

RESOLUTION NO. 2004-800

ADOPTED BY THE SACRAMENTO CITY COUNCIL

ON DATE OF OCT 12 2004

**NORTHGATE BOULEVARD/ARDEN-GARDEN CONNECTOR INTERSECTION PROJECT
(PN: TG92) - APPROVE THE MITIGATED NEGATIVE DECLARATION, ADOPT THE
MITIGATION REPORTING PLAN, APPROVE THE PRELIMINARY DESIGN, AND DIRECT
STAFF TO PROCEED WITH FINAL DESIGN AND PREPARATION OF CONSTRUCTION
DOCUMENTS**

WHEREAS, the City of Sacramento has determined the need for the Northgate Boulevard/Arden-Garden Connector Intersection Project (PN: TG92) (hereinafter called the "Project") and has conditionally included the Project in the City of Sacramento Capital Improvement Program pending the California Environmental Quality Act (CEQA) compliance;

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

WHEREAS, the Mitigated 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;

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 Reporting Plan be developed for implementing mitigation measures as identified in the Initial Study for the project.

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

1. The Mitigated Negative Declaration be approved and the Mitigation Reporting Plan for the Northgate Boulevard/Arden-Garden Connector Intersection Project be adopted as shown in Exhibit A.

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2. The preliminary design is approved, and staff is directed to proceed with final design and preparation of construction documents.

HEATHER FARGO

MAYOR

ATTEST:

SHIRLEY CONCOLINO

CITY CLERK

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DEVELOPMENT SERVICES
DEPARTMENT

CITY OF SACRAMENTO
CALIFORNIA

1231 I Street
Room 300
Sacramento, CA
95814-2998

Environmental Planning
Services
916-808-5375
FAX 264-7185

MEMORANDUM

TO: Interested Parties

FROM: Susanne Cook, Associate Planner

SUBJECT: Changes to the Northgate Boulevard/Arden Garden Connector Intersection Improvement Project (CIP# TG92) Mitigation Reporting Plan

DATE: September 14, 2004

Since the time the above project Mitigated Negative Declaration was circulated, language in Mitigation Measure B-9, which concerns heritage trees, has been corrected to include the County of Sacramento as a reviewer of the heritage tree inventory list and the replacement ratio plan. The language concerning the replacement ratio in Mitigation Measure B-9 has been deleted to allow for flexibility when consulting with the regulatory agencies. The corrections are reflected in Exhibit A. However, this correction is not considered a substantial revision under CEQA Guidelines Section 15073.5.

The changes are shown on Page 10 of this document.

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Northgate Boulevard/Arden Garden Connector Intersection Improvement Project 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 Transportation 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 Development Services Department, Environmental Planning Services, 1231 I Street, Suite 300, Sacramento, CA 95814, (916) 808-5375, pursuant to the California Environmental Quality Guidelines, Section 21081.

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

Project Number: CIP# TG92

Project Name: Northgate Blvd/Arden Garden Connector Intersection Improvement Project.

Project Location: The project is located at the intersection of Northgate Blvd and Arden Garden, in the City of Sacramento. The Assessor's Parcel Numbers (APNs) include:
274-011-060, 274-012-011, 274-019-009, 274-012-015, 274-019-022, 274-012-020,
274-019-035, 274-019-020, 274-011-059, 274-011-030, 274-011-029.

Project Description: The City of Sacramento, Department of Transportation, is proposing to improve traffic operations, and improve pedestrian and bicycle safety at the Northgate Blvd/Arden Garden Connector intersection. The need for the project has been identified by the poor levels of service experienced when reaching the intersection. Vehicles commonly idle through two or more traffic signal phases during peak morning and evening drive times. During these peak congestion periods, the intersection also becomes problematic for pedestrians and bicyclists attempting to cross the street. The project would correct these operational and safety deficiencies.

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**MITIGATION REPORTING PROGRAM CHECKLIST FOR THE
NORTHGATE BOULEVARD/ARDEN GARDEN CONNECTOR INTERSECTION IMPROVEMENT PROJECT
NEGATIVE DECLARATION (CIP# TG92)**

