

**BEFORE THE BOARD OF SUPERVISORS
OF
SACRAMENTO COUNTY**

Control Number 06-PWE-0194

**Re: North Vineyard Station Specific) FINDINGS OF FACT
Plan Roadway Improvements) AND
) STATEMENT OF OVERRIDING
) CONSIDERATIONS**

I. GENERAL INFORMATION AND DESCRIPTION OF PROJECT

Introduction

The Final Supplemental Environmental Impact Report (FSEIR) prepared for the North Vineyard Station Specific Plan Roadway Improvements project is a Supplement to the Final Environmental Impact Report for the North Vineyard Station Specific Plan (County Control Number: 93-SFB-0238) (FEIR). The FEIR was prepared as a Master EIR under the provision of CEQA (Section 15175). The Sacramento County Board of Supervisors certified the FEIR on August 12, 1998 and approved the General Plan Amendment and subsequently approved the North Vineyard Station Specific Plan (NVSSP) on November 4, 1998. The FEIR assessed impacts at a master plan level for the development of the North Vineyard Station Specific Plan.

Also related to the FSEIR for the NVSSP Roadway Improvements project is the FSEIR for the NVSSP Specific Plan Amendments (County Control Number: 03-CPB-0082) (FSEIR). The Sacramento County Board of Supervisors certified the FSEIR on November 10, 2004. This environmental document assessed the project-level impacts resulting from the development of two development plans, Vineyard Point and Vineyard Creek, as well as a specific plan amendment, financing plan and water treatment facilities.

The FSEIR prepared for the NVSSP Roadway Improvements project addresses the potential impacts and mitigation measures for the construction of off-site roadway improvements that are a condition of the NVSSP development.

Project Description

The roadway improvements are a result of the traffic mitigation measures identified in the previously approved North Vineyard Station Specific Plan (NVSSP) Environmental Impact Report (EIR) and additional traffic analysis based on the proposed phasing of project development conducted since the approval of the EIR. These measures are in addition to the standard conditions applied to individual parcels within the North Vineyard Station Specific Plan area.

A summary of the roadway configuration at project completion is provided for each of the project roadways with the phasing of each improvement specified below. Construction timing of the project improvements is organized into recorded lot triggers, and frontage improvements are organized by geographic triggers. These recorded lot triggers are set at intervals that are determined by the number of recorded residential building lots. Improvements at each trigger are to commence construction prior to the recordation of that particular trigger. For example, improvements under trigger 901 would need to commence construction prior to the recordation of the 901st residential building lot. Frontage roadway improvements are phased based on geographic conditions, when the first residential lot is constructed in a given section of roadway; frontage improvements along that section of roadway are triggered. The phasing of project improvements may vary from planned phasing if deemed necessary by the Sacramento County Department of Transportation. The following comprise the proposed project roadway improvements.

Bradshaw Road

Roadway Configuration Upon Completion of Project:

- Six lanes from Calvine Road to Jackson Road
- Curb, gutter, and sidewalk on Bradshaw Road from Calvine Road to Jackson Road
- Box culverts with headwalls on Bradshaw Road at the Gerber Creek Crossing
- Improved bridge/culvert on Bradshaw Road from Tributary Road to Elder Creek Crossing and on Bradshaw Road at Morrison Creek Crossing
- Pedestrian signal and crossing on Bradshaw Road at Gerber Creek
- Traffic signal at Bradshaw Road and '9' Street, '10' Street and '11' Street
- Three through lanes on north and south legs of the intersection of Elder Creek Road at Bradshaw Road
- Upgraded signalized intersection at Bradshaw Road and Jackson Road

Project Phasing:

Trigger 1501

- Install two box culverts with headwalls on Bradshaw Road at the Gerber Creek Crossing based on a 108' standard thoroughfare.
- Install bridge/culvert improvements on Bradshaw Road at Elder Creek Crossing based on a 108-foot standard thoroughfare.
- Install bridge/culvert improvements on Bradshaw Road from Tributary Road to Elder Creek Crossing based on a 108-foot standard thoroughfare.
- Install bridge/culvert improvements on Bradshaw Road at Morrison Creek Crossing based on a 108-foot standard thoroughfare.

Trigger 2501

- Install a pedestrian signal and crossing on Bradshaw Road at Gerber Creek.

Trigger 3101

- Upgrade the signalized intersection of Bradshaw Road and Jackson Road to a four-way six by six signalized intersection.

Trigger 5701 (or when traffic volumes reach 90% capacity for a four-lane facility or 32,400 daily vehicles)

- Widen Bradshaw Road from Florin Road (project boundary) to Elder Creek Road from four lanes to six lanes including the outside lane and frontage improvements based on a 96-foot modified thoroughfare (the six foot meandering sidewalk shall be installed in an adjacent pedestrian/landscape easement).

Trigger 5701

- Install third through lane on north and south legs of the intersection of Elder Creek Road at Bradshaw Road (no signal).

Prior to extension of '9' Street

- Install a signal at Bradshaw Road and '9' Street (collector) based a four-way six by two intersection.

Prior to extension of '10' Street

- Install a signal at Bradshaw Road and 10 Street (collector) based on a four-way six by two intersection.

Prior to extension of '11' Street

- Install a signal at Bradshaw Road and '11' Street (collector) based on a four-way six by two intersection.

Frontage Improvements

- Thoroughfare frontage improvements along the west side of Bradshaw Road between Gerber Road and Gerber Creek and on both sides of Bradshaw between Gerber Creek to Florin Road.

Calvine Road**Roadway Configuration Upon Completion of Project:**

- Six lanes with median from Short Road to Vineyard Road
- Two lanes from Vineyard Road to Excelsior Road
- Shoulders on Calvine Road from Vineyard to Excelsior Road
- Widen the at-grade railroad crossing on Calvine Road at the CCTC Railroad
- Bridge/culvert improvements on Calvine Road at the CCTC railroad
- Bridge/culvert improvements on Calvine Road at the Laguna Creek Crossing west of Bradshaw Road
- Bridge/culvert improvements at Tributary No.1 to Laguna Creek Crossing just west of Excelsior Road

Project Phasing:

Trigger 2501 (or when traffic volumes reach 90 percent capacity for a four-lane facility, or 32,400 daily vehicles)

- Widen Calvine Road from four to six lanes with median from Short Road to Elk Grove-Florin Road based on a 96-foot modified thoroughfare (the six foot meandering sidewalk shall be installed in an adjacent pedestrian/landscape easement).

Trigger 2501

- Install shoulders on Calvine Road from 1,300 feet east of Waterman Road to Vineyard Road to provide a minimum pavement width.
- Install shoulders on Calvine Road from Bradshaw Road to Vineyard Road to provide a minimum pavement width.

Trigger 4101 (or when traffic volumes reach 90% of capacity of a two-lane facility or 16,200 daily vehicles)

- Widen Calvine Road from two to four lanes from 1,300 feet east of Waterman Road to Bradshaw Road based on a 96-foot modified thoroughfare (the six foot meandering sidewalk shall be installed in an adjacent pedestrian/landscape easement).
- Widen Calvine Road from Bradshaw Road to Vineyard Road based on a 96-foot modified thoroughfare (the six foot meandering sidewalk shall be installed in an adjacent pedestrian/landscape easement).

Trigger 4101

- Install bridge/culvert improvements on Calvine Road at the Laguna Creek Crossing west of Bradshaw Road based on a 108-foot standard thoroughfare.
- Reconstruct and widen the at-grade railroad crossing bridge/culvert improvements on Calvine Road at the CCTC railroad based on a 108-foot standard thoroughfare.
- Reconstruct and widen Calvine Road (four lanes with median) from 1,300' east of Waterman Road to Bradshaw Road based on a 96-foot modified thoroughfare (the six foot meandering sidewalk shall be installed in an adjacent pedestrian/landscape easement).
- Reconstruct and widen the at-grade crossing on Calvine Road at the CCTC Railroad crossing based on a 108-foot standard thoroughfare.
- Install shoulders on Calvine Road from Vineyard Road to Excelsior Road to provide minimum pavement width.

Trigger 4501

- Install bridge/culvert improvements on Calvin Road at Tributary No. 1 to Laguna Creek Crossing just west of Excelsior Road based on a 108-foot standard thoroughfare.

Trigger 5701

- Reconstruct and widen Calvin Road from 1,300 feet east of Waterman Road to Vineyard Road from four lanes to six lanes including the outside lane and frontage improvements based on a 96-foot modified thoroughfare (the six foot meandering sidewalk shall be installed in an adjacent pedestrian/landscape easement).

Elder Creek Road

Roadway Configuration Upon Completion of Project:

- Shoulders on Elder Creek Road from South Watt Avenue to Excelsior Road
- Two through, two left turns, one right turn lane in the east and west direction (leg improvements) at Elder Creek Road and Bradshaw Road intersection
- Two lanes from South Watt Avenue to Excelsior Road

Project Phasing:

Trigger 5701

- Install shoulders on Elder Creek Road from South Watt Avenue to Bradshaw Road to provide minimum pavement width.
- Install east and west legs of the intersection of Elder Creek Road and Bradshaw Road (no signal).
- Install shoulders on Elder Creek Road from Bradshaw Road to Excelsior Road to provide minimum pavement width.

Elk Grove-Florin Road

Roadway Configuration Upon Completion of Project:

- Six lanes from Calvin Road to Elder Creek Road
- New bridge on Elk Grove-Florin at the Elder Creek Crossing

Project Phasing:

Trigger 2501 (or when traffic volumes reach 90 percent capacity for a four-lane facility, or 32,400 daily vehicles)

- Widen Elk Grove-Florin Road from four to six lanes with median from Calvin Road to Gerber Road based on a 96-foot modified thoroughfare (the six foot meandering sidewalk shall be installed in an adjacent pedestrian/landscape easement).

Trigger 2501

- Widen Elk Grove-Florin Road from two to four lanes with median from Gerber Road to Elder Creek Road based on a 96-foot modified thoroughfare (the six

foot meandering sidewalk shall be installed in an adjacent pedestrian/landscape easement).

