REGIONAL TRANSIT ISSUE PAPER

Agenda Item No.	Board Meeting Date	Open/Closed Session	Information/Action Item	Issue Date
14	04/13/09	Open	Action	03/23/09

Subject: Approving Resolution Certifying the Final Environmental Impact Report for the Downtown-Natomas-Airport MOS-1 Light Rail Extension Project and Authorizing the Release of a Request for Proposals for the Design-Build Construction of the Project

ISSUE

Whether to approve Resolution certifying the Final Environmental Impact Report (FEIR) for the Downtown-Natomas-Airport (DNA) MOS-1 Light Rail Extension Project and authorizing the General Manager/CEO or his designee to release a Request for Proposals for the design-build construction of the MOS-1 Project.

RECOMMENDED ACTION

Adopt Resolution No. 09-04-____Certifying the FEIR, Making Findings for Each Significant Effect, Adopting a Mitigation Monitoring/Reporting Program, Approving the Project and Directing Filing of the Notice of Determination for the DNA MOS-1 Light Rail Extension Project, as well as Authorizing the General Manager/CEO or His Designee to Release a Request for Proposals for the Design-Build Construction of the Project.

FISCAL IMPACT

None as a result of this action.

DISCUSSION

In March 2009, the Sacramento Regional Transit District (RT) prepared a Draft EIR for the DNA Minimal Operable Segment 1 (MOS-1) Light Rail Extension Project in accordance with the provisions of the California Environmental Quality Act (CEQA).

In April 2008, RT had previously completed a Program Environmental Impact Report (PEIR) for the DNA Project to provide a program level environmental analysis of the entire DNA project. The PEIR contemplated future focused environmental documents for any individual operable segment as might be advanced for project development, such as the DNA MOS-1. The MOS-1 Project would create approximately one mile of new light rail track on 7th Street, running from H Street to Richards Boulevard, and would operate independently as a 2.2 mile line from Richards Boulevard to the existing station at 13th Street between R and Q Streets; two stations are also being considered as part of the project.

A Notice of Preparation for the MOS-1 EIR was issued and published in newspapers of general circulation on November 20, 2008. Scoping meetings were held in December of 2008. A Public Meeting was noticed and held on March 11, 2009, at which public comment was solicited and public testimony taken.

Approved: _____ for
General Manager/CEO

Presented: _____
AGM for Planning & TSD

Agenda Item No.	Board Meeting Date	Open/Closed Session	Information/Action Item	Issue Date
14	04/13/09	Open	Action	03/23/09

Subject: Approving Resolution Certifying the Final Environmental Impact Report for the Downtown-Natomas-Airport MOS-1 Light Rail Extension Project and Authorizing the Release of a Request for Proposals for the Design-Build Construction of the Project

The Draft EIR was distributed to the appropriate State and local agencies for review and comments. Public availability in the Sacramento area was noticed through direct mailing, bus and rail vehicle rack cards, direct mailings to all elected officials with jurisdiction in the vicinity of the proposed project, and press releases to and advertisements in local special interest newspapers and newspapers of general circulation. RT posted the Draft EIR on its web site for public access.

This Final Environmental Impact Report responds to comments on the Draft EIR and completes a project level environmental analysis of the DNA MOS-1 Project.

Under CEQA, if a project may have a significant adverse impact on the environment, the Board is required to make findings with respect to each significant effect that: 1) changes or alterations are incorporated into the project which will mitigate or avoid such effect; 2) changes or alterations needed to mitigate the effect are within the responsibility of another agency; or 3) specific economic, legal, social, technological or other considerations make infeasible the mitigation measures or project alternatives which would lessen or avoid such effect.

The resolution contains the following provisions related to the environmental review process; it: 1) certifies the Final EIR; 2) makes findings for each significant effect; 3) adopts a Mitigation Monitoring/Reporting Program; and 4) approves the project and directs staff to file a Notice of Determination for the Final EIR.

The resolution certifying the Final EIR lists all of the environmental impact which were found to be significant and the mitigation measures RT will adopt to reduce such impacts to less than significant and/or a statement of overriding considerations for impacts which are unavoidable and which are infeasible to mitigate to a less than significant level. The mitigation measures adopted by RT will become part of the project. These impacts and mitigation measures are summarized in the attached table (Attachment 1).

The resolution also makes findings related to the use of the design-build process as required by Public Contract Code section 20209.6 and authorizes the General Manager/CEO to release a Request for Proposals for the Design-Build construction of the MOS-1 Project.

In August 2008, RT awarded a contract to Sharon Greene + Associates to identify and analyze various options available to deliver the DNA Project in the most expeditious and cost effective manner. The firm evaluated several options, including the traditional Design-Bid-Build method, as well as various Design-Build options, including Design-Build, Design-Build-Operate-Maintain, and Design-Build-Finance-Operate-Maintain. A summary of its evaluation of the options was presented to the Operations and Planning Subcommittee at its October 30, 2008 meeting. The analysis compared the project delivery time under the Design-Bid-Build method with the Design-Build method (Attachment 2) and concluded that the use of Design-Build will likely result in completion of the project for public service approximately five months sooner than Design-Bid-Build.

Agenda Item No.	Board Meeting Date	Open/Closed Session	Information/Action Item	Issue Date
14	04/13/09	Open	Action	03/23/09

Subject: Approving Resolution Certifying the Final Environmental Impact Report for the Downtown-Natomas-Airport MOS-1 Light Rail Extension Project and Authorizing the Release of a Request for Proposals for the Design-Build Construction of the Project

Staff recommends that the Board approve the attached resolution which certifies the FEIR; makes findings for each significant effect; adopts a Mitigation Monitoring/Reporting Program; approves the project and directs staff to file a Notice of Determination for the FEIR; makes findings under Public Utilities Code section 20209.6; and authorizes the General Manager/CEO or his designee to release a RFP for the design-build construction of the MOS-1 Project.

Attachment 1 - Summary of Impacts and Mitigation Measures (Source: EIR Table 2-1)

Impact	Level of Significance Prior to Mitigation	Mitigation Measures	Level of Significance After Mitigation
5.1 Air Quality			
Impact AQ-1 – Impacts of construction emissions - Construction of the proposed project has the potential to create air quality impacts through the use of heavy-duty construction equipment and through vehicle trips generated by construction workers traveling to and from the project site. Fugitive dust emissions would primarily result from site preparation (e.g., excavation) activities. NOX emissions would primarily result from the use of construction equipment. VOC emissions would primarily result from paving operations. Construction of the DNA project would include activities such as site preparation, demolition, utility relocation, and track work. The maximum estimated NOX emissions of 81 ppd for the project area would be less than the SMAQMD threshold of 85 ppd. Regional construction emissions would result in a less-than-significant impact.	***Potentially Significant***	• The construction contractor shall provide a plan, for approval by the lead agency and SMAQMD, demonstrating that the heavy-duty (> 50 horsepower) self-propelled off-road vehicles to be used in the construction project, including owned, leased and subcontractor vehicles, will achieve a project wide fleet-average 20 percent NOx reduction and 45 percent particulate reduction compared to the most recent CARB fleet average at time of construction.	***Less-than-significant***
		• The construction contractor shall submit to the lead agency and SMAQMD a comprehensive inventory of all off-road construction equipment, equal to or greater than 50 horsepower, that will be used an aggregate of 40 or more hours during any portion of the construction project. The inventory shall include the horsepower rating, engine production year, and projected hours of use 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	

Attachment 1 - Summary of Impacts and Mitigation Measures (Source: EIR Table 2-1)

Impact	Level of Significance Prior to Mitigation	Mitigation Measures	Level of Significance After Mitigation
Impact AQ-1 – Impacts of construction emissions		date, and name and phone number of the project manager and on-site foreman.	
		• The construction contractor 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 (or Ringelmann 2.0) shall be repaired immediately, and the lead agency 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 supersede other SMAQMD or State rules or regulations.	
		• The construction contractor shall ensure that emissions from all off-road diesel powered equipment used on the project	

Attachment 1 - Summary of Impacts and Mitigation Measures (Source: EIR Table 2-1)

Impact	Level of Significance Prior to Mitigation	Mitigation Measures	Level of Significance After Mitigation
Impact AQ-1 – Impacts of construction emissions		site do not exceed 40 percent opacity for more than three minutes in any one hour.	
		• The construction contractor shall ensure that active grading and parking areas are watered at least twice daily.	
		• The construction contractor shall ensure that exposed stockpiles are enclosed, covered, watered twice daily.	
		• The construction contractor shall ensure that all trucks hauling dirt, sand, silt, or other loose materials are covered or maintain at least two feet of freeboard.	
		• The construction contractor shall utilize ultra-low sulfur fuel (< 15 parts per million) at an incremental cost of $0.20 to $0.50 per gallon. Locations where ultra-low sulfur fuel is available in California are available at: http://ecdiesel.com/business/locator.	
		• The construction contractor shall establish an idling limit (e.g., 5 minutes per hour).	
		• The construction contractor shall ensure that equipment is tuned to manufacturers' specifications at the manufacturers' recommended frequency.	
		• The construction contractor shall prohibit any tampering with engines and	

Attachment 1 - Summary of Impacts and Mitigation Measures (Source: EIR Table 2-1)

Impact	Level of Significance Prior to Mitigation	Mitigation Measures	Level of Significance After Mitigation
Impact AQ-1 – Impacts of construction emissions		continuing adherence to manufacturer's recommendations will be required.	
		• If necessary, additional emissions limits shall be established within 1,000 feet of any K-12 school, based on CARB proposals.	
		• Notification shall be provided to all schools within 1,000 feet of a construction site.	
		• Truck trips shall be reduced and/or hours of driving shall be restricted through residential communities.	
		• Receipts of ultra-low sulfur fuel purchase and equipment tuning/repair shall be kept and made available upon request.	
		• The construction contractor's Project Manager shall conduct spot checks for compliance with committed measures.	
Impact AQ-2 – Impacts of PM10 emissions – The Basin is designated as a PM10 nonattainment area. Project-related fugitive dust emissions equal to or greater than five percent of the State 24-hour and annual PM10 standards would result in a significant impact. Therefore, any 24-hour PM10 emissions increase of 2.5 g/m3 or greater would result in a significant impact, and any annual PM10 emissions increase of 1.0 g/m3 or greater would result in a	***Potentially Significant***	The Road Construction Emissions Model includes 50 percent PM10 dust control associated with the use of water trucks. This control measure was included as part of the ISCST3 modeling process. However, the SMAQMD's Guide to Air Quality Assessment suggests a fugitive dust reduction of 75 percent (an additional 25 percent) can be achieved by watering exposed soil with adequate frequency for continued moist soil. The following mitigation is recommended to help reduce fugitive dust emissions:	***Significant and unavoidable***

