to construction and maintain the fence during construction. Construct permanent barriers around the avoided populations to protect them in perpetuity, or 2. Purchase or obtain conservation easements for off-site land suitable for the species. Prepare a mitigation and monitoring plan in accordance with the applicable DFG and USFWS guidelines, salvage existing seed bank, and establish new populations at an off-site location. 				
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Mitigation Measure		VERIFICATION OF COMPLIANCE		
Reporting Milestone	Reporting/ Responsible Party	Initials	Date	Remarks
<p>BIOLOGICAL:</p> <p>Impacts to Heritage Trees</p> <p>Heritage Trees occur in the project area along the banks of NFLC. The proposed project will not remove any Heritage trees. The drip lines of several native Fremont cottonwoods and willows extend over the proposed trail. The drip line is an imaginary line on the ground and directly below the outermost tips of the branches. Therefore, construction of the proposed trail may require pruning several Heritage trees. Site grading for leveling or contouring could disturb the soil within the drip line of Heritage trees. These impacts would conflict with the City of Sacramento's tree ordinance. The following mitigation measures will be implemented by the City to mitigate this potential impact to a less than significant level.</p> <p>Mitigation Measures For Heritage Trees</p> <ol style="list-style-type: none"> Grade changes of up to 12 inches will be allowed, however not within 3 feet of the tree trunk. No trenching will be allowed within the drip line. If during trenching, tree roots 2 inches in diameter or greater are encountered, work shall stop immediately and the Contractor shall hire an ISA certified arborist to conduct a root inspection. The root shall not be cut unless the arborist approves. Roots approved by the ISA arborist to be severed during the course of the project construction shall be neatly trimmed. If a large number of roots require cutting, the tree will then have to be evaluated by the ISA certified arborist for pruning, supplemental irrigation/fertilization or possible removal. The Contractor shall be responsible for damage to trees. Trees damaged by the Contractor during construction activities shall be assessed by an ISA certified arborist using the International Society of Arboriculture (ISA) appraisal guide, ninth edition. The project ISA arborist will submit a report for review by the City arborist. The protection methods listed above shall be identified on all site plans for the project. No storage of materials or parking of vehicles may occur within the drip line of trees in the project area, except on paved streets. <p>Impacts to City Street Trees</p> <p>Several trees growing in the landscape strip on the east side of Center Parkway may be City Street Trees. These trees are ornamental trees. The construction of the</p>	<p>Parks and Recreation Department and Contractor</p>			

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<p>proposed trail may require pruning or removal of these ornamental trees. Site grading for leveling or contouring could disturb the soil within the drip line of these trees. These impacts would conflict with the City of Sacramento's tree ordinance. The following mitigation measures will be implemented by the City to mitigate this potential impact to a less than significant level.</p> <p>Mitigation Measures For City Street Trees</p> <ol style="list-style-type: none"> Grade changes of up to 12 inches will be allowed, however not within 3 feet of the tree trunk. No trenching will be allowed within the drip line will be allowed. No trenching under the drip line will be allowed for the irrigation system. The contractor shall be held liable for any damage to existing trees. i.e. trunk wounds, broken limbs, pouring of any deleterious materials, or washing out concrete under the drip line of the tree. Damages will be assessed using the <i>Arborist Guide to Plant Appraisal</i> ninth edition published by the ISA. The project arborist will submit a report for review by the city arborist. The protection methods listed above shall be identified on all site plans for the project. The protection methods listed above shall be identified on all site plans for the project. 								
<p>BIOLOGICAL cont'd:</p> <p>Impacts to Wetlands and Waters of the U.S.</p> <p>Grading and construction activities may result in the fill of jurisdictional seasonal wetlands. Fill of jurisdictional wetlands, resulting in a net loss of wetlands, would be a significant impact.</p> <p>The proposed trail is located on the north levee of NFLC, a jurisdictional waters of the U.S. The proposed trail is located adjacent to the Mitigation Wetland. Three of the access points from the subdivision cul-de-sacs to the proposed trail are located in the Mitigation Wetland. There are no wetlands or waters of the U.S. in the staging area. The project has been designed to avoid and/or minimize discharge into wetlands and waters of the U.S. However, construction of the access points may result in a small discharge into a jurisdictional wetland.</p> <p>The following mitigation measures are included to reduce this potential impact to a less than significant level.</p> <p>Mitigation Measures for Wetlands and Waters of the U.S.</p> <ol style="list-style-type: none"> Prior to issuance of a grading permit, the project applicant shall obtain a Section 404 CWA permit from the Corps. Prior to issuance of a grading permit, as part of the Section 404 permitting process, the project applicant shall prepare a wetland mitigation and monitoring 	<p>Before, during and after construction</p>	<p>Parks and Recreation Department and Contractor</p>						