- Install a new bridge on Elk Grove-Florin Road at the Elder Creek Crossing based on a 108-foot standard thoroughfare.

Trigger 5701

- Reconstruct and widen Elk Grove-Florin Road from Gerber Road to Florin Road from four lanes to six lanes including the outside lane and frontage improvements based on a 96-foot modified thoroughfare (the six foot meandering sidewalk shall be installed in an adjacent pedestrian/landscape easement).

Excelsior Road

Roadway Configuration Upon Completion of Project:

- Two lanes and shoulders on Excelsior Road from Calvine Road to Jackson Road
- Three-way widened intersection at Excelsior Road and Elder Creek Road
- Improved bridge/culvert on Excelsior Road at the tributary to the Elder Creek Crossing between Florin Road and Elder Creek Road
- North and south bound standard six by four intersection at Excelsior Road and Jackson Road with two left turns, one right turn and two through lanes (intersection leg improvements) extending 450 feet from the intersection

Project Phasing:

Trigger 1801

- Reconstruct and widen shoulders on Excelsior Road from Gerber Road to Florin Road to provide minimum pavement width.
- Install shoulders on Excelsior Road from Florin Road to Elder Creek Road to provide minimum pavement width.
- Install bridge/culvert improvements on Excelsior Road at the tributary to the Elder Creek Crossing between Florin Road and Elder Creek Road and widen for an upgraded two lane road.
- Install shoulders on Excelsior Road from Elder Creek Road to Jackson Road to provide minimum pavement width.
- Install shoulder improvements for a three-way, widened intersection at Excelsior Road and Elder Creek Road.

Trigger 2501

- Install shoulders on Excelsior Road from Calvine Road to Gerber Road to provide a minimum pavement width.

Trigger 5701

- Construct a north and south bound standard six by four intersection at Jackson Road and Excelsior Road including 450-foot intersection leg improvements.

Florin Road

Roadway Configuration Upon Completion of Project:

- Four lanes with median from Elk Grove-Florin Road/South Watt Avenue to Bradshaw Road
- Four lanes from Bradshaw Road to Vineyard Road
- Three through lanes on north and south legs at the intersection of Florin Road and Elk Grove-Florin Road/South Watt Avenue
- Shoulders on the north side of Florin Road from Elk Grove-Florin Road/South Watt Avenue to Vineyard Road
- Shoulders on Florin Road from Vineyard Road to Excelsior Road
- Widen the at-grade railroad crossing and bridge/culvert on Florin Road at the CCTC Railroad crossing
- Curb, gutter and sidewalks on Florin Road (south side) from Elk Grove-Florin Road/South Watt Avenue to Excelsior Road
- New bridge on Florin Road at the Elder Creek crossing
- Improved bridge/culvert on Florin Road from Tributary No. 1 to Gerber Creek Crossing
- Four-way six by six intersection with three through lanes, two left turn lanes and one right turn lane (intersection leg improvements) extending 450 feet at the intersection of Florin Road and Bradshaw Road
- Widened intersection of Florin Road and Vineyard Road including pavement and curb return (public street improvements) for a three-way six by two-plus intersection signal and two through lanes, two left turn lanes and one right turn lane (intersection leg improvements) extending 450 feet at the intersection
- New pavement and curb return (public street improvements) for a four-way intersection with two through lanes, two left turn lanes and one right turn lane (intersection leg improvements) extending 450 feet at the intersection of Florin Road and Excelsior Road
- Three-way six by four intersection with signal at Florin Road and Waterman Road
- Improved intersection and signals at Florin Road and '8' Street
- Improved intersection and signals at Florin Road and '9' Street
- Improved intersection and signals at Florin Road and '12' Street
- Modified signalization at the intersection of Florin Road and the Elk Grove-Florin Road/South Watt Avenue

Project Phasing:

Trigger 901

- Install shoulders on Florin Road from Elk Grove-Florin Road to the CCTC Railroad crossing to provide minimum pavement width.

- Install a three-way six by four intersection with signal at Florin Road and Waterman Road.

Trigger 1801

- Reconstruct and widen the at-grade railroad crossing on Florin Road at the CCTC Railroad crossing based on a 108-foot standard thoroughfare.
- Install a new bridge on Florin Road at the Elder Creek crossing based on a 108-foot standard thoroughfare.
- Reconstruct and widen Florin Road to four lanes plus median from 1,350 feet east of Waterman Road to Bradshaw Road based on a 96-foot modified thoroughfare (the six foot meandering sidewalk shall be installed in an adjacent pedestrian/landscape easement).
- Install shoulders on Florin Road from Vineyard Road to Excelsior Road to provide minimum pavement width.
- Install bridge/culvert improvements on Florin Road from Tributary No. 1 to Gerber Creek Crossing based on a 108' standard thoroughfare.
- Install public street improvements for a four-way intersection including 450 feet of intersection leg improvements at the intersection of Florin Road and Excelsior Road.

Trigger 2501

- Install shoulders on Florin Road from Bradshaw Road to Vineyard Road to provide minimum pavement width.
- Modify the existing signalization at the intersection of Florin Road and the Elk Grove-Florin Road.

Trigger 4070

- Construct a four-way six by six intersection including 450 feet of intersection leg improvements at the intersection of Florin Road and Bradshaw Road.
- Reconstruct and widen Florin Road from Bradshaw Road to 3,320 feet east of Bradshaw Road based on 96-foot modified thoroughfare (the six foot meandering sidewalk shall be installed in an adjacent pedestrian/landscape easement) including a half section of public street improvements on the south side excluding median, outside lane and frontage improvements.

Trigger 4071

- Reconstruct and widen the intersection of Florin Road and Vineyard Road including public street improvements for a three-way six by two-plus intersection, signal and 450 feet of intersection leg improvements.

Trigger 4501 (or extension of the Florin Road Trunk Sewer)

- Reconstruct and widen Florin Road (four lanes with median) from the CCTC railroad (project boundary) to Waterman Road based on a 96-foot modified thoroughfare (the six foot meandering sidewalk shall be installed in an adjacent pedestrian/landscape easement).
- Reconstruct and widen Florin Road (four lanes with median) from Waterman Road to 1,350 feet east of Waterman Road based on a 96-foot modified thoroughfare (the six foot meandering sidewalk shall be installed in an adjacent pedestrian/landscape easement).

Trigger 4501 (or when traffic volumes reach 90% capacity for a two-lane facility or 16,200 daily vehicles)

- Reconstruct and widen Florin Road (four lanes with median) from Elk Grove-Florin Road to the CCTC Railroad (project boundary) based on a 96-foot modified thoroughfare (the six foot meandering sidewalk shall be installed in an adjacent pedestrian/landscape easement).

Trigger 4501

- Reconstruct and widen the at-grade railroad crossing bridge/culvert improvements on Florin Road at the CCTC railroad crossing based on a 108-foot standard thoroughfare.
- Reconstruct and widen Florin Road from 3,320 feet east of Bradshaw Road to Vineyard Road based on a 96-foot modified thoroughfare (the six foot meandering sidewalk shall be installed in an adjacent pedestrian/landscape easement) including a half section of public street improvements on the south side excluding median, outside land and frontage improvements.
- Reconstruct and install third through lane, north & south legs and eastbound left-turn lane at the intersection of Florin Road and Bradshaw Road.

Trigger 5701

- Install third through lane on north and south legs of the intersection of Florin Road at Elk Grove-Florin Road (no signal).

Prior to extension of '8' Street

- Install intersection and signal improvements at Florin Road and '8' Street (collector) based on a three-way six by two intersection.

Prior to extension of '9' Street

- Install intersection and signal improvements at Florin Road and '9' Street (collector) based on a three-way two by two intersection.

Prior to extension of '12' Street

- Install intersection and signal improvements at Florin Road and '12' Street (collector) based on a three-way two by two intersection.

Frontage Improvements

- Thoroughfare frontage improvements along the south side of Florin Road between the CCTC crossing and Vineyard Road.

Gerber Road

Roadway Configuration Upon Completion of Project:

- Four lanes with median on Gerber Road from Elk Grove-Florin Road to Vineyard Road
- Curb, gutter and sidewalks on Gerber Road (north side) from Gerber Creek Crossing #3 to Vineyard Road
- Shoulders on Gerber Road from Vineyard Road to Excelsior Road
- Improved bridge/culvert on Gerber Road at the Gerber Creek Crossing No. 1 just east of the Vineyard Road
- Two new box culverts with headwalls on Gerber Road at Gerber Creek Crossing #2 (just east of Bradshaw Road)
- Two new box culverts with headwalls on Gerber Road at Gerber Creek Crossing #3 (just west of Bradshaw Road)
- Four-way four by six intersection with two left turn and one right turn lane for each intersection leg and two through lanes on Gerber Road and three through lanes on Elk Grove-Florin Road in each direction (intersection leg improvements) extending 450 feet from the intersection
- Four by six intersection with two left turn and one right turn lane for each intersection leg and two through lanes on Gerber Road and three through lanes on Bradshaw Road in each direction (intersection leg improvements) extending 450 feet from the intersection
- New intersection at Gerber Road and Vineyard Road with pavement and curb returns (public street improvements) for a four-way four by two-plus intersection with two left turn and one right turn for each intersection leg and two through lanes on Gerber Road and one through lane on Vineyard Road (intersection leg improvements) extending 450 feet from the intersection
- New pavement and curb returns (public street improvements) at the four-way intersection of Gerber Road and Excelsior Road with two left turns, one right turn and two through lanes (intersection leg improvements) extending 450 feet from the intersection
- Three-way four by two intersection with signal at Gerber Road and existing Passallis Lane ('1' Street),
- Three-way four by four intersection with signal at Gerber Road and Waterman Road
- Signal at Gerber Road and '2' Street based on a three-way four by two intersection

Project Phasing:

Trigger 901

- Reconstruct and widen Gerber Road (two lanes with median) from Gerber Creek Crossing #3 to Bradshaw Road based on a 72-foot modified arterial (the six foot meandering sidewalk shall be installed in an adjacent pedestrian/landscape easement).
- Install a three-way four by two intersection with signal at Gerber Road and existing Passallis Lane ('1' Street).
- Install two box culverts with headwalls on Gerber Road at Gerber Creek Crossing #3 (just west of Bradshaw Road) based on an 84-foot standard arterial.
- Install a three-way four by four intersection with signal at Gerber Road and Waterman Road.