Attachment 1 - Summary of Impacts and Mitigation Measures (Source: EIR Table 2-1)

Impact	Level of Significance Prior to Mitigation	Mitigation Measures	Level of Significance After Mitigation
significant impact. Construction activity along the project corridor would increase 24-hour PM10 concentrations by approximately 3.8 g/m3, and would exceed the significance threshold of 2.5 g/m3. Annual PM10 concentrations would increase by approximately 1.3 g/m3, and would exceed the significance threshold of 1.0 g/m3. Localized construction emissions would result in a significant localized construction air quality impact without mitigation.		• The construction contractor shall water exposed soil with adequate frequency to ensure that soil is continually moist per SMAQMD guidelines throughout the construction process.	
Impact AQ-3 – Impacts of operational emissions -The project would reduce automobile VMT and increase light rail VMT in the transportation system. The proposed project would increase emissions by 1.1 ppd for ROG and reduce emissions by 0.03 ppd for NOX. Emissions associated with the project would not exceed the ROG and NOX significance thresholds of 65 ppd.	***Less-than-significant***	***None required***	***Less-than-significant***
Impact AQ-4 – Impacts of CO Hotspots - The CO hotspot evaluation indicates one-hour CO concentrations under "project" conditions would be approximately 9 ppm at worst-case sidewalk receptors. Eight-hour CO concentrations under "project" conditions would range from approximately 5.3 to 5.5 ppm. The State one- and eight-hour standards of 20 and	***Less-than-significant***	***None required***	***Less-than-significant***

Attachment 1 - Summary of Impacts and Mitigation Measures (Source: EIR Table 2-1)

Impact	Level of Significance Prior to Mitigation	Mitigation Measures	Level of Significance After Mitigation
9.0 ppm, respectively, would not be exceeded at the analyzed intersections. As shown in Table 3-4, CO concentrations would not exceed the State one- and eight-hour standards. No significant increase in CO concentrations at sensitive receptor locations is expected.			
Impact AQ-5 Toxic Air Contaminants Impacts - Construction TAC Impacts - The greatest potential for TAC emissions during construction would be diesel particulate emissions from heavy equipment operations. The short-term project construction schedule of approximately 12 months would not result in a long-term source of TAC emissions. No residual emissions and corresponding individual cancer risks are anticipated after construction. **Asbestos Containing Materials (ACM)** Demolition of structures and earth disturbances may result in airborne entrainment of asbestos, particularly where structures include ACMs (e.g., insulated pipes, ducts, stacks, beams, ceiling tiles, walls, etc.) or in areas where soil contains naturally-occurring deposits of ACMs. Approximately three acres of land would be graded during the construction process with the potential to disturb naturally occurring ACMs.	***Potentially Significant***	To ensure the proper handling and removal of ACMs identified on the project site, the follow mitigation is recommended: • In the event that the project site is identified as containing ACMs, either naturally-occurring or those found within structures, the construction contractor shall consult with the SMAQMD to ensure the proper handling and removal of ACMs.	***Less-than-significant***

Attachment 1 - Summary of Impacts and Mitigation Measures (Source: EIR Table 2-1)

Impact	Level of Significance Prior to Mitigation	Mitigation Measures	Level of Significance After Mitigation
Operational TAC Impacts The proposed project would reduce regional VMT and associated TACs, and increase light rail VMT in the transportation system. The light rail would be electrically powered from existing utilities and would not emit diesel particulate matter.			
Impact AQ-6 – Odor Impacts **Construction Odor Impacts** - Potential sources that may emit odors during construction activities include equipment exhaust and architectural coatings. Odors from these sources would be localized and generally confined to the immediate area surrounding the project site. The proposed project would utilize typical construction techniques, and the odors would be typical of most construction sites and temporary in nature. The proposed project construction activity would not cause an odor nuisance. **Operational Odor Impacts** Land uses and industrial operations that are associated with odor complaints include agricultural uses, wastewater treatment plants, food processing plants, chemical plants, composting, refineries, landfills, dairies and fiberglass molding. The proposed project would not include any land use or activity that typically generates adverse odors. The proposed	*Less-than-significant*	*None required*	*Less-than-significant*

Attachment 1 - Summary of Impacts and Mitigation Measures (Source: EIR Table 2-1)

Impact	Level of Significance Prior to Mitigation	Mitigation Measures	Level of Significance After Mitigation
project operational activity would not cause an odor nuisance, and construction odors.			
Impact AQ-7 – Climate Impacts The proposed project would not result in the alteration of air movement, moisture, or temperature, or in any change in climate, either locally or regionally over and above what is currently experienced in that area.	***Less-than-significant***	***None required***	***Less-than-significant***
Impact AQ-8 – Greenhouse Gas Impacts Construction activity would generate GHG emissions from the operation of heavy-duty equipment, truck travel, and worker commute. The entire construction process would generate approximately 587 tons of GHG emissions. The proposed project would reduce automobile VMT and increase light rail VMT in the transportation system. The proposed project would reduce regional automobile VMT by 40,525 miles per year. The proposed project would decrease GHG emissions compared to "no project" conditions by approximately 20 tons per year. The proposed project would result in less GHG emissions than "no project" conditions, which would be a beneficial global warming impact.	***Less-than-significant***	***None required***	***Less-than-significant***
Cumulative Air Quality Impacts			

Attachment 1 - Summary of Impacts and Mitigation Measures (Source: EIR Table 2-1)

Impact	Level of Significance Prior to Mitigation	Mitigation Measures	Level of Significance After Mitigation
Cumulative Impact AQ-9 - The proposed project would be developed within the right-of-way of an existing transportation corridor (7th and 8th Streets), and would not require a change in land use designation or rezoning prior to construction.	***Less-than-significant***	***None required***	***Less-than-significant***
5.2 Transportation			
Impact TC - 1 Intersections Changes in distribution with the project may increase traffic volumes at some study area intersections and decrease volumes at others. At stop-sign controlled intersections, side street delay will increase. However, the changes in intersection operating conditions do not exceed the standards of significance for impacts to intersections.	***Less-than-significant***	***None required***	***Less-than-significant***
Impact TC-2 Pedestrian and Bicycle Impacts - The Light Rail Alternatives include a single-track within the right-of-way of 7th Street where 7th Street passes under the Union Pacific Rail Road, and assumes relocation of existing pedestrian and existing designated bikeways from 7th Street to a new underpass west of 7th Street by others. The Light Rail Alternative is not anticipated to result in unsafe conditions for pedestrians, including unsafe bicycle/ pedestrian or pedestrian/motor vehicle conflicts.	***Significant***	• Provisions would need to be made for bicycles and pedestrians within the existing underpass during construction. The existing sidewalk would be widened as much as possible while providing a southbound traffic lane.	***Less-than-significant***

Attachment 1 - Summary of Impacts and Mitigation Measures (Source: EIR Table 2-1)

Impact	Level of Significance Prior to Mitigation	Mitigation Measures	Level of Significance After Mitigation
During preliminary engineering for MOS-1, details of station layouts, including walkways and bicycle access, would be developed.			
5.2 Transportation (continued)			
Impact TC – 3 Transit Services -The Light Rail Alternative would increase demand for transit services. It would result in the addition of employees, residents, patrons, and visitors to the study area, some of whom would travel by transit. Although particular transit vehicles operate at or near capacity during the peak commuter periods, a review of existing transit operations and plans for future transit services indicate that there is ample capacity on the RT system to support the anticipated increase in transit utilization.	***Less-than-significant.***	***None required***	***Less-than-significant***
Impact TC-4 Parking **7th Street - F Street to H Street** Funding constraints could prevent construction of new track on 8th Street between G and H and on G between 7th and 8th. If funding is insufficient, NB trains would travel west on H Street then north on 7th instead of traveling north on 8th then west on G. Without the 8th to G Street connection, 7th Street track between G and H Streets would operate in both north and south directions. Two-way operations would require the	***Less-than-significant***	Prior to beginning of construction, a construction traffic and parking management plan would be prepared by Regional Transit to the satisfaction of the City traffic engineer and subject to review by all affected agencies. The plan would ensure that acceptable operating conditions on local roadways and freeway facilities are maintained. The plan would include: • The number of truck trips, time, and day of street closures. • Time of day of arrival and departure of trucks.	***Less-than-significant***

Attachment 1 - Summary of Impacts and Mitigation Measures (Source: EIR Table 2-1)

Impact	Level of Significance Prior to Mitigation	Mitigation Measures	Level of Significance After Mitigation
displacement of additional on-street parking: All on-street spaces on both sides of 7th from F to G, 3 additional spaces on the west side between G and F, and all the spaces on the east side between G and F would be displaced. Based on April 2008 parking surveys conducted for the City of Sacramento, the existing supply is 27 spaces and the existing midday (10 a.m. to 2 p.m.) occupancy is 20 vehicles. Some parking is designated for police only, and would likely need to be relocated. Within approximately three blocks, the surveys indicated the midday availability of 109 on-street spaces. Therefore, the 20 potentially displaced vehicles could be accommodated nearby. There are also ample opportunities for off-street parking in the vicinity, including, in the short term, the lot located along the west side of 7th Street - this lot is property owned by Railyards and is planed for development during initial phases of their development.		• Limitations on the size and type of trucks, provision of a staging area with a limitation on the number of trucks that can be waiting. • Provision of a truck circulation pattern • Provision of driveway access plan so that safe vehicular, pedestrian, and bicycle movements are maintained (e.g., steel plates, minimum distances of open trenches, and private vehicle pick up and drop off areas). • Maintain safe and efficient access routes for emergency vehicles. • Manual traffic control when necessary. • Proper advance warning and Construction posted signage concerning street closures. • Provisions for pedestrian safety. A copy of the construction traffic management plan would be submitted to local emergency response agencies and these agencies should be notified at least 14 days before the commencement of construction that would partially or fully obstruct roadways.	
8th Street – H Street to I Street The proposed Light Rail Alternative includes a station platform for northbound trains on 8th Street between H and I Streets and would require elimination of additional spaces. The subject block has 11 parking / loading	***Less-than-significant***	***None required***	***Less-than-significant***