Mitigation Measure	Reporting Milestone	Reporting/Responsible Party	VERIFICATION OF COMPLIANCE		
			Initials	Date	Remarks
AIR QUALITY (AQ)					
AQ-1: The Project Developer shall maintain the equipment according to the manufacturer's specifications.	Before and during construction	Dept. of Transportation and Contractor			
AQ-2: The Project Developer shall water exposed soil with adequate frequency to keep soil moist at all times during construction of the project.	During construction	Dept. of Transportation and Contractor			
AQ-3: The Project Developer shall water all haul roads twice daily during construction of the project.	During construction	Dept. of Transportation and Contractor			
AQ-4: The Project Developer shall cover the load of all haul/dump trucks securely during construction of the project.	During construction	Dept. of Transportation and Contractor			
AQ-5: <i>Category 1: Reducing NO_x emissions from off-road diesel powered equipment.</i> The City shall contact SMAQMD to determine if the following standard mitigation measures would apply to the proposed project. The project shall provide a plan for approval by the City of Sacramento and the Sacramento Metropolitan Air Quality Management District (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 NO _x reduction and 45 percent particulate reduction compared to the most	Before and during construction	Dept. of Transportation and Contractor			

¹ Category 1: Acceptable options for reducing emissions may include use of late model engines, low-emission diesel products, alternative fuels, engine retrofit technology, after-treatment products, and/or other options as they become available.
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<p>recent CARB fleet average at time of construction; 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 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>AQ-6. Category 2: Controlling visible emissions from off-road diesel powered equipment.</p> <p>The project shall insure 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 one hour. Any equipment found to exceed 40 percent opacity (or Ringlemann 2.0) 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 the 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</p>	<p>Before and during construction</p>	<p>Dept. of Transportation and Contractor</p>		

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SMAQMD and/or other officials may conduct periodic site inspections to determine compliance. Nothing in this section shall supersede other SMAQMD or state rules or regulations.	Reporting Milestone	Reporting/Responsible Party	VERIFICATION OF COMPLIANCE	
			Initials	Date
Remarks				
Mitigation Measure				
TRANSPORTATION/CIRCULATION (T)				
T-1: The contractor shall ensure that at least one access ramp to the Jedediah Smith Memorial Bike Trail remains usable during the construction period.	Before and during construction	Dept. of Transportation and Contractor		
T-2: The contractor shall ensure that the Jedediah Smith Memorial Bike Trail remains usable during the bridge construction period. As necessary, safety personnel will be stationed at the bridge and bike trail construction site to assist with safe bicycle mobility.	Before and during construction	Dept. of Transportation and Contractor		
T-3: The contractor shall ensure that pedestrian mobility through the intersection is maintained during the construction period. As necessary, safety personnel will be stationed at the intersection to facilitate safe pedestrian mobility.	Before and during construction	Dept. of Transportation and Contractor		
BIOLOGICAL RESOURCES (B)				
B-1. The City shall comply with the requirements of the <i>Mitigation Guidelines for the Valley Elderberry Longhorn Beetle</i> (USFWS, 1999) that specifies that construction activities within 100 feet of an elderberry plant with a stem diameter greater than one-inch in diameter at the base is considered a potential impact. Prior to construction, a detailed stem count of the affected shrubs shall be conducted, and the City shall coordinate with the USFWS to agree on the specific mitigation measures (e.g., transplantation and	Before construction	Dept. of Transportation and Contractor		

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<p>plantings on site, purchase credits at a mitigation bank). This is anticipated to occur under Section 7 of the FESA as part of the Section 404 permit application process with the U.S. Army Corps of Engineers (see Question 3 below).</p>					
<p>B-2. The following measures will be implemented subject to the approval and revision of NOAA Fisheries:</p>	<p>To avoid conflicts with migrating steelhead, the construction period within the creek shall be limited to May 1 through November 31;</p>	<p>If flowing water is present, stream diversion shall be conducted such that natural surface flows remain in Steelhead Creek to allow steelhead adults to transit the project site. This may require the flow channel to be narrowed and moved to the toe of the bank as construction occurs on the opposite bank;</p>	<p>The diversion structure shall be constructed beginning downstream and divert flow only when the construction of the diversion structure is completed.</p>	<p>Non-erosive materials (e.g., sandbags, sheet pile, rubber/plastic tubes) shall be used to construct the diversion structure;</p>	<p>Excavated material (e.g., spoils) shall be stored away from the low-flow channel to prevent incidental discharge;</p>
<p>The primary streambed access point on the bank shall be stabilized using a pad of coarse aggregate underlain by filter cloth to reduce erosion and tracking of sediment;</p>	<p>Disturbed areas of the stream channel shall be recompacted to original conditions prior to restoring flow to the original channel;</p>	<p>Dept. of Transportation and Contractor</p>	<p>Before and during construction</p>		