Trigger 1201

- Install a 12-foot median on Gerber Road from Elk Grove-Florin Road to Project boundary.
- Install a south side center lane on Gerber Road from Elk Grove-Florin to Project boundary.
- Install a 12-foot median on Gerber Road from project boundary to Waterman Road.
- Install a south side center lane on Gerber Road from project boundary to Waterman Road.
- Install a 12-foot median on Gerber Road from Waterman Road to Gerber Creek Crossing #3 (just west of Bradshaw Road).
- Install a south side center lane on Gerber Road from Waterman Road to Gerber Creek Crossing #3 (just west of Bradshaw Road).

Trigger 1501

- Reconstruct and widen existing four-way four by four signalized intersection to four by six intersection including 450 feet of intersection leg improvements at Gerber Road and Bradshaw Road.

Trigger 2201

- Install public street improvements for a four-way intersection including 450 feet of intersection leg improvements at the intersection of Gerber Road and Excelsior Road.
- Construct a four-way four by six intersection including 450 feet of intersection leg improvements at Gerber Road and Elk Grove-Florin Road.

Trigger 2501

- Install shoulders on Gerber Road from Vineyard Road to Excelsior Road to provide minimum pavement width.
- Install bridge/culvert improvements on Gerber Road at the Gerber Creek Crossing No. 1 just east of the Vineyard Road and widen for upgraded two lane road.

Trigger 4070 (or when traffic volumes reach 90 percent capacity for a two-lane facility, or 16,200 daily vehicles)

- Widen Gerber Road from two to four lanes plus median from Bradshaw Road to Vineyard Road (project boundary) based on 72-foot modified arterial (the six foot meandering sidewalk shall be installed in an adjacent pedestrian/landscape easement).

Trigger 4070

- Install two box culverts with headwalls on Gerber Road at Gerber Creek Crossing #2 (just east of Bradshaw Road) based on an 84-foot standard arterial.

Trigger 4990

- Construct the intersection of Gerber Road and Vineyard Road and install public street improvements for a four-way four by two-plus intersection including 450-foot intersection leg improvements.

Prior to extension of '2' Street

- Install a signal at Gerber Road and '2' Street (collector) based on a three-way four by two intersection.

Frontage Improvements

- Arterial frontage improvements along the north side of Gerber Road between Gerber Creek Crossing #3 to Vineyard Road.

Jackson Road

Roadway Configuration Upon Completion of Project:

- Four lanes with median from South Watt Avenue to Excelsior Road
- Four-way four by six intersection and signal at the intersection of Jackson Road and South Watt Avenue with two left turns and one right turn lanes for each intersection leg, three through lanes on South Watt Avenue and two through lanes on Jackson Road (intersection leg improvements) extending 450 feet from the intersection
- Two left-turns, one right turn lane and two through lanes in the eastbound direction on Jackson Road at Bradshaw Road
- Improved bridge/culvert on Jackson Road at the Morrison Creek Crossing just east of Bradshaw Road

Project Phasing:

Trigger 2201

- Construct a four-way four by six intersection and signal including 450 feet of intersection leg improvements at the intersection of Jackson Road and South Watt Avenue.

Trigger 5701 (or when traffic volumes reach 90% capacity for a two-lane facility or 16,200 daily vehicles)

- Widen Jackson Road from two to four lanes from South Watt Avenue to Bradshaw Road based on a 96-foot modified thoroughfare (the six foot meandering sidewalk shall be installed in an adjacent pedestrian/landscape easement).
- Widen Jackson Road from two to four lanes from Bradshaw Road to Excelsior Road based on a 96-foot modified thoroughfare (the six foot meandering sidewalk shall be installed in an adjacent pedestrian/landscape easement).

Trigger 5701

- Install an eastbound left-turn lane on Jackson Road at Bradshaw Road.
- Install bridge/culvert improvements on Jackson Road at the Morrison Creek Crossing just east of Bradshaw Road based on a 108-foot standard thoroughfare.

South Watt Avenue

Roadway Configuration Upon Completion of Project:

- Six lanes with median from Florin Road to Folsom Boulevard
- Four-way four by six intersection and signal including a turn lane at South Watt Avenue and Elder Creek Road

Project Phasing:

Trigger 1201 (or when traffic volumes reach 90 percent capacity for a two-lane facility, or 16,200 daily vehicles)

- Widen South Watt (four lanes with median) from Jackson Road to Folsom Boulevard based on a 96-foot modified thoroughfare (the six foot meandering sidewalk shall be installed in an adjacent pedestrian/landscape easement).

Trigger 1201

- Construct a four-way four by six intersection and signal at South Watt Avenue and Elder Creek Road.
- Install a four-way signalized intersection including a turn lane at the intersection of South Watt Avenue and Elder Creek Road.

Trigger 2501 (or when traffic volumes reach 90 percent capacity for a four-lane facility, or 32,400 daily vehicles)

- Widen South Watt Avenue from four to six lanes with median from Jackson Road to Folsom Boulevard based on a 96-foot modified thoroughfare (the six foot meandering sidewalk shall be installed in an adjacent pedestrian/landscape easement).

Trigger 2501

- Reconstruct and widen South Watt Avenue from Florin Road to Elder Creek Road based on a 96-foot modified thoroughfare (the six foot meandering sidewalk shall be installed in an adjacent pedestrian/landscape easement).

Trigger 4501 (or when traffic volumes reach 90% capacity for a two-lane facility or 16,200 daily vehicles)

- Widen South Watt Avenue from Elder Creek Road to Fruitridge Road based on a 96-foot modified thoroughfare (the six foot meandering sidewalk shall be installed in an adjacent pedestrian/landscape easement).
- Widen South Watt Avenue from Fruitridge Road to Jackson Road based on a 96-foot modified thoroughfare (the six foot meandering sidewalk shall be installed in an adjacent pedestrian/landscape easement).

Trigger 5701

- Reconstruct and widen South Watt Avenue from Florin Road to Elder Creek Road from four lanes to six lanes including the outside lane and frontage improvements based on a 96-foot modified thoroughfare (the six foot meandering sidewalk shall be installed in an adjacent pedestrian/landscape easement).
- Reconstruct and widen South Watt Avenue from Elder Creek Road to Fruitridge Road from four lanes to six lanes including the outside lane and frontage improvements based on a 96-foot modified thoroughfare (the six foot meandering sidewalk shall be installed in an adjacent pedestrian/landscape easement).
- Reconstruct and widen South Watt Avenue from Fruitridge Road to Jackson Road from four lanes to six lanes including the outside lane and frontage improvements based on a 96-foot modified thoroughfare (the six foot meandering sidewalk shall be installed in an adjacent pedestrian/landscape easement).

Vineyard Road

Roadway Configuration Upon Completion of Project:

- Two lanes with shoulders from Calvine Road to Gerber Road
- Two lanes, a center two-way turn lane, and curb, gutter, and sidewalks from Gerber Road to Florin Road
- Improved intersection and signals at Vineyard Road and '15' Street

Project Phasing:

Trigger 2501

- Install shoulders on Vineyard Road from Calvine Road to Gerber Road to provide minimum pavement width.

Trigger 4070

- Construct Vineyard Road from Gerber Road (project boundary) to 2,640 feet north of Gerber Road based on an 84-foot standard collector including a center two-way turn lane and frontage improvements.

Trigger 4071

- Construct Vineyard Road from 2,640 feet north of Gerber Road to Florin Road (project boundary) based on an 84-foot standard collector including a center two-way turn lane and frontage improvements.

Prior to extension of '15' Street

- Install intersection and signal improvements at Vineyard Road and '15' Street (collector) based on a three-way two by two intersection.

Objectives

The Project has the following objectives and justifications (FSEIR, page 3-19):

The project objective is to improve transportation and circulation in the North Vineyard Station Specific Plan area resulting from land development, thus improving mobility for motorists, bicyclists, pedestrians and transit riders.

II. BACKGROUND

The Sacramento County Department of Environmental Review and Assessment (DERA) acted a chief consultant to the Sacramento County Department of Transportation for the purpose of preparing the appropriate environmental document, pursuant to the requirements of the California Environmental Quality Act (CEQA).

A Notice of Preparation (NOP) was issued to interested parties and potentially affected agencies and organizations on November 15, 2006.

A Draft Supplemental Environmental Impact Report (DSEIR) was prepared and distributed to interested parties and potentially affected agencies and organizations on June 11, 2007. The review period for the DSEIR ended on July 25, 2007. Comments received on the DSEIR prompted minor changes to the text of the DSEIR without changing the conclusions of the DSEIR.

A Public Hearing before the Project Planning Commission (PPC) was held on July 23, 2007. **There were no public comments presented at the PPC hearing.** The PPC closed the comment period and directed staff to prepare the Response to Comments and the Final EIR for presentation to the Board of Supervisors of Sacramento County.

The Final SEIR was distributed on September 19, 2007. The Board of Supervisors of Sacramento County considered the Final SEIR for the North Vineyard Station Specific Plan Roadway Improvements project at a noticed public hearing held on December 4, 2007. At the hearing, the Board of Supervisors of Sacramento County took the following actions:

Certified the Final Supplemental Environmental Impact Report for the North Vineyard Station Specific Plan Roadway Improvements project as adequate and complete; recognized and adopted the Findings of Fact and Statement of Overriding Considerations; and adopted the Mitigation Monitoring and Reporting Program.