Attachment 1 - Summary of Impacts and Mitigation Measures (Source: EIR Table 2-1)

Impact	Level of Significance Prior to Mitigation	Mitigation Measures	Level of Significance After Mitigation
spaces along the west curb, and 7 spaces along the east curb. All of them were occupied during midday (10 a.m. to 2 p.m.) parking surveys conducted in April 2008 for the City of Sacramento. Within three blocks of the subject block, there are about 1,058 other on-street spaces. 946 of these other spaces were occupied during the midday surveys, or about 89 percent. While there are available on-street spaces to accommodate parking space elimination in the subject block, the overall occupancy in the area is very high (about 90 percent).			
Richards Boulevard Area The proposed Light Rail Alternative would go into the existing 2-lane section on 7th Street between Richards Boulevard and North B Street and would not eliminate parking. Future striping changes by others to make this section 4-lanes would likely eliminate on-street parking if the existing right-of way were maintained. The widening to 4-lanes is not part of the proposed Light Rail Alternative. On-street parking could be restricted in the future in the area around the Township 9 light rail station. However, the extent of where parking would be	***Less-than-significant***	***None required***	***Less-than-significant***

Attachment 1 - Summary of Impacts and Mitigation Measures (Source: EIR Table 2-1)

Impact	Level of Significance Prior to Mitigation	Mitigation Measures	Level of Significance After Mitigation
restricted or removed is not known. Most business and industry have available off-street parking lots that are not full - on-street parking appears to be occurring for convenience, and could be accommodated off-street. No parking is required as part of the Light Rail Alternative.			
Cumulative Transportation Impacts			
• Cumulative Impact TC-5 – Intersections - The project would increase traffic volumes in the study area. The changes in intersection operating conditions with the addition of the project exceed the standards of significance for impacts to intersections at the following three locations: • 8th Street / G Street – In the a.m. peak hour, the intersection level of service remains at LOS "D" with an increase in delay from 42.3 to 51.1, an increase of 8.8 seconds under the Cumulative Plus Light Rail Alternative - Railyards EIR Option. • 7th Street / H Street – In the p.m. peak hour, the intersection level of service remains at LOS "F" with an increase in delay from 114.3 to 132.0, an increase of 17.7 seconds under the Cumulative Plus Light Rail Alternative - Railyards EIR	***Significant***	• Intersection of 8th Street and G Street – Modify the traffic signal cycle length during the a.m. peak hour by increasing the signal cycle length from 50 seconds to 100 seconds. This mitigation measure would improve traffic operations to LOS "D" with 40.5 seconds of delay, less than the Cumulative No project Alternative - Railyards EIR Option. • Intersection of 7th Street and H Street – Modify the traffic signal cycle length during the p.m. peak hour by increasing the signal cycle length from 50 seconds to 100 seconds. This mitigation measure would improve traffic operations to LOS "E" with 65.8 seconds of delay, less than the Cumulative No project Alternative - Railyards EIR Option. • Intersection of 7th Street and H Street – Modify the traffic signal cycle length during the p.m. peak hour by increasing the signal cycle length from 50 seconds	***Less-than-significant***

Attachment 1 - Summary of Impacts and Mitigation Measures (Source: EIR Table 2-1)

Impact	Level of Significance Prior to Mitigation	Mitigation Measures	Level of Significance After Mitigation
Option. • 7th Street design option: 7th Street / H Street – In the p.m. peak hour, the intersection level of service remains at LOS "F" with an increase in delay from114.3 to 162.4, an increase of 48.1 seconds under the Cumulative Plus Light Rail Alternative - Railyards EIR Option (with the 7th Street design option.) There is a relatively large increase under the 7th Street option at this location because if funding is insufficient for NB trains to travel north on 8th Street to G Street to 7th Street, all NB trains would travel west on H Street to 7th Street, through the 7th Street and H Street intersection. Under the 7th Street option, all NB and SB MOS-1 trains, as well as all existing EB and WB Gold Line trains would preempt this signal. • 7th Street / G Street – In the p.m. peak hour, the intersection level of service remains at LOS "F" with an increase in delay from 204.4 to 211.2, an increase of 6.8 seconds under the Cumulative Plus Light Rail Alternative - Network 1 Option.		to 100 seconds. This mitigation measure would improve traffic operations to LOS "E" with 75.0 seconds of delay, less than the Cumulative No project Alternative - Railyards EIR Option. • Intersection of 7th Street and G Street – Modify the traffic signal cycle length during the p.m. peak hour by increasing the signal cycle length from 50 seconds to 100 seconds. This mitigation measure would improve traffic operations to LOS "F" with 185.0 seconds of delay, less than the Cumulative No project Alternative - Network 1 Option.	
5.3 Noise/Vibration			
Impact NV-1 Construction Noise Impacts - Construction of the project may expose the public to high noise levels. The Sacramento Municipal Code, Title 8 - Health and Safety, Chapter 8.68	***Potentially significant***	• Noise control devices, such as equipment mufflers, enclosures, and barriers can be used to reduce construction noise. Natural and artificial barriers such as ground elevation and existing buildings	***Less-than-significant***

Attachment 1 - Summary of Impacts and Mitigation Measures (Source: EIR Table 2-1)

Impact	Level of Significance Prior to Mitigation	Mitigation Measures	Level of Significance After Mitigation
– Noise Control, limits construction activity to the period between the hours of 7:00 a.m. and 6:00 p.m. Monday through Saturday. Construction is also limited to the hours between 9:00 a.m. and 6:00 p.m. on Sunday. However, the Codes do not mandate maximum allowable construction noise levels. Provided that the proposed construction activities occur during the allowed hours specified above, no significant construction noise impacts are anticipated. Table 5.3-3 summarizes construction noise levels at various distances.		can shield construction noise. Staging areas should be kept as far from sensitive noise receptors as possible. Noise barriers, such as temporary walls or piles of excavated material, should be constructed between noisy activities and noise-sensitive receivers. • Avoid residential areas when planning haul truck routes. • Replace noisy equipment with quieter equipment, such as vibratory pile driver instead of a conventional pile driver, enclosed air compressors, and mufflers on all engines.	
Impact NV-2 Construction Vibration Impacts - Construction activity can result in varying degrees of ground vibration, depending on the equipment and methods employed. The operation of construction equipment causes ground vibrations that spread through the ground and diminish in strength with distance. Buildings founded on the soil in the vicinity of the construction site respond to these vibrations with varying results ranging from no perceptible effects at the lowest levels, low rumbling sounds, and perceptible vibrations at moderate levels and slight damage at the highest levels. Heaviest pieces of equipment such as a vibratory roller would be the most dominant source of overall construction vibration. The vibration levels created by the normal movement of vehicles	***Less-than-significant***	***None required***	***Less-than-significant***

Attachment 1 - Summary of Impacts and Mitigation Measures (Source: EIR Table 2-1)

Impact	Level of Significance Prior to Mitigation	Mitigation Measures	Level of Significance After Mitigation
including graders, front loaders, and backhoes are the same order-of-magnitude as the ground-borne vibration created by heavy trucks traveling on streets and highways. A vibratory roller, the highest vibration-generating equipment for this project, would create ground-borne vibration levels up to 0.21 in/sec as PPV at 25 feet from the center of activity (FTA, 2006). The closest distance between any susceptible building structures and the new alignment is at least 40 ft away. Therefore, construction vibration levels at the adjacent structures would be less than 0.25 in/sec for fragile buildings. No significant vibration impacts are anticipated during the construction activities.			
Impact NV-3 Operational Noise Impacts - Operation of the proposed project may permanently expose sensitive receptors to increased noise levels. Noise-sensitive land uses that might be affected by the operation of the proposed project include two single-family residences shown on Figure 5.3-1. The interior noise level criterion of 45 dBA is applied to assess future noise impact according to the City's 1998 and 2030 General Plans. The interior noise level criterion of 45 dBA is applicable to residential uses and transient lodgings where people normally sleep. Noise sensitive sites are determined to be	***Potentially significant***	• A sound wall on the curb would block the two single-family residences driveway access onto 7th Street, unless an opening would be provided. For a sound wall to be effective in mitigating noise, it has to be continuous and without any visible gaps. Therefore, the effective noise mitigation would not be feasible in the form of sound wall installation. • Sound insulation could be used to reduce impacts by adding glazing to windows, or replacing outdated single-paned windows to acoustically-rated modern dual-pane windows. These forms of sound insulation can result in a 10 to 30-dB	***Less than Significant***

Attachment 1 - Summary of Impacts and Mitigation Measures (Source: EIR Table 2-1)

Impact	Level of Significance Prior to Mitigation	Mitigation Measures	Level of Significance After Mitigation
impacted by the future project if either incremental exterior noise criteria or the interior noise level criterion of 45 dBA is exceeded. According to the calculations, two single-family residences on 7th Street north of G Street would receive operational noise impacts because of the new LRT operation. The transit operational noise resulting from the proposed project is similar to that of the ambient noise at this location Table 5.3-4. As stated in "Exterior Incremental Noise Impact Standards for Noise Sensitive Uses" of the City's 2030 General Plan, the cumulative noise including both ambient and project noise levels cannot constitute more than 1-dB incremental noise when the ambient noise levels exceed 65 dBA. The LRT vehicles have warning devices that are sounded as the vehicles enter the stations and at-grade crossings. The City does not impose a quantitative noise limit specifically on warning devices. A noise criterion for warning devices recommended by American Association of Railroads' Signal Manual specifies that the noise levels of a warning bell should not be more than 105 dBA and not less than 75 dBA at a point 10 feet from the source. The warning device must be clearly audible to alert pedestrians or drivers on the roadways of		reduction; thus, the noise levels would be mitigated. The types and details of window material and design shall be discussed during the final stage of design. • At locations along the alignment where there are tight-turn radii in the tracks, wheel squeal may become a source of noise complaints. To avoid wheel squeals, it is recommended that the track turn radius be kept above 1,000 feet at all locations. However, RT is aware that one turning radius would be 82 feet. Rail lubrication on sharp turns would be used to reduce or minimize squeals. • As rails wear, both noise levels may increase. Grinding down or replacing worn rail will assist with maintaining operating levels of noise and vibration. Also, wheel truing, the grinding down of flat spots on the rails' wheels that occur due to braking, will reduce noise and vibration effects. Overall vehicle maintenance will help reduce the likelihood of increased noise and vibration. • In regards to the warning device, transit gongs are designed to be clearly audible for safety reasons. Various gong sounding treatment options or mounting modifications can be applicable for noise reduction.	