<p>Silty or turbid water produced from dewatering or other activities shall not be discharged to surface waters of Steelhead Creek unless said water is filtered or allowed to settle prior to discharge;</p> <p>Use of heavy equipment in flowing water shall be limited to diversion structure and temporary bridge construction;</p> <p>The bed, banks, and low-flow channel of Steelhead Creek shall be returned to their original configuration immediately following the completion of construction; and,</p> <p>A biological monitor, approved by NOAA Fisheries, will relocate any steelhead observed within the project area during construction operations.</p>				
<p>B-3. Implementation of Mitigation Measure B-2 for Central Valley Steelhead will also reduce impacts to Central Valley fall/late fall-run chinook salmon. This will ensure that impacts to chinook salmon are less-than-significant</p>	<p>Before and during construction</p>	<p>Dept. of Transportation and Contractor</p>		
<p>B-4. Mitigation for Level 3 projects include:</p> <p>Replacement of affected giant garter snake habitat at a 3:1 ratio</p> <p>All replacement habitat must include both upland and aquatic habitat components. Upland and aquatic habitat components must be included in the replacement habitat at a ratio of 2:1 upland acres to aquatic acres</p> <p>If restoration of habitat is a component of the replacement habitat, one year of monitoring restored habitat with a photo-documentation report due one year from implementation of the restoration with pre- and post-project area photos</p>	<p>Before and during construction</p>	<p>Dept. of Transportation and Contractor</p>		

<p>Five years of monitoring replacement habitat with photo documentation report due each year</p> <p>The City will secure a Section 7 authorization for the project through the Section 404 Clean Water Act, and comply with all applicable mitigation and reporting requirements imposed by the USFWS under the Programmatic Agreement.</p>			
<p>B-5. Implementation of Mitigation Measure B-4 for giant garter snake will provide appropriate mitigation for northwestern pond turtle</p>	<p>Before and during construction</p>	<p>Dept. of Transportation and Contractor</p>	
<p>B-6. Pre-construction raptor nesting surveys shall be conducted prior to construction to determine if any Swainson's hawk or other protected raptors are nesting near the project site. If active Swainson's hawk nests are located within 0.5-mile of the bridge, mitigation will include:</p> <p>If a nest tree must be removed, it can only occur after the young have fledged and are no longer dependent on the tree (generally after August 15), or prior to the initiation of breeding activities (generally March 1)</p> <p>Postpone project activities until after the young have fledged and are no longer dependent on the nest tree; or</p> <p>If it is not possible to postpone project activities that may cause nest abandonment within 0.5-mile of the nest site, with the approval of CDFG, conduct intensive monitoring of the nest site. Monitoring must be conducted by a CDFG-approved raptor biologist during construction. The biologist shall have authority to stop all construction activities if adverse effects to adults and nestlings are occurring.</p>	<p>Before and during construction</p>	<p>Dept. of Transportation and Contractor</p>	
<p>B-7. Because construction activities will be conducted during the breeding season, a qualified</p>	<p>Before and during construction</p>	<p>Dept. of Transportation and Contractor</p>	

<p>biologist shall conduct a survey for nests during the spring and early summer (April through July) prior to construction to determine the presence of active nests within 500 feet of the project site. If any active migratory bird nests are found in the area, the City shall consult with USFWS to develop a memorandum of understanding to promote the conservation of migratory bird populations, and the City shall contact CDFG to determine the need of a non-disturbance buffer zone around any active raptors nest(s). The removal of any active nest tree is prohibited.</p>			
<p>B-8. Implementation of Mitigation Measure B-5 above will ensure that impacts to migratory birds are less-than-significant.</p>	<p>Dept. of Transportation and Contractor</p>	<p>Before and during construction</p>	
<p>B-9. The City shall conduct a tree survey within 60 days of project construction to identify, tag, and measure each tree that will be either removed or potentially affected by the road widening. This will update the results of the 2002 surveys and identify trees that have attained heritage status in the intervening period.</p> <p>To mitigate for the loss of heritage trees and to restore site conditions, the City shall formulate and implement a Site Restoration Plan for the purpose of replacing lost trees, and replanting and stabilizing disturbed areas. To the extent practicable, the plan should include, but is not limited to the following measures:</p> <ol style="list-style-type: none"> 1. To the extent feasible, topsoil containing native seed stock will be stockpiled separately from subsoils. The soils will be replaced in proper sequence during backfilling to promote natural regeneration. 2. Prior to construction, final engineering surveys will be conducted to determine the precise limits of 	<p>Dept. of Transportation and Contractor</p>	<p>Before, during and after construction</p>	

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construction, dripline of affected trees and to layout the final revegetation plan. All heritage trees within 25 feet of proposed ground disturbances shall be temporarily fenced with orange plastic construction fencing throughout all grading and construction activities. The fencing shall be installed six feet outside the dripline of each specimen tree, and shall be staked every six feet. Each heritage tree, as defined by the City and County, that will be removed shall be inventoried against the tree impact list (Table A) prepared under preliminary plans. Corrections to the list will be made prior to tree removal and reviewed with the City Arborist and County. The final revegetation plan shall be reviewed by the resource agencies, City Arborist and County.