III. RECORD OF PROCEEDINGS

For the purpose of compliance with the letter and intent of CEQA, and its requirements for Findings, the record of the proceedings for the project is comprised as follows:

- A. The Final Supplemental Environmental Impact Report prepared for the project;
- B. The Mitigation Monitoring and Reporting Program developed for the project;
- C. All Notices of Preparation and other public notices issued by the County in conjunction with the project;
- D. The DSEIR, including all technical reports;
- E. All comments submitted by agencies or members of the public during the public comment period on the Draft SEIR and responses to those comments;
- F. The action on the Draft SEIR at the Public Hearing before the Project Planning Commission. The Project Planning Commission directed staff of DERA to prepare the final environmental document;
- G. The Final EIR prepared for the North Vineyard Station Specific Plan project;
- H. The North Vineyard Station Specific Plan Public Facilities Financing Plan;
- I. The Final SEIR prepared for the North Vineyard Station Specific Plan Amendment, Financing Plan, Water Treatment Facilities, Vineyard Point, and Vineyard Creek project;
- J. The application package consisting of the application filed by the applicant, including written documentation and maps. All staff reports, memoranda, maps, letters, meeting minutes, or other documents, that were prepared for, or reviewed by, the Department of Transportation;
- K. All testimony, documents, and other evidence presented by the applicant relating to the project;
- L. All documents submitted to the County by agencies or members of the public in connection with the project;
- M. Matters of common knowledge to the Board of Supervisors of Sacramento County including, but not limited to:
 - 1. North Vineyard Station Specific Plan
 - 2. Sacramento City/County Bikeway Master Plan (1993)
 - 3. Sacramento County General Plan (1993);

4. The City of Elk Grove General Plan (2003);
5. The City of Sacramento General Plan (1998);

Items listed under III.A, B, C, D, E, F, G, and I are in the custody of the Sacramento County Department of Environmental Review and Assessment, located at 827 7th Street, Room 220, Sacramento, CA 95814.

The item listed under III. H is in the custody of the Sacramento County Development and Surveyor Services, located at 827 7th Street, Room 304, Sacramento, CA 95814.

Items listed under III. A, B, C, E, F, J, K, L, and M2 are in the custody of Sacramento County Department of Transportation at 906 G Street, 5th floor, Sacramento, CA 95814.

Items listed under III. A, B, D, E, F, and K are in the custody of the County of Sacramento, Clerk of the Board, 700 H Street, Room 2450, Sacramento, CA 95814.

Items listed under III.E, G, H, I, M1, M2, M3, and M6 are in the custody of the Sacramento County Counsel's Office, located at 700 H Street, Suite 2650, Sacramento, CA 95814.

The item listed under III. M4 is in the custody of the City of Elk Grove Planning Department, located at 8401 Laguna Palms Way, Elk Grove, CA 95758.

The item listed under III. M5 is in the custody of the City of Sacramento Development Services, Planning Division, located at 915 I Street, New City Hall Sacramento, CA 95814.

IV. FINDINGS REQUIRED UNDER CEQA

To the extent that a project is subject to CEQA, a public agency may not approve the project as proposed if feasible mitigation measures or feasible alternatives are available that would substantially lessen the project's significant environmental effects. (Pub. Resources Code, § 21002.) Based on section 21002, both the California Resources Agency and the State's courts have recognized that, in approving projects with significant environmental effects, public agencies have an obligation to modify the project, to the extent feasible, to substantially lessen or avoid such effects. (CEQA Guidelines, § 15002, subd. (a)(3), 15021, subd. (a)(2); Sierra Club v. Gilroy City Council (1990) 22 Cal.App.3d 30, 41 [271 Cal.Rptr. 393])

Public Resources Code section 21061.1 defines "feasible" to mean "capable of being accomplished in a successful manner with a reasonable period of time, taking into account economic, environmental, social and technological factors." CEQA Guidelines section 15364 adds another factor: "legal" considerations. (See also Citizens of Goleta Valley v. Board of Supervisors ("Goleta II") (1990) 52 Cal.3d 553, 565 [276 Cal.Rptr.410]). An agency may reject mitigation measures or environmentally superior

alternatives as being infeasible if they frustrate an agency's ability to meet the objectives of a proposed project. (See City of Del Mar v. City of San Diego (1982) 133 Cal.App.3d 410, 416-417 [183 Cal.Rptr. 898; Sequovah Hills Homeowners Association v. City of Oakland (1993) 23 Cal.App.4th 704, 715 [29 Cal.Rptr.2d 182]).

The obligation to substantially lessen or avoid significant effects, where feasible, is implemented, in part, through the adoption of "CEQA" findings, as mandated by Public Resources Code §21081. The parallel section in the CEQA Guidelines is §15091, which provides that, before an agency can approve a project for which an EIR has identified significant environmental effects, the agency must first adopt "one or more findings for each [such]...significant effect." For each effect, the agency's findings must reach one or more of three permissible conclusions.

The first possible finding is that "changes or alterations have been required in, or incorporated into the project which avoid or substantially lessen the significant environmental effect as identified in the final EIR." (CEQA Guidelines, § 15091, subd. (a)(1).)

The second permissible finding is that "(s)uch changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency." (CEQA Guidelines, § 15091, subd. (a)(2).)

As to the third permissible conclusion, CEQA Guidelines § 15091 no longer exactly tracks the statutory language of Public Resources Code section 21081, subdivision (a)(3), which was amended in 1993 and again in 1994. The amended statute provides that the third permissible conclusion is that "(s)pecific economic, legal, social, technological, or other considerations, including considerations for the provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the EIR." (Pub. Resources Code, § 21081, subd. (a)(3); see also CEQA Guidelines, § 15091, subd. (a)(3).)

The CEQA Guidelines do not define the difference between "avoiding" a significant environmental effect and merely "substantially lessening" such an effect. The County must therefore glean the meaning of these terms from the other contexts in which the terms are used. Public Resources Code Section 21081, on which CEQA Guidelines section 15091 is based, uses the term "mitigate" rather than "substantially lessen." Such an understanding of the statutory term is consistent with Public Resources Code §21002, which, as noted earlier, uses the terms "substantially lessen" and "avoid", but does not use the word "mitigate."

For purposes of these findings, the term "avoid" refers to the effectiveness of one or more mitigation measures to reduce an otherwise significant effect to a less than significant level. In contrast, the term "substantially lessen" refers to the effectiveness of such a measure or measure to substantially reduce the severity of a significant effect, but not to reduce that effect to a less than significant level.

Although CEQA Guidelines section 15091 requires only that approving agencies specify that a particular significant effect is “avoid[ed] or substantially lessen[ed],” these findings, for purposes of clarity, in each case will specify whether the effect in question has been avoided (i.e., reduced to a less than significant levels), or has simply been substantially lessened but remains significant.

In seeking to effectuate the substantive policy of CEQA to substantially lessen or avoid significant environmental effects to the extent feasible, an agency, in adopting findings, need not necessarily address the feasibility of both mitigation measures and environmental superior alternatives when contemplating approval of a proposed project with significant impacts. Where a significant impact can be mitigated to an “acceptable” level solely by the adoption of feasible mitigation measure, the agency, in drafting its findings, has no obligation even to consider the feasibility of any environmentally superior alternative that could also substantially lessen or avoid that same impact – even if the alternative would render the impact less severe than would the proposed project as mitigated. (Laurel Hills Homeowners Associated v. City Council (1978) 83 Cal.App.3d 515, 521 [147 Cal.Rptr. 842]; see also Kings County Farm Bureau v. City of Hanford (1990) 221 Cal.App.3d 692, 730-731 [270 Cal.Rptr. 650]; and Laurel Heights Improvement Associated v. Regents of the University of California (“Laurel Heights I”) (1988) 47 Cal. 3d 376, 400-403 [253 Cal.Rptr. 426]).

In these findings, the County first addresses the extent to which each significant environmental effect can be substantially lessened or avoided through the adoption of feasible mitigation measures. Only after determining that, even with the adoption of all feasible mitigation measures, an effect is significant and unavoidable does the County address the extent to which alternatives described in the EIR are (i) environmentally superior with respect to that effect and (ii) “feasible” within the meaning of CEQA.

In cases in which a project’s significant effects cannot be mitigated or avoided, an agency, after adopting proper findings, may nevertheless approve the project if it first adopts a statement of overriding considerations setting forth the specific reasons why the agency found that the “benefits of the project outweigh the significant effects on the environment.” (Pub. Resources Code, §21081, subd. (b); see also CEQA Guidelines, § 15093, 15043, subd. (b).) In section VI of these findings (below), the County identifies the specific economic, social, and other considerations that, in its judgment, outweigh the significant environmental effects that the project will cause.

The California Supreme Court has stated that “(t)he wisdom of approving...any development project, a delicate task which requires a balancing of interests, is necessarily left to the sound discretion of the local officials and their constituents who are responsible for such decisions. The law as we interpret and apply it simply requires that those decisions be informed, and therefore balanced.” (Goleta II, supra, 52 Cal. 3d at 576 [276 Cal.Rptr. 410].)

V. LEGAL EFFECT OF FINDINGS

To the extent that these Findings conclude that proposed mitigation measures outlined in the Final SEIR are feasible and have not been modified, superseded or withdrawn, the Board of Supervisors hereby binds the Applicant and any other responsible parties to implement those measures.

These Finding, in other words, are not merely informational or hortatory, but constitute a binding set of obligations that will come into effect when the Board of Supervisors adopts the resolution(s), and/or ordinance(s) approving the Project. (Pub. Resources Code, § 21081.6, subd. (b).0 In addition, the adopted mitigation measures are conditions of approval.

VI. MITIGATION MONITORING AND REPORTING PROGRAM

As required by Public Resources Code § 21081.6, subd. (a)(1), the Board of Supervisors, in adopting these Findings, also adopts a Mitigation Monitoring and Reporting Program (MMRP). The MMRP is designed to ensure that, during Project implementation, the Board of Supervisors of Sacramento County and any other responsible parties comply with the feasible mitigation measures identified below. The program is described in the document entitled “Mitigation Monitoring and Reporting Program for North Vineyard Station Specific Plan Roadway Improvements” (attached).