Attachment 1 - Summary of Impacts and Mitigation Measures (Source: EIR Table 2-1)

Impact	Level of Significance Prior to Mitigation	Mitigation Measures	Level of Significance After Mitigation
imminent train pass-bys.			
Impact NV-4 – Operational Vibration Impacts - Operation of the proposed project may permanently expose sensitive receptors to increased vibration levels. The proposed LRT vehicles for this project would be similar to the vehicles in existing service for the Blue and Gold lines. The current revenue vehicles are manufactured by Siemens Transportation Systems and Construcciones y Auxiliar de Ferrocarriles. As a result, future pass-by vibration levels would closely resemble the levels currently experienced by the adjacent sensitive receptors. For sensitive receptors north of H Street, the new proposed LRT service would be a new source of ground-borne vibration. According to the results summarized in Table 5.3-2, LRT pass-by Peak Particle Velocity (PPV) vibration levels are lower by almost an order of magnitude than the City's required 0.5 in/sec for residential structures and 0.25 in/sec for historical buildings. For the new construction segment of the proposed alignment north of H Street, the closest residential structure is at least 50 feet away from the proposed tracks. Measured vibration levels were recorded at approximately 50 feet away from existing tracks. These measured	***Less-than-significant***	***None required***	***Less-than-significant***

Attachment 1 - Summary of Impacts and Mitigation Measures (Source: EIR Table 2-1)

Impact	Level of Significance Prior to Mitigation	Mitigation Measures	Level of Significance After Mitigation
vibration levels can be used to estimate future operational vibration impacts at the residences north of H Street due to their comparable distances to the source. According to the measured levels, these residences would experience LRT pass-by vibration levels in the range of 0.008 and 0.048 in/sec that are well below the City's mandated vibration levels of 0.5 in/sec for residential structures and 0.25 in/sec for historical buildings. No operational vibration impacts are anticipated for these residences north of H Street.			
Cumulative Noise Impacts			
Overall noise increase due to the proposed LRT operation would be perceived at nearby sensitive locations in various levels. Along the new alignment north of H Street, the project would result in an approximate increase of 3-dB of cumulative noise levels at nearby sensitive locations including two single-family residences.	***Less-than-significant***	***None required***	***Less-than-significant***
No significant cumulative vibration impacts are anticipated.	***Less-than-significant***	***None required***	***Less-than-significant***

Attachment 1 - Summary of Impacts and Mitigation Measures (Source: EIR Table 2-1)

Impact	Level of Significance Prior to Mitigation	Mitigation Measures	Level of Significance After Mitigation
5.4 Aesthetics			
Impact VIS -1 Visual Intrusion into Historic Ares - The addition of the OCS near the homes in the historic Alkali Flat Neighborhood district, would cause a visual intrusion along the edge of the neighborhood.	***Potentially significant***	• Work with the community during preliminary through final design to develop Aesthetic and Design Guidelines for the project improvements through a formalized structure that allows for community input (Context Sensitive Solutions). • Design the OCS to preserve the existing mature street trees along 7th Street in the Alkali Flat Neighborhood area.	***Less-than-significant***
Impact VIS-2 Removal of Mature Trees Along 7th Street - Along 7th Street the project is likely to lower the existing visual quality, especially if the construction requires the removal of the existing street trees, which would be a substantial impact to the streetscape.	***Potentially significant***	• Design the OCS to preserve the existing mature street trees along 7th Street in the Alkali Flat Neighborhood area. If trees are impacted, replacement trees would be planted to restore the Alkali Flat view shed.	***Less-than-significant***
Impact VIS-3 Visual Intrusion of OCS Previous Visual and Aesthetic Resource analysis (DNA Corridor Draft PEIR, July 2007) have identified the inclusion of the OCS as a significant visual impact (Impact VIS-3). The poles and associated overhead lines would add a significant element of visual clutter to the views, particularly along 7th Street, south of the underpass, where there are currently no overhead lines, such as power and telephone lines. From North B to Richards Boulevard and along Richards Boulevard, such overhead lines already exist, so the addition of the catenary lines would not be a significant addition here.	***Potentially significant***	• Work with the community during preliminary through final design to develop Aesthetic and Design Guidelines for the project improvements through a formalized structure that allows for community input (Context Sensitive Solutions).	***Significant and unavoidable***

Attachment 1 - Summary of Impacts and Mitigation Measures (Source: EIR Table 2-1)

Impact	Level of Significance Prior to Mitigation	Mitigation Measures	Level of Significance After Mitigation
Cumulative Aesthetic Impacts			
No significant cumulative visual impacts associated with the MOS-1 Project.	***Less-than-significant***	***None required***	***Less-than-significant***
Appendix A			
Cultural Resources			
Downtown Sacramento has many subsurface cultural resources that are under pavement and buildings and at depth under previously disturbed areas. The location of many of these cultural resource sites are unknown and cannot be identified through pre-construction activities. Therefore, it is possible that deeper earthmoving and excavation during construction could disturb unknown archaeological or paleontological resources beneath the surface.	***Potentially significant***	• Implement preconstruction training for construction employees to familiarize them with cultural resources and to explain the protocols on how to proceed if subsurface cultural resources are encountered during construction. The legal ramifications of impacting cultural resources will also be explained. • A qualified archaeologist, who is certified by the Society of Professional Archeologists (SOPA) and/or meet the federal standards as stated in the Code of Federal Regulations (36 CFR 61) should monitor the project site during earthmoving or excavation construction activities (deeper than 12 to 18 inches). • A site-specific cultural resource monitoring plan will be developed by Regional Transit, prior to construction, once the construction activities are better defined. • In the event that any prehistoric subsurface archeological features or deposits, including locally darkened soil ("midden"), that could conceal cultural deposits, animal bone, obsidian and/or mortars are discovered during construction-related earth-moving	***Less-than-significant***

Attachment 1 - Summary of Impacts and Mitigation Measures (Source: EIR Table 2-1)

Impact	Level of Significance Prior to Mitigation	Mitigation Measures	Level of Significance After Mitigation
		activities, all work within 50 yards of the resources shall be halted, and the qualified archaeologist would assess the significance of the find and monitor the site. Archeological test excavations shall be conducted by a qualified archeologist to aid in determining the nature and integrity of the find. If the find is determined to be significant by the qualified archeologist, RT representatives and the qualified archeologist shall coordinate to determine the appropriate course of action. All significant cultural materials recovered shall be subject to scientific analysis and professional museum curation. In addition, a report shall be prepared by the qualified archeologist according to current professional standards. The report will be submitted to RT. • If a Native American site is discovered, the evaluation process shall include consultation with the appropriate Native American representatives. If Native American archeological, ethnographic, or spiritual resources are involved, all identification and treatment shall be conducted by qualified archeologists, and Native American representatives, who are approved by the local Native American community as scholars of the cultural traditions. • In the event that no such Native	

Attachment 1 - Summary of Impacts and Mitigation Measures (Source: EIR Table 2-1)

Impact	Level of Significance Prior to Mitigation	Mitigation Measures	Level of Significance After Mitigation
		American is available, persons who represent tribal governments and/or organizations in the locale in which resources could be affected shall be consulted. If historic archeological sites are involved, all identified treatment is to be carried out by qualified historical archeologists. • If a human bone or bone of unknown origin is found during construction, all work shall stop in the vicinity of the find, and the County Coroner shall be contacted immediately. If the remains are determined to be Native American, the coroner shall notify the Native American Heritage Commission, who shall notify the person most likely believed to be a descendant. The most likely descendant shall work with the contractor to develop a program for re-internment of the human remains and any associated artifacts. No additional work is to take place within the immediate vicinity of the find until the appropriate actions have taken.	
Water			
The relocation of utilities and project-related excavations may be up to 60	***Potentially significant***	• In the event that groundwater is encountered during construction,	***Less-than-significant***

Attachment 1 - Summary of Impacts and Mitigation Measures (Source: EIR Table 2-1)