3. No construction equipment shall be parked, stored, or operated within six feet of any specimen tree dripline.

4. Only designated trees shall be removed. Trees scheduled for removal shall be tagged.

5. Any heritage tree that is removed and/or damaged (more than 25 percent of root zone disturbed) shall be replaced. It shall be replaced by an equivalent native oak woodland or riparian species (e.g., valley oak, willow, box elder, sycamore, or Oregon ash) at the following replacement ratio:

Circumference—Replacement

- 36-50 inches—15, 15-gallon replacement trees
- 50-80 inches—30, 15-gallon replacement trees
- 80-100 inches—50, 15-gallon replacement trees
- >100 inches—70, 15-gallon replacement trees

to the satisfaction of the resource agencies. Subsequent reviews will be conducted with the City Arborist and County.

6. Because on-site mitigation may be precluded along the proposed alignment due to the restricted

right-of-way, some of the mitigation may be conducted off-site at a City-owned, or other public property, such as the SAFCA mitigation site or American River Parkway.

7. Seeds, cuttings, and container-grown plants will be obtained from suppliers and contract growers of locally occurring native plants. Seeds and/or cuttings should be obtained from the project site when feasible. Advance notice will be given to the suppliers or growers to ensure that the required species are ready at the proposed planting time. To enhance survival rates, tree plantings should be from liners or cuttings. Plant material in containers larger than one-gallon cans should be avoided, if possible.

8. Optimum planting is in late-fall, prior to the onset of winter rains. If seasonal rainfall is low or does not coincide with the desired planting dates, both the ground and plant materials will be thoroughly irrigated prior to planting.

9. The pre-project topography shall be restored outside the bridge footprint

10. Three planting zones will be established based on topographic position and inundation tolerance of the planting stock. These are upper bank zone, mid-bank zone and lower bank zone. Native tree and shrub species will be planted in specific zones. For example, willows (*Salix* sp.), white alder (*Alnus rhombifolia*), mulefat (*Baccharis salicifolia*), and mugwort (*Artemisia douglasiana*) would be appropriate selections in the lower bank zone, which extends from the toe of the lower slope to one-third the bank height, and experiences the longest periods of inundation or saturated soils. Western sycamore, western elderberry (*Sambucus mexicana*), California rose (*Rosa californica*), and California blackberry (*Rubus ursinus*) would be appropriate in the mid-bank zone, which extends upslope to two-thirds the bank height. Valley oak, black walnut, California

<p>box-elder, and coyote brush (<i>Baccharis pilularis</i>) would be appropriate selections on the upper one-third of the bank and along the top of the bank.</p>										
<p>B-10. To mitigate for the impacts to regulated waters and wetlands, the City shall provide compensatory mitigation. For the permanent loss of waters and/or wetlands, the mitigation ratio will be 3 acres of mitigation for each acre impacted. For temporary impacts, the ratio will be 1:1. The mitigation plan will be subject to the approval of the Corps, Regional Board, and CDFG. Potential mitigation options include, but are not limited to the following:</p> <ol style="list-style-type: none"> 1. Acquisition of wetland mitigation credits at an approved wetland mitigation bank, if available 2. Creation of or restoration of degraded wetland/riparian area on the project site or along Steelhead Creek 3. Augmentation of the SAFCA mitigation basin if sufficient area is available 4. Contribution of in-lieu fees to on-going wetland restoration project approved by the agencies <p>Additionally, the City must secure the appropriate 404 Nationwide Permit from the U.S. Army Corps of Engineers, 401 Water Quality Certification from the California Regional Water Quality Control Board, and 1602 Streambed Alteration Agreement from the CDFG to conduct construction operations within regulated waters and wetlands.</p>	<p>Before, during and after construction</p>		<p>Dept. of Transportation and Contractor</p>							
<p>B-11. The City shall comply with the terms and conditions of environmental permits issued by those resource agencies with jurisdiction over the project.</p>	<p>Before, during and after construction</p>		<p>Dept. of Transportation and Contractor</p>							

Mitigation Measure	Reporting Milestone	Reporting/Responsible Party	VERIFICATION OF COMPLIANCE		
			Initials	Date	Remarks
NOISE (N)					
N-1. Equipment shall have sound-control devices no less effective than those provided on the original equipment.	Before and during construction	Dept. of Transportation & Contractor			
N-2. Equipment shall have muffled exhausts.	Before and during construction	Dept. of Transportation & Contractor			
CULTURAL RESOURCES (C)					
C-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.	During construction	Dept. of Transportation & Contractor			
C-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.	During construction	Dept. of Transportation & Contractor			

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