Sacramento County Ordinance SCC-0793 establishes the mechanism for enforcement of the mitigation monitoring and reporting program. It provides:

“For each Project for which a Mitigation Monitoring and Reporting Program is required by this Chapter and adopted by the Approving Body, full compliance with the adopted Program for the Project shall be a condition of approval of the Project...” (SCC-20.02.040)

“...(A)ny person who violates any of the provisions of this Chapter, or fails to comply with any of the regulatory requirements adopted by the ‘Environmental Coordinator’ pursuant to this Chapter, is guilty of a misdemeanor, and upon conviction may be punished by a fine not to exceed five hundred dollars or imprisonment in the County jail not to exceed six months, or both. Each such person shall be guilty of a separate offense for each and every day during any portion of which any violation of any provision on this Chapter, or regulations adopted by the ‘Environmental Coordinator’ pursuant to this Chapter, is committed, continued, or permitted by any such person, and he or she shall be punished accordingly.” (SCC-20.02.080)

In addition, the County may “carry out or seek other remedies as permitted by law.” (SCC-20.02.090) For example, the County may seek injunctive relief, issue a stop work

order, revoke a permit, or abate a nuisance caused by non-compliance with the conditions of approval.

VII. SIGNIFICANT ADVERSE IMPACTS AND MITIGATION MEASURES

These Findings do not address impacts that are considered less than significant prior to mitigation. These Findings, therefore, do not address the following resource areas because the Final SEIR found that no significant impacts occur with respect to them:

- Land Use
- Airport Compatibility
- Public Services

The Final SEIR identified a number of potentially significant environmental effects (or impacts) that the project will cause. Some of these effects will be fully avoided through the adoption of feasible mitigation measures. Other effects can be substantially reduced to a less than significant level. There are significant and unavoidable impacts associated with nighttime construction noise.

The Project will result in significant environmental effects with respect to the following issues or resources that can be reduced to less than significant levels with the implementation of mitigation measures:

- Biological Resources
- Cultural Resources
- Hazardous Materials
- Construction Air Quality

The Project will result in the following significant environmental effect that cannot be fully avoided through the adoption of feasible mitigation measures:

- Regional Air Quality

Biological Resources

Impact

Waters of the United States

A total of 15.74 acres of Waters of the United States was delineated within the project boundaries. Roadway widening will fill Waters of the U.S. within the identified right-of-way. Roadside ditches may be re-located or replaced with curb and gutter. This would result in permanent impacts to all Waters of the U.S. that are filled and temporary impacts to those ditches that can be relocated.

(FSEIR, pages 2-10, 7-6, and 7-7)

Mitigation Measures

BR-1. To compensate for the permanent loss of wetlands, the applicant shall perform one of the following:

1. Where a Section 404 Permit has been issued by the Corps of Engineers, or an application has been made to obtain a Section 404 Permit, the Mitigation and Management Plan required by that permit or proposed to satisfy the requirements of the Corps for granting a permit may be submitted for purposes of achieving a no net loss of wetlands. The required Plan shall be submitted to the Sacramento County Department of Environmental Review and Assessment, U.S. Army Corps of Engineers, U.S. Fish and Wildlife Service and California Department of Fish and Game for approval prior to its implementation.
2. Pay to the County of Sacramento an amount based on a rate of \$35,000 per acre for the unmitigated/uncompensated wetlands, which shall constitute mitigation for purposes of implementing adopted no net loss policies and CEQA required mitigation. The payment shall be collected by the Department of Planning and Community Development, and deposited into the Wetlands Restoration Trust Fund.

(FSEIR, pages 2-10, 2-11, and 7-7).

Finding

Implementation of the mitigation measures will reduce the potentially significant impacts associated with waters of the United States. Thus, the Board of Supervisors finds that implementation of these mitigation measures will reduce these impacts to less than significant levels.

Impact

Special Status Plants

Project construction could result in the disturbance or removal of freshwater marsh or vernal pools that provide habitat for the following species:

- Ahart's dwarf rush
- Bogg's Lake hedge-hyssop
- Dwarf downingia
- Legenere
- Sacramento orcutt grass
- Slender orcutt grass
- Sandford's arrowhead

(FSEIR, pages 2-11, 7-26, 7-27, 7-28, 7-29, 7-30, 7-31, 7-32, 7-33, 7-34, 7-35, 7-36 and 7-37).

Mitigation Measure

BR-2. A qualified botanist shall conduct a special-status plant survey of all vernal pool and freshwater marsh habitat occurring along the project roadways. These surveys shall be conducted during the appropriate time of year for the blooming period of the potentially occurring species (April, May, and late June). Survey protocols outlined by the DFG shall be followed. If focused surveys are conducted for all special-status plants with potential to be affected by the proposed project and all of them are confirmed to be absent, no additional mitigation would be required. Populations of special-status plant species that are encountered and would be potentially affected by implementation of the proposed project shall be evaluated for their biological importance based on their known distribution and other pertinent data. If it is determined, based on this evaluation, that an impact on special-status plant populations would occur, then the applicant shall obtain a “take” authorization and mitigate for the impact by developing a mitigation plan in coordination with DFG and/or USFWS. Mitigation measures may include creation of offsite populations, through seed collection or transplanting, preserving and enhancing existing populations, or restoring or creating suitable habitat in sufficient quantities to compensate for the impact.

(FSEIR, pages 2-11, 2-12, and 7-37).

Finding

Implementation of the mitigation measures will reduce the potentially significant impacts associated with special status species. Thus, the Board of Supervisors finds that implementation of these mitigation measures will reduce these impacts to less than significant levels.

Impact

Vernal Pool Species and Critical Habitat

The project area includes potential habitat for vernal pool fairy shrimp, vernal pool tadpole shrimp, and western spadefoot toad. The proposed roadway projects will impact vernal pools and seasonal wetlands along the corridors.

The CNDDDB showed three occurrences of vernal pool fairy shrimp critical habitat, with Unit 11E as the closest occurrence within five miles of the Plan Area, near the northeastern portion of the Plan Area. The other two occurrences, Units 11F and 11G are located over five miles southeast of the Plan Area (USFWS 2006). Project construction near Unit 11E has the potential to indirectly affect vernal pool critical habitat.

(FSEIR, pages 2-12, 7-38, 7-39, and 7-40).

Mitigation Measure

BR-3. The applicant shall compensate for indirect effects to vernal pool species and critical habitat through consultation with the U.S. Fish and Wildlife Service as outlined in Section 7 of the Endangered Species Act. The applicant shall

implement all measures included in the Biological Opinion issued as a result of this consultation.

(FSEIR, pages 2-12 and 7-41).

Finding

Implementation of the mitigation measures will reduce the potentially significant impacts associated with vernal pool species and critical habitat. Thus, the Board of Supervisors finds that implementation of these mitigation measures will reduce these impacts to less than significant levels.

Impact

Fish

There are no immediate fish issues associated with the Plan Area. Morrison, Elder, Laguna, Gerber, and Florin creeks have not been designated as critical habitat for any federally and/or California listed fish species. However, impacts to Morrison, Elder, Laguna, Gerber or Florin creeks or their tributaries via sediment runoff could potentially be viewed by regulatory agencies as affecting downstream conditions for federally and/or California listed fish species, Central Valley ESUs, anadromous salmonids, such as Central Valley steelhead, fall-run Chinook salmon, spring-run Chinook salmon. Other special-status fish that could be affected by sediment runoff include delta smelt and Sacramento perch.

(FSEIR, pages 2-12, 2-13, and 7-41).

Mitigation Measure

BR-4. The applicant shall prepare and implement an erosion control and water quality protection plan that will be subject to the review and approval of the County Department of Water Resources. The Plan shall include, but not be limited to, the following measures to protect water quality during construction:

1. Construction activities within the area of the Ordinary High Water (OHW) line shall be limited to the period from May 30th to October 1st of each construction year.
2. Construction activities that occur between October 15 and May 15 within the floodplain, but above the OHW line, shall be limited to those actions that can adequately withstand high river flows without resulting in the inundation of and entrainment of materials in floodflows.
3. Stockpiling of construction materials, including portable equipment, vehicles and supplies, including chemicals, will be restricted to the designated construction staging areas and exclusive of the wetlands avoidance areas.

4. Erosion control measures that prevent soil or sediment from entering the creeks shall be emplaced, monitored for effectiveness, and maintained throughout the construction operations.
5. Refueling of construction equipment and vehicles within the floodplain shall only occur within designated, paved, bermed areas where possible spills will be readily contained.
6. Between October 15 and May 15, truck and cement equipment wash-down will not occur within the floodplain.
7. Equipment and vehicles operated within the floodplain shall be checked and maintained daily to prevent leaks of fuels, lubricant or other fluids to the creeks.
8. Litter and construction debris shall be removed from below the OHW line daily, and disposed of at an appropriate site. All litter, debris and unused materials, equipment or supplies shall be removed from construction staging areas above OHW at the end of each summer construction season.
9. No on-site harvesting of in-situ gravels shall occur for temporary landings and ramps. Where additional earth material is required below the OHW line, clean washed gravels (from an off-site commercial/permitted source) will be the preferred material. If another type of engineered fill is required, it will likewise be obtained from an off-site permitted source, and all excess earth material will be properly disposed of outside the floodplain upon completion of the construction phase. If it is determined by DFG that the clean washed gravels used for fill would benefit fisheries, these clean washed gravels may be left on-site consistent with the DFG Streambed Alteration Agreement.

(FSEIR, pages 2-12, 2-13, 2-14, 7-41, and 7-42).

Finding

Implementation of the mitigation measures will reduce the potentially significant impacts associated with sediment runoff into Morrison, Elder, Laguna, Gerber, or Florin creeks or their tributaries. Thus, the Board of Supervisors finds that implementation of these mitigation measures will reduce these impacts to less than significant levels.