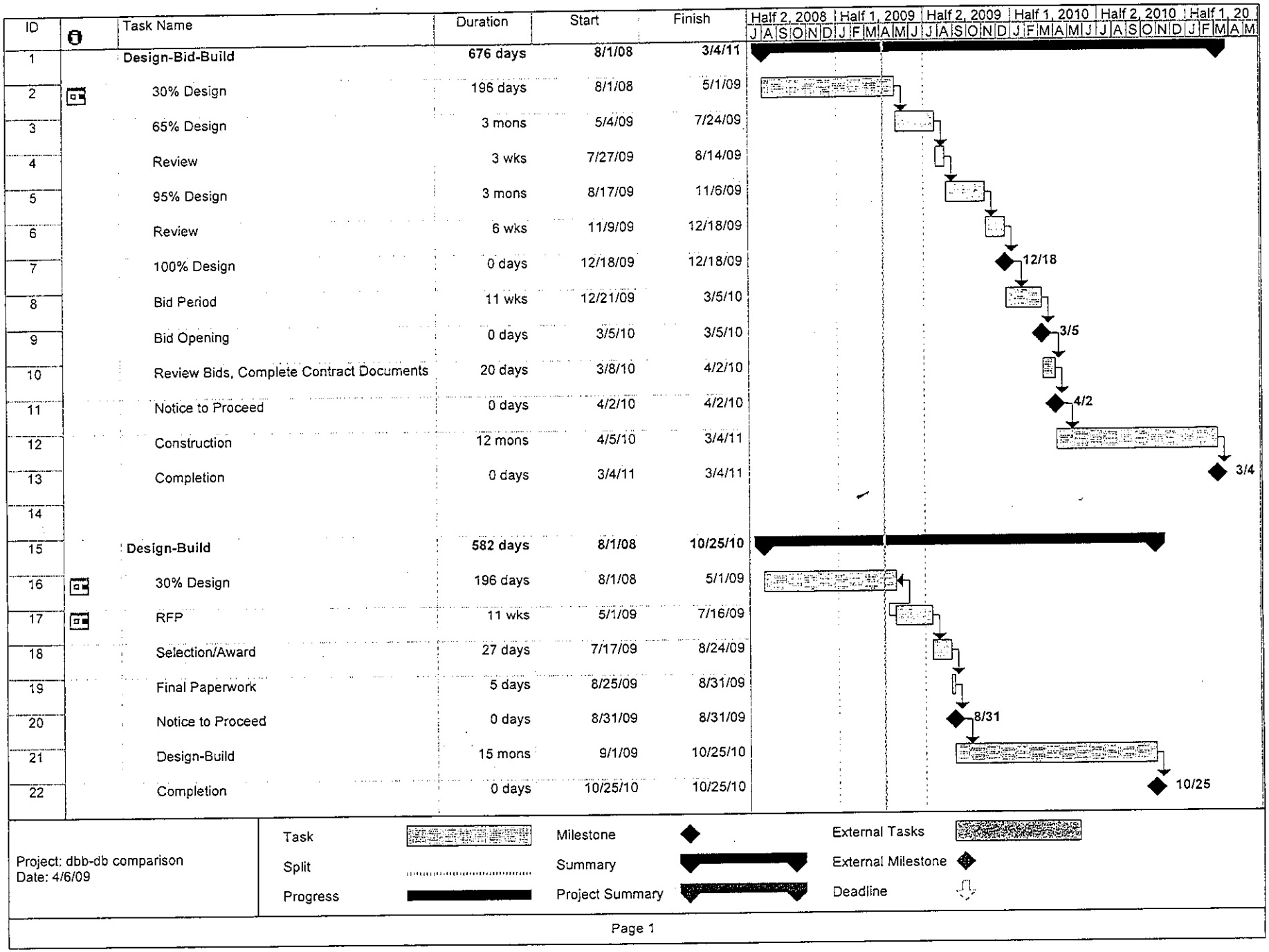
Impact	Level of Significance Prior to Mitigation	Mitigation Measures	Level of Significance After Mitigation
inches deep and some of the OCS foundations may be 15 to 20 feet deep. Groundwater depths range from 14 to 33 feet, with an average of approximately 20 feet. The contractor would follow Central Valley Regional Water Quality Control Board requirements to ensure that such activities would not result in substantial changes in groundwater flow or quality		dewatering would be conducted locally. Dewatering effluent would be tested for contamination. Contaminated effluent would be disposed of in accordance with applicable federal, state, and local regulations.	
Hazards			
Construction of the proposed project may involve the relocation of utilities and project-related excavations up to 60 inches deep and some of the OCS foundations may be 15 to 20 feet deep. If any of the excavations occur within 10 potential hazardous substance sites, including the Railroads area, in the project area (shown in Table 9-1 and Figure 5).	***Potentially significant***	• **Confirming the Status of Remediation Activities.** If any of the excavations occur within the Railroads area, a review will be conducted of the remediation status of the site. If remediation activities will be complete before construction of the project, then no further mitigation will be necessary. If remediation would not be completed prior to project construction, then an alternate mitigation plan will be prepared and implemented. • **Site Evaluation.** If any of the excavations occur within the other nine potential hazardous substance sites in the project area (see Table 9-1), a Phase 2 Site Specific Evaluation will be made of any known and suspected contaminated sites that would be disturbed by construction operations before any soil is removed from affected areas for construction, using the following procedure: 1) implementation of a Worker Health and Safety Plan; 2) preparation of a site-specific work	***Less-than-significant***

Attachment 1 - Summary of Impacts and Mitigation Measures (Source: EIR Table 2-1)

Impact	Level of Significance Prior to Mitigation	Mitigation Measures	Level of Significance After Mitigation
		contaminants encountered during construction.	

Attachment 1 - Summary of Impacts and Mitigation Measures (Source: EIR Table 2-1)

Impact	Level of Significance Prior to Mitigation	Mitigation Measures	Level of Significance After Mitigation
		plan specifying the proposed location for surface samples or soil borings or trenches; 3) soil boring or trenching and sample collection; 4) laboratory analysis of samples; and 5) preparation of a findings and recommendations report. If the site-specific evaluations determine that contaminants are present, RT will determine the type and extent of contamination and will prepare and implement a remediation plan to avoid risks to public health and safety. • **Worker Health and Safety Plan & Training.** To avoid health effects on construction personnel, all personnel who may come in contact with contaminated soil or groundwater would be trained in accordance with the OSHA Hazardous Waste Operations and Emergency Response (HAZWOPER) standard (29CFR 1910. 120). A site-specific worker health and safety plan defining potential contaminants and, where appropriate, proper personnel protective equipment would be employed. Proper decontamination procedures for workers and equipment would be followed. • **Notify Appropriate Regulatory Agencies and Enact Specific Mitigation Plans.** RT will notify the State Department or Toxic Substances Control, Sacramento County Environmental Health Department and the local fire department of any	


ID
Task Name
Duration
Start
Finish
Half 2, 2008
Half 1, 2009
Half 2, 2009
Half 1, 2010
Half 2, 2010
Half 1, 20
J A S O N D J F M A M J J A S O N D J F M A M J J A S O N D J F M A M
1 Design-Bid-Build 676 days 8/1/08 3/4/11
2 30% Design 196 days 8/1/08 5/1/09
3 65% Design 3 mons 5/4/09 7/24/09
4 Review 3 wks 7/27/09 8/14/09
5 95% Design 3 mons 8/17/09 11/6/09
6 Review 6 wks 11/9/09 12/18/09
7 100% Design 0 days 12/18/09 12/18/09
8 Bid Period 11 wks 12/21/09 3/5/10
9 Bid Opening 0 days 3/5/10 3/5/10
10 Review Bids, Complete Contract Documents 20 days 3/8/10 4/2/10
11 Notice to Proceed 0 days 4/2/10 4/2/10
12 Construction 12 mons 4/5/10 3/4/11
13 Completion 0 days 3/4/11 3/4/11
14
15 Design-Build 582 days 8/1/08 10/25/10
16 30% Design 196 days 8/1/08 5/1/09
17 RFP 11 wks 5/1/09 7/16/09
18 Selection/Award 27 days 7/17/09 8/24/09
19 Final Paperwork 5 days 8/25/09 8/31/09
20 Notice to Proceed 0 days 8/31/09 8/31/09
21 Design-Build 15 mons 9/1/09 10/25/10
22 Completion 0 days 10/25/10 10/25/10
12/18
3/5
4/2
3/4
8/31
10/25
Project: dbb-db comparison
Date: 4/6/09
Task
Split
Progress
Milestone
Summary
Project Summary
External Tasks
External Milestone
Deadline
Page 1

RESOLUTION NO. 09-04-____

Adopted by the Board of Directors of the Sacramento Regional Transit District on this date:

April 13, 2009

CERTIFYING THE FINAL ENVIRONMENTAL IMPACT REPORT, MAKING FINDINGS, APPROVING A MITIGATION MONITORING/REPORTING PROGRAM, APPROVING THE PROJECT, DIRECTING FILING OF A NOTICE OF DETERMINATION, AND AUTHORIZING THE GENERAL MANAGER/CEO TO RELEASE A REQUEST FOR PROPOSALS FOR DESIGN-BUILD CONSTRUCTION OF THE DOWNTOWN-NATOMAS-AIRPORT MOS-1 LIGHT RAIL EXTENSION PROJECT

BE IT HEREBY RESOLVED BY THE BOARD OF DIRECTORS OF THE SACRAMENTO REGIONAL TRANSIT DISTRICT AS FOLLOWS:

Section 1. Procedures. The Board of Directors of the Sacramento Regional Transit District finds as follows:

A. A Draft Environmental Impact Report (DEIR) was prepared by and for the Sacramento Regional Transit District ("Regional Transit") for the Downtown-Natomas-Airport (DNA) MOS-1 Light Rail Extension Project (the "Project") pursuant to the California Environmental Quality Act ("CEQA") (Public Resources Code §21000 et seq.); the Guidelines for Implementation of the California Environmental Quality Act (14 Cal. Code Regs. §15000 et seq.) (Guidelines); and the procedures adopted by Regional Transit pursuant thereto.

B. The Notice of Preparation for the DEIR was sent to each Responsible Agency, Trustee Agency, and the federal agency in compliance with Section 15082 of the Guidelines.

C. The Notice of Completion for the DEIR was forwarded to the Office of Planning and Research pursuant to Section 15085 of the Guidelines.

D. Regional Transit consulted with and requested comments on the DEIR from Responsible Agencies, Trustee Agencies, and other federal, state and local agencies in compliance with Section 15086 of the Guidelines.

E. A Notice of Availability of the DEIR was published in a newspaper of general circulation in the area affected by the project. Copies of the DEIR were furnished to federal, state, regional and local agencies and to all libraries in the affected area. A public hearing was properly noticed and held on March 11, 2008 to solicit comments on the DEIR during a 45-day review period in compliance with Section 15087 of the Guidelines.

F. The DEIR was thereafter revised, responses to comments received on the DEIR were addressed, and a list of persons, organizations and public agencies commenting on the DEIR was prepared pursuant to Section 15088 and 15089 of the Guidelines.

G. The DEIR, the revisions to the DEIR, the comments to the DEIR, the list of persons, organizations and public agencies commenting on the DEIR, and the responses to comments on the DEIR, together comprise the Final EIR pursuant to Section 15132 of the Guidelines.

Section 2. Administrative Record. The Regional Transit Board of Directors finds as follows:

A. On March 11, 2009, Regional Transit staff conducted a noticed public meeting on the DEIR. The record of this meeting includes only the following as submitted to and considered by the Board of Directors:

(1) The DEIR and written comments received during the public comment period and response thereto;

(2) All staff reports, memoranda, maps, letters, minutes of meetings, and other documents prepared by Regional Transit staff relating to the Project and presented to the Board of Directors;

(3) The proceedings before the Regional Transit Board of Directors relating to the Project and the DEIR, including testimony and documentary evidence introduced at \the Public Meetings, the transcript of all hearings of the Regional Transit Board related to this matter, and the official minutes of such meetings;

(4) This Regional Transit Resolution; and

(5) The Mitigation Monitoring/Reporting Program for the Project.