<p>plan.</p> <ul style="list-style-type: none"> The mitigation plan shall demonstrate how the project has been designed to minimize impacts to jurisdictional wetlands. The mitigation plan may include the creation and/or improvement of wetlands on or off site, subject to approval by the Corps. The mitigation plan may include the purchase of wetland mitigation credits at a Corps approved mitigation bank. The mitigation plan may include a combination of wetland creation and/or improvement and mitigation credits purchased at a Corps approved mitigation bank. Mitigation credits for federal-listed fairy and tadpole shrimp purchased at a USFWS approved mitigation bank may be used to satisfy portions of wetland mitigation requirements. 				
<p>3. The project shall comply with the City of Sacramento Code, Ordinance 15.88.250, Erosion and Sediment Control. The City shall employ Best Management Practices (BMPs) before, during and after construction.</p>				

Mitigation Measure	Reporting Milestone	Reporting/ Responsible Party	Initials	Date	Remarks
<p>HAZARDS: The dry nature of grasslands in the Sacramento Valley during a typical northern California summer make fire hazards a potential risk. Grass and weeds within the project area are maintained to reduce the likelihood of fire starting, and if started, from spreading to neighboring fields and structures. However, mitigation measures shall be implemented to further reduce the increased fire hazards of machinery being used among dry grass, especially considering the adjacent residential communities.</p> <p>Mitigation Measures</p> <ol style="list-style-type: none"> Machinery used during construction shall be maintained to prevent accidental sparks. Fire extinguishers shall be kept onsite during all construction activities. 	<p>During construction</p>	<p>Parks and Recreation Department and Contractor</p>			

Summary of Mitigation Measures for Impacts to Species

Species	Activity to be Performed	Time to Conduct Biological Survey	Survey Window
Vernal pool crustaceans	Construction monitoring	During construction activities within 250 feet of the ESA	Year round
Swainson's hawk	Preconstruction nest surveys	Not more than two weeks prior to commencement of construction	1 March – 15 Sept
White-tailed kite	Preconstruction nest surveys	Not more than two weeks prior to commencement of construction	1 Feb. – 30 August
Northern harrier	Preconstruction nest surveys	Not more than two weeks prior to commencement of construction	1 April – 1 Sept
Western burrowing owl	Preconstruction burrow survey	Not more than two weeks prior to commencement of construction	Year round
Tricolored blackbird	Preconstruction nest surveys	Not more than two weeks prior to commencement of construction	15 April – 1 August
Giant garter snake	Construction window		1 May – 1 October
	Preconstruction survey	Not more than 24 hours prior to commencement of construction	Year round
	Biological monitor	During construction within potentially suitable habitat	Year round
Western pond turtle	Biological monitor	During construction within potentially suitable habitat	Year round
Western spadefoot	Biological monitor	During construction within potentially suitable habitat	Year round
Dwarf downingia	Preconstruction survey	During blooming period	March – May
Legenere	Preconstruction survey	During blooming period	May – June
Sacramento orcutt grass	Preconstruction survey	During blooming period	May – June
Slender orcutt grass	Preconstruction survey	During blooming period	May – July