Impact

Northwestern pond turtle

The proposed roadway projects will impact marsh, ponds, and slow moving streams along the corridors. While surveys did not detect northwestern pond turtle, these areas are considered potential habitat for the species.

(FSEIR, pages 2-14 and 7-43).

Mitigation Measure

BR-5 A qualified biologist shall inform all construction personnel that protected turtles may occur in the area. A description of their natural history and identifying characteristics shall be provided. The personnel shall be further instructed as the proper techniques for handling and relocating turtles, should relocation be required.

BR-6 If a turtle of any species enters an active construction area, or is in imminent danger, construction personnel (or the on-call wildlife biologist) shall carefully remove the turtle to a point at least 300 feet downstream of the project limits and within similar habitat.

(FSEIR pages 2-14, 7-43, and 7-44).

Finding

Implementation of the mitigation measures will reduce the potentially significant impacts associated with the Northwestern pond turtle. Thus, the Board of Supervisors finds that implementation of these mitigation measures will reduce these impacts to less than significant levels.

Impact

Giant garter snake

The proposed roadway projects will impact marsh, ponds, and slow moving streams along the corridors. While surveys did not detect giant garter snake, these areas are considered potential habitat for the species.

(FSEIR, pages 2-15 and 7-43).

Mitigation Measure

BR-7 All construction activity within giant garter snake habitat (aquatic habitat and adjacent upland habitat within 200 feet of aquatic habitat) should be conducted between May 1 and October 1.

BR-8 Construction and maintenance personnel should participate in a USFWS approved worker environmental awareness training program. Under the guidelines of this program, workers should be informed about the presence of GGS and habitat associated with this species.

BR-9 Any dewatered habitat must remain dry for at least 15 days after April 15 and prior to excavating or filling of the dewatered habitat.

BR-10 The site will be inspected by a Service-approved biologist within 24-hours of commencement of construction activities. The monitoring biologist will be available thereafter; if a snake is encountered during construction activities, the monitoring biologist shall have the authority to stop construction activities until appropriate corrective measures have been completed or it is determined that the snake will not be harmed. Giant garter snakes encountered during construction

activities should be allowed to move away on their own. The biologist shall report within one working day to the Service any incidental take. The project area shall be re-inspected whenever a lapse in construction activity of two weeks or greater has occurred.

BR-11 The Department of Fish and Game shall be included in any consultation with the Service regarding the dual listed GGS. If the Service issues a Biological Opinion related to the GGS and proposed project, then under section 2080.1 of the Fish and Game Code, the Department of Fish and Game shall be notified and a take authorization obtained.

BR-12 Clearing of wetland vegetation will be confined to the minimal area necessary to excavate toe of bank for riprap or fill placement. Excavation of channel for removal of accumulated sediments will be accomplished by equipment located on and operated from the top of the bank, with the least interference practical for emergent vegetation.

BR-13 Minimize habitat disturbance by restricting movement of heavy equipment to and from the project site to established roadways and areas designated for construction and staging.

BR-14 During project activities, properly contain or remove all trash that may attract predators to the worksite. Following construction, all trash and construction debris shall be removed from work areas.

BR-15 No plastic, monofilament, jute, or similar erosion control matting that could entangle snakes shall be placed on the project site when working within 200 feet of snake aquatic habitat. Possible substitutes include coconut coir matting, tackified hydroseeding compounds, or other materials approved by the Service.

BR-16 After completion of construction activities, remove any temporary fill and construction debris and, wherever feasible, restore disturbed areas to pre-project conditions. Restoration work may include such activities as replanting species removed from banks or replanting emergent vegetation in the active channel.

(FSEIR, pages 2.15, 2.16, 7-44, and 7-45).

Finding

Implementation of the mitigation measures will reduce the potentially significant impacts associated with the Giant garter snake. Thus, the Board of Supervisors finds that implementation of these mitigation measures will reduce these impacts to less than significant levels.

Impact

Burrowing owl

No burrowing owls were observed during the field surveys. However, suitable habitat does exist along the project corridors, and burrowing owls could inhabit these areas at the time of construction.

(FSEIR, pages 2-17 and 7-45).

Mitigation Measure

BR-17 A qualified biologist will perform burrowing owl surveys in order to determine burrow locations within 30 days of site disturbance. Surveys and the survey report shall be performed according to California Department of Fish and Game (CDFG) guidelines. The survey report will be submitted to the CDFG and to the Department of Environmental Review and Assessment for approval prior to construction.

BR-18 All project construction within 160 feet of occupied burrows during the non-breeding season of September 1 through January 31 or within 250 feet during the breeding season of February 1 through August 31 of the project area shall be clearly marked with flags to identify burrow locations.

BR-19 Construction equipment and personnel shall remain on paved and previously disturbed areas except where necessary to install the new pavement.

BR-20 If project areas off of the access road are within 160 feet of occupied burrows, passive relocation methods shall be applied per CDFG guidelines. Passive relocation requires the use of one-way exclusion doors which must remain in place 48 hours prior to site disturbance to insure owls have left the burrow prior to construction.

(FSEIR, pages 2-17 and 7-47).

Finding

Implementation of the mitigation measures will reduce the potentially significant impacts associated with the Burrowing owl. Thus, the Board of Supervisors finds that implementation of these mitigation measures will reduce these impacts to less than significant levels.

Impact

Nesting Swallows

Bridge construction activities could affect nesting colonies of swallows.

(FSEIR, pages 2-17 and 7-46).

Mitigation Measure

BR-21 Weekly inspection of the bridge and pier structures for nesting activity by a qualified biologist shall begin prior to March 1st. If cliff swallows begin colonizing the existing or new bridge prior to the beginning construction work, all nest precursors (mud placed by the swallows for the construction of nests) shall be washed down at least once daily until swallows cease trying to construct nests. However, under no circumstances can this activity result in the harm or death to any adult swallows or their eggs. Completed nests cannot be removed without a permit from the USFWS.

(FSEIR, pages 2-17, 2-18, 7-47, and 7-48).

Finding

Implementation of the mitigation measures will reduce the potentially significant impacts associated with the Nesting Swallows. Thus, the Board of Supervisors finds that implementation of these mitigation measures will reduce these impacts to less than significant levels.

Impact

Swainson's Hawk and Other Raptors

There are 25 occurrences of Swainson's hawk within five miles or less of the project area. While no Swainson's hawks were observed during field surveys, construction activities have the potential to disturb Swainson's hawks that may nest in this area. Other raptors include red-tailed hawk (*Buteo jamaicensis*), red-shouldered hawk (*B. lineatus*), American kestrel (*Falco sparverius*), great horned owl (*Bubo virginianus*), Cooper's hawk (*Accipiter cooperii*), ferruginous hawk (*Buteo regalis*), white-tailed kite (*Elanus leucurus*), and golden eagle. Construction activities have the potential to disturb raptors that may nest in this area.

(FSEIR, pages 2-18 and 7-46).

Mitigation Measures

BR-22 If construction, grading, or project-related improvements are to occur between March 1 and September 15, a focused survey for raptor nests on the site and on nearby trees (within ½ mile of the site) shall be conducted by a qualified biologist within 14 days prior to the start of construction work (including clearing and grubbing). If active nests are found, the California Department of Fish and Game (CDFG) shall be contacted to determine appropriate protective measures. If no active nests are found during the focused survey, no further mitigation will be required.

(FSEIR, pages 2-18 and 7-48).

Finding

Implementation of the mitigation measures will reduce the potentially significant impacts associated with the Swainson's Hawk and other raptors. Thus, the Board of Supervisors

finds that implementation of these mitigation measures will reduce these impacts to less than significant levels.

Impact

Tricolored Blackbird

One documented nesting tricolored blackbird occurrence within the Plan area was identified (CNDDDB occurrence No. 305). This population was documented near Bradshaw Road and Morrison Creek (CDFG 2003). However, full improvements have already been constructed on this bridge as a part of the Bradshaw Road Widening Project (01-PWE-0471), and the identified population of the species will not be affected by the construction activities proposed in this document. Other creek crossings have potentially suitable habitat, and construction activities have the potential to affect tri-colored blackbird in those locations.

(FSEIR, pages 2-18, 7-46 and 7-47).

Mitigation Measures

BR-23 In order to mitigate potential impacts to tricolored blackbird (TBB), two pre-construction surveys of the project impact area and areas of appropriate habitat within 100 yards of the site shall be performed by a qualified biologist. The surveys shall be done during the months of March and April (one each month) the year of project construction. If tricolored blackbirds are found nesting within the survey area, project construction shall be postponed until fledging of all nestlings (about July 15). If no tricolored blackbirds are found during the pre-construction survey, no further mitigation would be required.

BR-24 If breeding or nesting tricolored black birds are found the following will need to be performed. Prior to construction, the project proponent will need to submit a TBB Mitigation Plan to the CDFG for review and approval. The plan should include the following measures:

- 1 Perform preconstruction surveys to determine the number of nesting or breeding TBB and amount of nesting habitat onsite.
- 2 Avoidance of active nesting colonies should be practiced through establishment of temporary setbacks and fencing. A qualified biologist shall verify that the setbacks and fencing are adequate and will determine when the colonies are no longer dependent on the nesting habitat (i.e. nestling have fledged and are no longer using habitat). Breeding season typically last from April to July.

BR-25 If existing TBB habitat is to be permanently destroyed it will be necessary to recreate nesting habitat on or adjacent to the site in wetland or riparian habitat by planting tules, cattails, native blackberries, etc, at an appropriate location. Open accessible water, foraging habitat with adequate insect prey nearby (0-2 km from nests) and nesting substrate protected from predators should be present and

adequately preserved and protected from future destruction. Habitat needs to be of adequate size (according to CDFG biologist) to support a breeding colony of similar or greater size to the one destroyed by construction.

(FSEIR, pages 2-18, 2-19, 7-48, and 7-49).

Finding

Implementation of the mitigation measures will reduce the potentially significant impacts associated with the Tricolored blackbird. Thus, the Board of Supervisors finds that implementation of these mitigation measures will reduce these impacts to less than significant levels.