B. The FEIR reflects the independent judgment of the Regional Transit Board of Directors.

Section 3. Certification of the Final EIR. Pursuant to Section 15090 of the Guidelines, the Regional Transit Board of Directors hereby certifies that the FEIR for the Project has been completed in compliance with CEQA, the Guidelines, and procedures adopted by Regional Transit pursuant thereto, and that the Board of Directors has reviewed and considered the information contained in the FEIR prior to making a determination on the Project.

Section 4. Mitigation of Significant or Potentially Significant Impacts. The significant and potentially significant environmental impacts, including cumulative impacts, and the mitigation measures for the Project which will mitigate the impacts to a less than significant level are set out in Exhibit A, attached hereto and by this reference incorporated herein. These impacts are identified in the FEIR or have otherwise been identified by the Regional Transit Board of Directors. Pursuant to Section 21081(a) of CEQA and Section 15091 of the Guidelines, as to each such impact, the Regional Transit Board of Directors, based on the evidence in the record before it, finds that changes or alterations incorporated into the project mitigate, avoid, or substantially lessen to a level of insignificance these significant or potentially significant environmental impacts of the Project. The basis for the finding for each identified impact is set out in Exhibit A.

Section 5. Mitigation Measures Found to be Infeasible. Certain other significant and potentially significant environmental impacts, including cumulative impacts, which may be mitigated, avoided or substantially lessened by proposed mitigation measures are set out

in Exhibit A. Pursuant to Section 21081(c) of CEQA and Section 15091 (a)(3) of the Guidelines, as to each such impact and mitigation measure, the Regional Transit Board of Directors, based on the evidence in the record before it, specifically finds that the mitigation measures are infeasible. Each impact and mitigation measure and the facts supporting the finding of infeasibility of each mitigation measure are set in Exhibit A. Notwithstanding these impacts and the finding of infeasibility, the regional Transit Board of Directors elects to approve the Project due to the overriding considerations set forth in the Statement of Overriding Considerations attached as Exhibit B and by this reference incorporated herein, and referenced below in Section 8.

Section 6. Significant and Unavoidable Impacts. Certain other significant and potentially significant environmental impacts, including cumulative impacts, of the Project are unavoidable, and cannot be mitigated in a manner that would substantially lessen the significant impact. These impacts are set out in Exhibit A. Notwithstanding these impacts, the Regional Transit Board of Directors elects to approve the Project due to overriding considerations as set forth in the Statement of Overriding Considerations attached as Exhibit B, and referenced below in Section 8.

Section 7. Project Alternatives. The regional Transit Board of Directors has considered the Project alternatives discussed in the DEIR and presented during the comment period and public hearing process. Some of these alternatives have the potential to avoid or reduce certain significant or potentially significant environmental impacts, as set out in Exhibit A. The Regional Transit Board of Directors specifically finds these alternatives to be infeasible. Each alternative and the facts supporting the finding of infeasibility of each alternative are set out in Exhibit A.

Section 8. Statement of Overriding Considerations. The Regional Transit Board of Directors, pursuant to Guidelines Section 15092, finds that in approving the Project it has eliminated or substantially lessened all significant and potentially significant effects of the Project on the environment where feasible, as shown in Sections 4 through 7 of this Resolution. The Regional Transit Board of Directors further finds that the remaining unavoidable significant and potentially significant impacts are acceptable, and makes this Statement of Overriding Considerations in accordance with Section 15093 of the Guidelines. For the reasons set out in Exhibit B, the Regional Transit Board of Directors finds that the benefits of the Project outweigh the unavoidable adverse impacts which may result from the Project, and the overriding considerations set out in Exhibit B support approval of the Project.

Section 9. Mitigation Monitoring/Reporting Program. The Mitigation Monitoring/Reporting Program for this Project as set out in Exhibit C, attached hereto and incorporated herein by this reference, is hereby approved and adopted. Staff is hereby authorized and directed to implement the Mitigation Monitoring/Reporting Program pursuant to its provisions.

Section 10. Project Approval. The Project is hereby approved and staff is hereby directed to file a Notice of Determination with the County Clerk of Sacramento County and, if the Project requires a discretionary approval from any state agency, with the State Office of Planning and Research, pursuant to the provisions of Section 21152 of the public Resources Code and the Guidelines.

Section 11. Custodian of Records. The documents and other materials that constitute the record of proceedings upon which the Board of Directors has been its decision are located in the office of the Clerk to the Board, 1400 29th Street, Sacramento, California 95816. The

custodian of these documents and other materials is the Regional Transit Clerk of the Board.

WHEREAS, California Public Contract Code Section 20209.6 authorizes public transit operators to enter into a design-build contract for the both the design and construction of a project instead of the traditional design-bid-build method when it is in the best interest of the transit operator; and

WHEREAS, in order to avail itself of the authority provided under Public Contract Code section 20209.6, the transit operator must determine that the use of the design-build process on a project will result in either reduced project costs, expedited project completion, or design features not achievable through the design-bid-build method of the project; and

WHEREAS, RT retained the services of Sharon Greene + Associates in August 2008 to identify and analyze various options available to deliver the DNA Project in the most expeditious and cost effective manner; and

WHEREAS, Sharon Greene + Associates presented its analysis and findings to the RT Board's Operations and Planning Subcommittee on October 30, 2008, wherein Sharon Greene + Associates advised that application of a design-build methodology to the DNA MOS-1 project will result in an expedited delivery for the DNA MOS-1 of approximately five month compared to the use of the design-bid-build method.

THAT, based on the analysis provided by its consultant at the October 30, 2008 Operations and Planning Subcommittee meeting as reflected in Exhibit D, the RT Board hereby finds that applying a design-build methodology as permitted under Public Contract Code section 20209.6 will result in delivery of the DNA MOS-1 project approximately five months earlier than if it applied a design-bid-build methodology and that it is in the best interest of RT to employ the design-bid method for the DNA MOS-1 project.

THAT, the Board hereby directs the General Manager/CEO to engage in any and all procurement activities necessary to identify and recommend an entity to the Board to complete design and construction of the DNA MOS-1 project by employing a design-buildl methodology, including release of a Request for Proposals for the design-build construction of the MOS-1 Project.

_____
STEVE COHN, Chair

ATTEST:

MICHAEL R. WILEY, Secretary

By: _____
Cindy Brooks, Assistant Secretary

SACRAMENTO REGIONAL TRANSIT DISTRICT

FINAL ENVIRONMENTAL IMPACT STATEMENT

♦

RESOLUTION NO. 09-04-___

EXHIBIT A: FINDINGS OF FACT

EXHIBIT B: STATEMENT OF OVERRIDING CONSIDERATIONS

EXHIBIT C: MITIGATION MONITORING/REPORTING PROGRAM

♦

April 13, 2009

TABLE OF CONTENTS

FINAL ENVIRONMENTAL IMPACT STATEMENT

SACRAMENTO REGIONAL TRANSIT DISTRICT

PAGE

RESOLUTION

EXHIBIT A: FINDINGS OF FACT 1

SECTION I. INTRODUCTION 1

SECTION II. PURPOSE AND BACKGROUND 1

SECTION III. DESCRIPTION OF THE RECORD 3

SECTION IV. DISCRETIONARY ACTIONS 4

SECTION V. GENERAL FINDINGS 4

SECTION VI. FINDINGS REGARDING MONITORING/REPORTING PROGRAM OF CEQA MITIGATION MEASURES 6

SECTION VII. FINDINGS REGARDING ALTERNATIVES 7

SECTION VIII. GROWTH INDUCING IMPACTS 8

SECTION IX. FINDINGS REGARDING ENVIRONMENTAL IMPACTS AND MITIGATION MEASURES 8

EXHIBIT B: STATEMENT OF OVERRIDING CONSIDERATIONS 29

EXHIBIT C: MITIGATION MONITORING PROGRAM 33

EXHIBIT A

CEQA FINDINGS OF FACT

FINAL ENVIRONMENTAL IMPACT REPORT

SCH #2008112042

SACRAMENTO REGIONAL TRANSIT DISTRICT

APRIL 13, 2009

I. INTRODUCTION

The California Environmental Quality Act, Public Resources Code section 21000 et seq. ("CEQA"), states that if a project would result in significant environmental impacts it may be approved, if feasible mitigation measures or feasible alternatives are proposed which avoid or substantially lessen the impact or if there specific economic, social, or other considerations which justify approval notwithstanding unmitigated impacts.

Therefore, when an environmental impact report ("EIR") has been completed that identifies one or more potentially significant environmental impacts, the approving agency must make one or more of the following findings for each identified significant impact:

1. Changes or alternatives which avoid or substantially lessen the significant environmental effects as identified in the EIR have been required or incorporated into the project; or

2. Such changes or alternatives 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; or

3. Specific economic, social or other considerations make infeasible the mitigation measures or project alternatives identified in the EIR. (Pub. Resources Code, § 21081).

As "lead agency" under California Code of Regulations, title 14, section 15367, the Sacramento Regional Transit District ("Regional Transit" or "RT") hereby adopts the following CEQA findings relating to: DNA Light Rail Transit MOS-1 Final Environmental Impact Report Project, dated April 2009.

II. PURPOSE AND BACKGROUND

The Project

The Regional Transit (RT) Downtown Natomas Airport (DNA) Light Rail Transit MOS-1 Project consists of the construction of a one-mile extension of the current Light Rail system from H Street to Richards Boulevard in Downtown Sacramento. Northbound trains would leave the existing track at 8th Street and H Street, proceed north on 8th Street to G Street, west for one

block on G Street and north along North 7th Street to Richards Boulevard. Southbound trains would go south on 7th Street, intersecting the existing track at 7th and H Street. The project would be defined as a single-track within the right-of-way from 8th Street to G Street to 7th Street to North B Street, a double-track running in the North 7th Street traffic lanes from North B Street to Richards Boulevard, and an exclusive double-track on the north side of Richards Boulevard west of North 7th Street.