Impact

Native Trees

The tree survey revealed potential project impacts to a total of 333 native oaks with dbh 6 or greater, resulting in a 5,096 dbh impact, a total of 153 Northern California black walnuts with dbh 6 or greater, resulting in a 2,858 dbh impact, and a total of 17 California sycamores with dbh 19 or greater, resulting in a 576 dbh impact. 20% of the oaks proposed for removal are of heritage size (19-inches dbh or greater, 51% of the walnuts proposed for removal are of potential landmark size (19-inches dbh or greater), and all of the sycamore trees are of potential landmark size.

(FSEIR, pages 2-19, 2-20, 7-49, 7-50, 7-51, and 7-52).

Mitigation Measure

BR-26. As roadway projects within the project area are developed, the project proponent(s) shall submit an arborist report for the section of roadway proposed for development. The report shall include the species, diameter, dripline, and health of the trees, and shall be prepared by an ISA certified arborist.

BR-27. All native oak and California black walnut trees that are 6 inches dbh or larger (10 inches aggregate for multi trunk trees) and California sycamore trees that are 19 inches dbh or larger on the project site are protected from possible impact. All portions of adjacent off-site native oak, California Black walnut, and California sycamore trees identified as being protected and have driplines that extend onto the project site or may be impacted by utility relocation and/or improvements associated with this project, shall be preserved and protected as follows:

- 1 A circle with a radius measurement from the trunk of the tree to the tip of its longest limb shall constitute the dripline protection area of each tree. Limbs must not be cut back in order to change the dripline. The area beneath the dripline is a critical portion of the root zone and defines the minimum protected area of each tree. Removing limbs that make up the dripline does not change the protected area.

- 2 Any protected trees on the site that require pruning shall be pruned by a certified arborist prior to the start of construction work. All pruning shall be in accordance with the American National Standards Institute (ANSI) A300 pruning standards and the International Society of Arboriculture (ISA) “Tree Pruning Guidelines.”
- 3 Prior to initiating construction, temporary protective fencing shall be installed at least one foot outside the driplines of the protected trees within 100-feet of construction related activities, in order to avoid damage to the tree canopies and root systems.
- 4 Any removal of paving or structures (i.e. demolition) that occurs within the dripline of a protected oak tree shall be done under the direct supervision of a certified arborist. To the maximum extent feasible, demolition work within the dripline protection area of the oak tree shall be performed by hand. If the certified arborist determines that it is not feasible to perform some portion(s) of this work by hand, then the smallest/lightest weight equipment that will adequately perform the demolition work shall be used.
- 5 No signs, ropes, cables (except those which may be installed by a certified arborist to provide limb support) or any other items shall be attached to the protected trees. Small metallic numbering tags for the purpose of preparing tree reports and inventories shall be allowed.
- 6 No vehicles, construction equipment, mobile home/office, supplies, materials or facilities shall be driven, parked, stockpiled or located within the driplines of protected trees.
- 7 No grading (grade cuts or fills) shall be allowed within the driplines of protected trees.
- 8 Drainage patterns on the site shall not be modified so that water collects or stands within, or is diverted across, the dripline of any protected tree.
- 9 No trenching shall be allowed within the driplines of protected trees. If it is absolutely necessary to install underground utilities within the dripline of a protected tree, the utility line shall be bored and jacked under the supervision of a certified arborist.
- 10 The construction of impervious surfaces within the driplines of protected trees shall be stringently minimized. When it is absolutely necessary, a piped aeration system per County standard detail shall be installed under the supervision of a certified arborist.
- 11 Trunk protection measures, per Sacramento County standards, shall be used for all protected trees where development/construction activity occurs within 10 feet of the trunk of a tree.

BR-28. The removal of native oak Trees and California Black walnut, 6-inch dbh or larger, and the removal of California sycamore, 19-inches dbh or larger shall be compensated by planting native oak trees (valley oak/*Quercus lobata*, interior live oak/*Quercus wislizenii*, and blue oak/*Quercus douglasii*), native black walnuts (*Juglans hindsii*), and native sycamore (*Platanus racemosa*) equivalent to the dbh inches lost, based on the ratios listed below, at locations that are authorized by the Department of Environmental Review and Assessment.

Equivalent compensation based on the following ratio is required:

- one deepot seedling (40 cubic inches or larger) = 1 inch dbh
- one 15-gallon tree = 1 inch dbh
- one 24-inch box tree = 2 inches dbh
- one 36-inch box tree = 3 inches dbh

Prior to the approval of Improvement Plans or building permits, a Replacement oak/black walnut Tree Planting Plan shall be prepared by a certified arborist or licensed landscape architect and shall be submitted to the Environmental Coordinator for approval. The Replacement oak/black walnut Tree Planting Plan(s) shall include the following minimum elements:

- 1 Species, size and locations of all replacement plantings;
- 2 Method of irrigation;
- 3 The Sacramento County Standard Tree Planting Detail L-1, including the 10-foot deep boring hole to provide for adequate drainage;
- 4 Planting, irrigation, and maintenance schedules;
- 5 Identification of the maintenance entity and a written agreement with that entity to provide care and irrigation of the trees for a 3-year establishment period, and to replace any of the replacement oak trees which do not survive during that period.

No replacement tree shall be planted within 15 feet of the driplines of existing oak trees, black walnuts or landmark size trees that are retained on-site, or within 15 feet of a building foundation or swimming pool excavation. The minimum spacing for replacement trees shall be 20 feet on-center. Examples of acceptable planting locations are publicly owned lands, common areas, and landscaped frontages (with adequate spacing). Generally unacceptable locations are utility easements (PUE, sewer, storm drains), under overhead utility lines, private yards of single family lots (including front yards), and roadway medians.

If tree replacement plantings are demonstrated to the satisfaction of the Environmental Coordinator to be infeasible for any or all trees removed, then compensation shall be through payment into the County Tree Preservation Fund. Payment shall be made at a rate of \$325.00 per dbh inch removed but not

otherwise compensated, or at the prevailing rate at the time payment into the fund is made.

BR-29 Include Southgate Recreation and Park District in the coordination and identification of possible locations for tree replacement plantings.

(FSEIR, pages 2-19, 2-20, 2-21, 2-22, 2-23, 2-24, 7-52, 7-53, 7-54, and 7-55).

Finding

Implementation of the mitigation measures will reduce the potentially significant impacts associated with the native trees. Thus, the Board of Supervisors finds that implementation of these mitigation measures will reduce these impacts to less than significant levels.

Cultural Resources

Impact

The cultural resource surveys indicated no evidence of significant surface archaeological remains or historic resources. However, subsurface cultural remains could be present due to the natural burial of prehistoric or historic sites by alluviation through periodic flooding or other natural phenomena. The possibility exists for potentially significant unidentified cultural materials to be encountered on or below the surface during the course of future development or construction activities

Additionally, given the fact that the proposed project will be built out in a gradual manner, additional significant resources that have not been previously evaluated, due to the fact that they were not 50 years or older at the time of this project's evaluation, could be altered or demolished.

(FSEIR, pages 2-24 and, 8-20).

Mitigation Measure

CR-1 Should any cultural resources, such as structural features, unusual amounts of bone or shell, artifacts, human remains, or architectural remains be encountered during any development activities, work shall be suspended and the Department of Environmental Review and Assessment (DERA) shall be immediately notified at (916) 874-7914.

At that time, the DERA will coordinate any necessary investigation of the find with appropriate specialists as needed. The project applicant shall be required to implement any mitigation deemed necessary for the protection of the cultural resources. In addition, pursuant to Section 5097.97 of the State Public Resources Code and Section 7050.5 of the State Health and Safety Code, in the event of the discovery of human remains, all work is to stop and the County Coroner shall be immediately notified. If the remains are determined to be Native American,

guidelines of the Native American Heritage Commission shall be adhered to in the treatment and disposition of the remains.

CR-2 Prior to project right-of-way acquisition or demolition, whichever occurs first, conduct an evaluation of structures affected by right-of-way acquisition that meet the 50 year age requirement and have not previously been evaluated, to determine possible eligibility for inclusion in the California Register of Historical Resources. Prepare necessary documentation of such an evaluation.

(FSEIR, pages 2-24, 2-25, and 8-21).

Finding

Implementation of the mitigation measures will reduce the potentially significant impacts associated with the cultural resources. Thus, the Board of Supervisors finds that implementation of these mitigation measures will reduce these impacts to less than significant levels.

Impact

Right of Way Acquisition

Right-of-way identified for acquisition to construct the project improvements may contain hazardous materials or underground storage tanks. Acquisition and acceptance of properties with hazardous materials creates risk for the County and construction workers.

(FSEIR, pages 2-25, 9-5, 9-6, 9-7, 9-8, and 9-9).

Mitigation Measures

HM-1 Prior to acquiring additional right-of-way or construction of the proposed project, if the area of acquisition on the property is identified to have possible contamination, as shown in Table HM-1, the applicant shall perform all necessary work indicated in the table to the satisfaction of Sacramento County Environmental Management Department. If contamination is identified within the acquisition area, responsibility of the clean up shall be identified and remediation and disposal procedures shall be undertaken by qualified personnel in accordance with all applicable regulations, and in coordination with all applicable agencies.

HM-2 The applicant shall develop a contingency plan in the event that construction activities uncover unforeseen contamination that may hinder the progress of the project. This plan should include steps to contain any contamination, consultation with regulatory agencies and a work plan to evaluate and characterize any contaminations. In addition, Sacramento County Department of Transportation shall consult with the County Counsel's Office regarding potential liabilities if contamination is encountered during construction activities.

(FSEIR, pages 2-25 and 9-9).

Finding

Implementation of the mitigation measures will reduce the potentially significant impacts associated with the hazardous materials and right-of-way acquisitions. Thus, the Board of Supervisors finds that implementation of these mitigation measures will reduce these impacts to less than significant levels.