MOS-1 would operate on existing RT tracks south of H Street through Downtown Sacramento to the 13th Street Station between Q and R Streets. This operation would increase rail traffic on these RT tracks. The increase in rail traffic along existing RT tracks is consistent with ongoing RT operations. Several existing light rail stations may need to be modified to accommodate low floor vehicles, as part of the MOS-1 project. These stations are located at:

- 7th and I
- 8th and K
- 7th and Capitol
- 8th and Capitol
- 8th and O
- 11th and O
- 13th Street

The MOS-1 Project would include trackway, overhead power, traction power substations, railroad signaling, a new station on Richards Boulevard at the Township 9 Development, and a proposed station on 8th Street north of I Street. The MOS-1 Project would operate independently as a 2.2 mile line from Richards Boulevard to the existing station at 13th Street between R and Q Streets and has independent utility without constrution of adjoining segments of the DNA project. RT intends to have the MOS-1 Project open for service by late 2010.

Objectives of the Project

The primary objective of the Project is to provide a transit travel option in a high travel demand corridor in the rapidly growing study area. Additional project objectives include:

- Provide mobility improvements in the project corridor
- Provide environmental benefits in the project corridor
- Improve system-wide operating efficiencies
- Provide cost-effective transportation solutions
- Provide transportation improvements that are enhanced by transit-supportive land use plans and policies

Purpose of the Environmental Impact Report (EIR)

Pursuant to Public Resources Code section 21000 et seq., and the CEQA Guidelines, California Code of Regulations, title 14, section 15000 et seq., (collectively, "CEQA"), an EIR was prepared for the Project to analyze the environmental effects of the Project. The DEIR was circulated from February 10, 2009 to March 27, 2009 for public review and comment in accordance with CEQA. Responses to comments, together with other information, were prepared and are contained in the FEIR. RT is the CEQA Lead Agency for the Project and the EIR was prepared under the direction and supervision of RT.

Procedural Background

The following is an overview of the environmental review process for the Project that has led to the preparation of the EIR.

1. In accordance with section 15082 of the CEQA Guidelines, RT prepared a Notice of Preparation ("NOP") of a Environmental Impact Report and filed it with the Office of Planning and Research ("OPR") on November 12, 2008. The NOP was circulated to the public, local and state agencies, and other interested parties to solicit comments on the Project. Environmental issues and alternatives raised by comments received on the NOP during the public review period were considered for inclusion in the EIR. The NOP and Copies of agency letters received in response to the NOP are provided in Appendix B of the DEIR.
2. Copies of the DEIR were available at the Regional Transit office and several Sacramento area public libraries and were circulated for public review. In addition, the EIR was made available on the RT website and a computer disc or hard copy was made available upon request.
3. The comment period for the DEIR was from February 10, 2009 through March 27, 2009.
4. In response to the comments received concerning the DEIR, the FEIR was issued in April 13, 2009. The FEIR contains copies of all comments received on the DEIR and responses to those comments. The FEIR also contains errata revisions to the DEIR and supplemental information deemed necessary in response to comments in the DEIR.
5. Pursuant to Public Resources Code section 21092.5, the lead agency provided a written response to the comment letters for all public agencies commenting on the DEIR 10 days prior to certifying the FEIR.
6. Copies of the FEIR and the Notice of Determination were sent to the California State Clearinghouse. In addition, the FEIR was made available on the RT website.

III. DESCRIPTION OF THE RECORD

For purposes of CEQA and these findings, the record before RT includes, without limitation, the following:

1. The Initial Study (see Appendix A in the DEIR);
2. The DEIR and all appendices to the DEIR;
3. The FEIR, the addendum/errata to the FEIR and all appendices to the FEIR;
4. All notices required by CEQA, staff reports, and presentation materials related to the Project;
5. All studies conducted for the Project and contained in, or referenced by, staff reports, the DEIR;
6. All public reports and documents related to the Project prepared for RT and other agencies;
7. All documentary and oral evidence received and reviewed at public hearings and workshops and all transcripts (if available to the RT Board of Directors ("RT Board")) and minutes of those hearings related to the Project, the DEIR;

8. For documentary and informational purposes, all locally-adopted land use plans and ordinances, including, without limitation, general plans, specific plans and ordinances, master plans together with environmental review documents, findings, mitigation monitoring programs and other documentation relevant to planned growth in the area; and

9. Any additional items not included above if otherwise required by law.

IV. DISCRETIONARY ACTIONS

The discretionary action for the Project involves the following approvals by RT:

1. Certification of the FEIR;

2. Adoption of the CEQA Findings of Fact;

3. Adoption of the Mitigation Monitoring/Reporting Program;

4. Adoption of the Statement of Overriding Considerations;

5. Approval of the Project.

These findings are made by RT pursuant to Section 15091 of the CEQA Guidelines. RT is adopting a "Statement of Overriding Considerations" pursuant to Section 15093 of the CEQA Guidelines.

V. GENERAL FINDINGS

Terminology of Findings

Section 15091 of the CEQA Guidelines requires that, for each significant environmental effect identified in an EIR for a Project, the approving agency must issue a written finding reaching one or more of three allowable conclusions. The first is that "[c]hanges 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." The second potential 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." The third permissible conclusion is that "[s]pecific economic, social, or other considerations make infeasible the mitigation measures or project alternatives identified in the final EIR."

For purposes of these findings, the term "mitigation measures" shall constitute the "changes or alterations" discussed above. The term "avoid or substantially lessen," will refer to the effectiveness of one or more of the mitigation measures or alternatives to reduce an otherwise significant environmental effect to a less-than-significant level. Although Section 15091, read literally, does not require findings to address environmental effects that an EIR identifies as merely "potentially significant," these findings will nevertheless fully account for all such effects identified in the FEIR for the Project. When an impact remains significant or potentially significant with mitigation, the findings will generally find that the impact is still "significant."

In the process of adopting mitigation, RT will also be making decisions whether each mitigation measure proposed in the FEIR is feasible or infeasible. Pursuant to the CEQA Guidelines, "feasible means capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, legal, social and technological factors." (CEQA Guidelines, § 15364). When RT finds a measure is not feasible, evidence for its decision will be provided.

Certification of FEIR

In adopting these findings, in accordance with CEQA, RT has considered the environmental effects as shown in the FEIR prior to approving the project. These findings represent the independent judgment and analysis of RT.

Changes to the DEIR

In the course of responding to comments received during the public review and comment period on the DEIR, certain portions of the DEIR have been modified and some new information has been added as reflected in the FEIR. The changes made to the DEIR do not result in the existence of:

1. A significant new environmental impact that would result from the Project or an adopted mitigation measure;

2. A substantial increase in the severity of an environmental impact that is not reduced to a level of less-than-significant by adopted mitigation measures;

3. A feasible project alternative or mitigation measure not adopted that is considerably different from others analyzed in the DEIR that would clearly lessen the significant environmental impacts of the Project; or

4. Information that indicates that the public was deprived of a meaningful opportunity to review and comment on the DEIR.

RT finds that the amplifications and clarifications made to the DEIR do not collectively or individually constitute significant new information within the meaning of Public Resources Code section 21092.1 and CEQA Guidelines section 15088.5.

Evidentiary Basis for Findings

These findings are based upon substantial evidence in the entire record before RT as described in Section III.

The references to the DEIR and to the FEIR set forth in these findings are for ease of reference and are not intended to provide an exhaustive list of the evidence relied upon for these findings.

Findings Regarding Mitigation Measures

1. Mitigations Adopted. Except as otherwise noted, the Mitigation Measures herein referenced are those identified in the FEIR.

2. Effect of Mitigations. Except as otherwise stated in these findings, in accordance with CEQA Guidelines sections 15091, 15092, and 15093, RT finds that the environmental effects of the Project:

   - Will not be significant; or
   - Will be mitigated to a less-than-significant level by the mitigation measures adopted by RT; or
   - Can and should be mitigated to a less-than-significant level by the mitigation measures within the jurisdiction of another public agency; or
   - Will remain significant after mitigation, but specific economic, legal, social, technological, or other considerations outweigh the unavoidable adverse environmental effects.

RT finds that the mitigation measures incorporated into and imposed upon the Project will not have new significant environmental impacts that were not already analyzed in the DEIR.

Location and Custodian of Records

Pursuant to Public Resources Code section 21081.6 and California Code of Regulations, title 14, section 15091, RT is the custodian of the documents and other material that constitute the record of proceedings upon which RT's decision is based, and such documents and other material are located at Sacramento Regional Transit District, 1400 29th Street, Sacramento, California 95812.

VI. FINDINGS REGARDING MONITORING/REPORTING OF CEQA MITIGATION MEASURES

As required in Section 21081.6 of the California Public Resources Code, RT adopts a monitoring and reporting program regarding changes in the Project or mitigation measures imposed to mitigate or avoid significant effects on the environment.

The Mitigation Monitoring/Reporting Program ("the Program"), in the form presented to RT as Exhibit C to the FEIR, is hereby adopted:

A. The Conditions of Approval are specific and, as appropriate, define performance standards to measure compliance under the Program.

B. The Program has been designed with detailed descriptions of conditions, implementation, verification, a compliance schedule and reporting requirements to ensure compliance with the Conditions of Approval.

planning process. The Sacramento Regional Transit District (RT) adopted a Light Rail Transit (LRT) Project as the Locally Preferred Alternative (LPA) for the Downtown/Natomas/Airport (DNA) Corridor from Downtown Sacramento, through Natomas, to the Sacramento International Airport on December 15, 2003. RT subsequently prepared a Final Program EIR (FPEIR) for the DNA Corridor Project in April 2008 and certified the FPEIR on April 28, 2008. The DNA MOS-1 Project EIR is tiered from the Final Program EIR for the DNA Corridor Project. (DEIR Section 1.1 Background).

Although the No-Project Alternative would have fewer environmental impacts in specific impact categories, the RT Board rejects this alternative. The RT Board finds that specific social, economic, and other considerations identified in the Statement of Overriding Considerations support approval of the DNA LRT MOS-1 Project. Adoption of the DNA LRT MOS-1 Project is appropriate because it will implement local governmental objectives.