Hazardous Materials

Impact

Removal of Structures Containing Asbestos or Lead-Based Paint

Based on current project design plans, 11 parcels to be acquired contain structures pre-dating 1979, and contain lead-based paint and/or asbestos. One of these properties is subject to structure removal; while the remaining parcels don't appear to require removal of structures. Demolition activities can cause lead-based paint and asbestos to become friable, thereby more easily inhaled, causing respiratory problems.

(FSEIR, pages 2-25, 2-26, 9-9, and 9-10).

Mitigation Measure

HM-3 Prior to structure demolition, a survey for potential asbestos-containing materials by a Certified Asbestos Consultant shall be conducted. Removal and disposition of asbestos-containing materials shall be carried out in accordance with the U.S. Environmental Protection Agency (EPA) and National Emissions Standard for Asbestos (NESHAP) Standard, 40 CFR 61, Subpart M.

HM-4 The applicant shall prepare a Lead Paint Containment Plan to safely remove, contain and dispose of lead paint during the demolition phase of the project. The plan shall contain, at a minimum, the following elements:

- a. Work practices and worker health and safety shall conform to Section 1532.1, "Lead" of Construction Safety Orders Title 8, of the California Code of Regulations.
- b. The Contractor shall furnish to the Engineer a written Code of Safe Practices and have an Injury and Illness Prevention Program and Hazards Communication Program in accordance with the provisions of the Construction Safety Orders 1509 and 1510.
- c. Temporary storage on the ground for the debris produced when the existing paint system is distributed will not be permitted. The debris shall be stored in approved leak proof containers and shall be handled in such a manner that no spillage will occur.
- d. Disposal of debris produced when the existing paint system is disturbed shall be performed in accordance with all applicable federal, state and local hazardous waste laws. Laws that govern this work include:

- Health and Safety Code, Division 20, Chapter 6.5 (California Hazardous Waste Control Act)
 - Title 22, California Code of Regulations, Chapter 30 (Minimum Standard for Management of Hazardous and Extremely Hazardous Materials)
 - Title 8, California Code of Regulations
- e. All debris produced when the existing paint system is disturbed shall be disposed of by the Contractor at an approved Class 1 disposal facility in accordance with the requirement of the disposal operator. A transporter currently registered with the California Department of Toxic Substances Control using correct manifesting procedures and vehicles displaying current certification of compliance shall haul the debris. The Contractor shall make arrangements with the operator of the disposal facility and perform any testing of the debris required.

(FSEIR, pages 2-25, 2-26, 2-27, 9-10, and 9-11).

Finding

Implementation of the mitigation measures will reduce the potentially significant impacts associated with the hazardous materials and asbestos and lead-based paint. Thus, the Board of Supervisors finds that implementation of these mitigation measures will reduce these impacts to less than significant levels.

Climate Change

Impact

The reduction of greenhouse gases through the mitigation measures addressing climate change cannot be quantified at this time. However, every effort to reduce project-induced greenhouse gas emissions is being made. Application of roadway mitigation and the Specific Plan policy AQ-15 components aid in the reduction of greenhouse gas emissions.

(FSEIR, pages 2-27,10-10, and 10-11).

Mitigation Measure

- CC-1. Synchronize traffic lights at signalized project intersections where feasible to limit vehicle idling time and allow traffic to pass more efficiently through congested areas.
- CC-2. Replace traffic signal lighting with light emitting diodes (LED) at signalized project intersections.
- CC-3. Construction vehicles shall be equipped with retrofit emission control devices, such as diesel oxidation catalysts and diesel particulate filters, verified by the California Air Resources Board (CARB).

- CC-4. All project landscaping, including median and property frontage landscaping, shall be designed to minimize water usage and runoff through the use of drought-tolerant plantings and irrigation systems designed and maintained to reduce water evaporation and water loss; thereby reducing the amount of water sent to the sewer system.
- CC-5. Construction and demolition waste shall be reused or recycled to the greatest extent practicable.
- CC-6. Project roadways shall be surfaced with rubberized asphalt in order to offset global warming impacts through the use of recycled materials.

(FSEIR, pages 2-27, 2-28, and 10-15).

Finding

While impacts related to climate change are less than significant, the implementation of the mitigation measures will help reduce impacts associated with climate change. Thus, the Board of Supervisors finds that although impacts related to climate change are less than significant, the implementation of mitigation measures will help further lessen climate change-related impacts.

Air Quality

Impact

Construction-Related Emissions

Construction-related air quality impacts are considered potentially significant for certain levels of construction activity.

(FSEIR, pages 2-28 and 11-1).

Mitigation Measure

- AQ-1. The project shall provide a plan for approval by the County of Sacramento and 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; and
- AQ-2. The project representative shall submit to the County 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 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.

AQ-3. 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 one hour. Any equipment found to exceed 40 percent opacity shall be repaired immediately, and the County 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.

AQ-4. The following construction-related measures apply to construction activities within the Specific Plan area:

- a. Water exposed, graded surfaces at least two times per day and if possible, keep soil moist at all times.
- b. Properly maintain diesel and/or gas fueled construction equipment.
- c. Water haul roads at least two times per day
- d. Use low VOC architectural coatings

(FSEIR, pages 2-28, 2-29, and 11-2).

Finding

Implementation of the mitigation measures will reduce the potentially significant impacts associated with air quality and construction-related emissions. Thus, the Board of Supervisors finds that implementation of these mitigation measures will reduce these impacts to less than significant levels.

Impact

Operation-Related Emissions

Mobile source generation of NO_x, ROG, and PM₁₀ exceed standards.

(FSEIR, pages 2-29 and 11-1).

Finding

This impact is considered significant and unavoidable. No mitigation measures are recommended. This impact was discussed in the Program EIR for the North Vineyard

Station Specific Plan (93-SFB-0238). For clarity, it has been included in this Final EIR at the request of the Sacramento Metropolitan Air Quality District. The Board finds that the discussion of the impact and alternatives in the NVSSP FEIR was sufficient and, as to that impact, no additional findings are called for here.

VIII. PROJECT ALTERNATIVES

No project alternatives were considered as part of this SEIR. This SEIR is a supplement to a prior Final EIR (Control Number: 93-SFB-0238) and a prior Supplemental EIR (Control Number: 03-CPB-0082). The North Vineyard Station Specific Plan Roadway Improvements project addresses the previously approved traffic mitigation measures identified as necessary based on build-out of the North Vineyard Station Specific Plan.

IX. FINDINGS AND STATEMENT OF FACTS SUPPORTING THE FINDINGS

With reference to the above listed significant adverse impact and as authorized by the Public Resources Code Sections 21000, et sequitur and Title 14, California Administrative Code Sections 15091, 15092, and 15093, the Sacramento County District Board of Supervisors makes the following findings for which there is substantial evidence in the record:

Findings

With regard to the significant adverse impacts upon biological resources, cultural resources, hazardous materials, and construction air quality, the Sacramento County Board of Supervisors finds that the impacts can be reduced to less than significant levels with the implementation of mitigation measures.

Supporting Facts

The project will accommodate planned traffic growth as a result of build-out of the approved North Vineyard Station Specific Plan.

The project consists of the approved mitigation measures from the North Vineyard Station Specific Plan determined necessary to accommodate this planned traffic growth.

None of the project roadways will be developed beyond planned capacities as shown in the 1993 Sacramento County General Plan Transportation Map.

The project will include mitigation measures that will reduce potential significant impacts to less than significant levels for all impacts except regional air quality. The impact to regional air quality was determined to be significant and unavoidable resulting from the build-out of the NVSSP stemming from the increase and concentration of traffic originating from the NVSSP development.

X. STATEMENT OF OVERRIDING CONDITIONS

Notwithstanding the disclosure of the significant regional air quality impact described above, the Sacramento County Board of Supervisors has determined, pursuant to Section 15093 of the State of California CEQA Guidelines, that the benefits of the project outweigh the adverse impacts and that the project should be approved. The Board of Supervisors of Sacramento County specifically finds and makes the statement of overriding considerations that there are specific social, economic and other reasons for approving this project, notwithstanding the disclosure of the significant adverse impacts, as described and evaluated in the Draft and Final Supplemental Environmental Impact Report for the subject project.

The specific social, economic and other reasons for approving this project, which override the unavoidable regional air quality impacts identified in the findings, are as follows:

Supporting Facts

The project will allow regional traffic in the southeastern portion of the County to move more easily and without the extent of travel delays motorists would experience without the project in place.

Local air quality planning is the responsibility of the local Air Pollution Control District (APCD) and the regional planning agency, the Sacramento Area Council of Governments (SACOG). Sacramento Metropolitan Air Quality Management District (SMAQMD) serves as the local APCD and has responsibility for the implementation of the California Clean Air Act (CCAA). The SMAQMD has prepared an Air Quality Attainment Plan, approved by the Board of Directors in July of 1991. This plan outlines programs that will comply with the mandates of the CCAA. SACOG responds to the requirements of federal legislation and offers a regional focus. The Regional Air Quality Plan, prepared by SACOG in 1990, recommends actions that should be taken by local government and other regulatory agencies in the Sacramento air basin. The County of Sacramento has included an Air Quality element in the General Plan. This element serves to define the responsibilities of the County in the attainment of clean air and will identify programs that will be implemented to achieve that goal.

The project will provide a balanced community through linking residential, commercial, recreational and public facility land uses together through a transportation system that is designed to accommodate the increased growth projected as a result of built out of the North Vineyard Station Specific Plan.

The project is consistent with the objectives, policies, general land use and programs specified in the General Plan because the project provides a circulation system that implements the goals and policies as set forth in the Transportation Element of the General Plan, ensuring that streets and thoroughfares will be available to serve the new development.

The Sacramento County Board of Supervisors thereby also recognizes and adopts the Findings of Fact and Statement of Overriding Considerations for the proposed project.

Date: _____

By: _____
Chairperson of the Sacramento
County
Board of Directors

Attest: _____
Clerk, Sacramento County
Board of Supervisors

Date: _____