VIII. GROWTH INDUCING IMPACTS

Section 6 of the DEIR presents the growth-inducing impacts that can be anticipated from adoption and implementation of the Project. Section 15126(d) of the CEQA Guidelines requires that an EIR address the growth-inducing impacts of the proposed action. According to the CEQA Guidelines, an EIR should discuss the ways in which the Project could foster economic or population growth, or the construction of additional housing, either directly or indirectly, in the surrounding environment, including projects which would remove obstacles to population growth.

MOS-1 LRT improvements in the DNA Corridor would extend LRT infrastructure into the Railyards and Richards Boulevard area, which are developing areas. The planned redevelopment is intended to allow for mixed public use of the Railyards area, a large heavy-industrial site currently undergoing substantial remediation and master planning, and revitalize the industrial Richards Boulevard area to include a broad range of mixed uses.

A primary objective of the MOS-1 is to increase access to Downtown Sacramento. The planned uses have been fully evaluated in the Richards Boulevard Plan, Railyards Specific Plan EIR, Richards Boulevard Redevelopment Plan EIR and Township 9 EIR. The Project is consistent with the development assumptions used in these plans and accompanying EIRs.

For these reasons, the Project would accommodate growth and would not induce growth beyond the levels assumed in adopted City plans and analyzed in prior environmental documents. No significant growth-inducing impacts associated with the MOS-1 Project are anticipated.

IX. FINDINGS REGARDING ENVIRONMENTAL IMPACTS AND MITIGATION MEASURES

The DEIR identifies the thresholds of significance utilized to determine the impacts in various resource categories discussed below. The DEIR also sets forth environmental effects that are less-than-significant before mitigation, potentially significant or significant in the absence of mitigation measures. These are identified below, as well as any mitigation measures adopted that will avoid or substantially lessen those potentially significant or significant effects. Also set forth are certain significant effects that cannot be avoided or reduced to a less-than-significant level even with the adoption of all feasible mitigation measures proposed in the DEIR. In adopting these findings, RT also adopts a Statement of Overriding Considerations setting forth

C. The Program ensures that the mitigation measures are in place, as appropriate, throughout the life of the Project.

VII. FINDINGS REGARDING ALTERNATIVES

CEQA Guidelines section 15126.6 requires a discussion of a reasonable range of alternatives to the project or to the location of the project. However, an EIR need not consider an alternative whose implementation is remote or speculative. An EIR is required to describe and comparatively evaluate a range of reasonable alternatives to a project, or location of a project, that would feasibly attain most of the basic objectives of the project but would avoid or substantially lessen any of the significant effects of the project. The alternatives analyzed are as follows:

A. No-Project Alternative; and

B. H Street to 7th Street LRT Alternative (West Lane of 7th Street)

Several other alternatives were identified but were subsequently withdrawn from consideration due to impacts to natural resources, utilities, and other area land uses. These withdrawn alternatives are noted in Chapter 4.2 of the DEIR, and the reasons for withdrawal follow their descriptions.

Each of the alternatives was evaluated based on the Statement of Objectives defined in the DEIR. These are listed in Section 1.2 of the DEIR. RT identified six objectives to be used in the evaluation of alternatives and the Project, which are as follows:

- Provide a transit travel option in a high travel demand corridor in the rapidly growing study area;
- Provide mobility improvements in the project corridor;
- Provide environmental benefits in the project corridor;
- Improve system-wide operating efficiencies;
- Provide cost-effective transportation solutions; and
- Provide transportation improvements that are enhanced by transit-supportive land use plans and policies.

A. No-Project Alternative

Under the No-Project Alternative, the light rail would not be extended north from H Street to Richards Boulevard. Under CEQA, the No-Project Alternative must consider the effects of not proceeding with the project. The purpose of analyzing the No-Project Alternative is to allow decision-makers to compare the impacts of the Project versus no project [CEQA Guidelines, section 15126.6 (e) (1)]. The No-Project Alternative describes the environmental conditions that exist at the time that the environmental analysis begins [CEQA Guidelines, section 15126.6 (e) (2)]. When compared with the Project, the No-Project Alternative would have reduced impacts

Rejection of the No-Project Alternative

The RT Board finds that the No-Project Alternative is infeasible because it fails to carry out the major goals, objectives, and purposes that have been developed by RT over the long DNA

the economic, social, and other benefits of the DNA Light Rail MOS-1 Project that will render these significant effects acceptable. RT is not required to adopt mitigation measures or policies as part of the Project for impacts that are less-than-significant. Chapter, Section, and Subsection designations refer to the DEIR dated February 2009.

Chapter 5.1 Air Quality

1. Construction Impacts: Construction of the Project has the potential to create air quality impacts through the use of heavy-duty construction equipment and through vehicle trips generated by construction workers traveling to and from the project site. Fugitive dust emissions would primarily result from site preparation (e.g., excavation) activities. NOX emissions would primarily result from the use of construction equipment. VOC emissions would primarily result from paving operations. The assessment of construction air quality impacts considers each of these potential sources. Construction emissions can vary substantially from day to day, depending on the level of activity, the specific type of operation and, for dust, the prevailing weather conditions.

The SMAQMD Road Construction Emissions Model was used to calculate daily construction emissions. Construction of the DNA project would include activities such as site preparation, demolition, utility relocation, and trackwork. Emissions were calculated using the model inputs presented in the Downtown Natomas Draft Program Environmental Impact Report as guidance. These model inputs were scaled back to more appropriately simulate the smaller scale of the Project. The model inputs are presented below:

- 12 months of construction
- Construction start year of 2009
- Project length of 1 mile
- Total project area of 3.3 acres
- Maximum area disturbed per day of 0.8 acres
- 1,000 cubic feet per day of soil imported
- Operation of water trucks for dust control

The maximum estimated NOX emissions of 81 ppd for the project area would be less than the SMAQMD threshold of 85 ppd. Based on the SMAQMD's Guide to Air Quality Assessment, if a project's NOX emissions are determined to be less-than-significant, then exhaust emissions from construction equipment and worker vehicles may be assumed to be less-than-significant. Regional construction emissions would result in a less-than-significant impact.

Mitigation Measure adopted by RT:

The standard SMAQMD mitigation measures have been updated based on recent SMAQMD guidance and are as follows:

AQ-1 The construction contractor shall provide a plan, for approval by the lead agency and SMAQMD, demonstrating that the heavy-duty (> 50 horsepower) self-propelled off-road vehicles to be used in the construction project, including owned, leased and subcontractor vehicles, will achieve a project wide fleet-average 20 percent NOx reduction and 45 percent particulate reduction compared to the most recent CARB fleet average at time of construction.

AQ-2 The construction contractor shall submit to the lead agency and SMAQMD a comprehensive inventory of all off-road construction equipment, equal to or greater than 50 horsepower, that will be used an aggregate of 40 or more hours during any portion of the construction project. The inventory shall include the horsepower rating, engine production year, and projected hours of use 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 construction contractor 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 (or Ringelmann 2.0) shall be repaired immediately, and the lead agency 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 construction contractor 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.

AQ-5 The construction contractor shall ensure that active grading and parking areas are watered at least twice daily.

AQ-6 The construction contractor shall ensure that exposed stockpiles are enclosed, covered, watered twice daily.

AQ-7 The construction contractor shall ensure that all trucks hauling dirt, sand, silt, or other loose materials are covered or maintain at least two feet of freeboard.

AQ-8 The construction contractor shall utilize ultra-low sulfur fuel (< 15 parts per million) at an incremental cost of $0.20 to $0.50 per gallon. Locations where ultra-low sulfur fuel is available in California are available at: http://ecdiesel.com/business/locator.

AQ-9 The construction contractor shall establish an idling limit (e.g., 5 minutes per hour).

AQ-10 The construction contractor shall ensure that equipment is tuned to manufacturers' specifications at the manufacturers' recommended frequency.

AQ-11 The construction contractor shall prohibit any tampering with engines and continuing adherence to manufacturer's recommendations will be required.

AQ-12 If necessary, additional emissions limits shall be established within 1,000 feet of any K-12 school, based on CARB proposals.

AQ-13 Notification shall be provided to all schools within 1,000 feet of a construction site.

AQ-14 Truck trips shall be reduced and/or hours of driving shall be restricted through residential communities.

AQ-15 Receipts of ultra-low sulfur fuel purchase and equipment tuning/repair shall be kept and made available upon request.

AQ-16 The construction contractor's Project Manager shall conduct spot checks for compliance with committed measures.

Findings Concerning Impact and Adopted Mitigation Measures

Significance with Mitigation Measure: RT finds that the above-stated mitigation measures are expressly incorporated into the Project approval, are feasible, and will reduce the impact to a **less-than-significant** level.

Facts and Reasoning to Support Finding: The project would cause air quality impacts through the use of heavy-duty construction equipment and through vehicle trips generated by construction workers traveling to and from the project site. Fugitive dust emissions would primarily result from site preparation (e.g., excavation) activities. NOX emissions would primarily result from the use of construction equipment. Mitigation measures would reduce air quality impacts to a less-than-significant level.

2. PM10 Emission Impacts: Construction activities such as demolition, clearing, grading, excavation, use of heavy equipment or trucks on unpaved surfaces, and loading/unloading trucks create large quantities of fugitive dust. SMAQMD requires that a localized analysis for fugitive dust be completed to determine if concentrations from construction activity would exceed significance thresholds. This determination was made using the ISCST3 air dispersion model.

The Basin is designated as a PM10 nonattainment area. Project-related fugitive dust emissions equal to or greater than five percent of the State 24-hour and annual PM10 standards would result in a significant impact. Therefore, any 24-hour PM10 emissions increase of 2.5 g/m3 or greater would result in a significant impact, and any annual PM10 emissions increase of 1.0 g/m3 or greater would result in a significant impact.

Based on modeled concentrations, construction activity along the project corridor would increase 24-hour PM10 concentrations by approximately 3.8 g/m3, and would exceed the significance threshold of 2.5 □g/m3. Annual PM10 concentrations would increase by approximately 1.3 g/m3, and would exceed the significance threshold of 1.0 g/m3. Localized construction emissions would result in a significant localized construction air quality impact without mitigation.

Mitigation Measure adopted by RT:

The following mitigation is recommended to help reduce fugitive dust emissions:

- **AQ-17** The construction contractor shall water exposed soil with adequate frequency to ensure that soil is continually moist per SMAQMD guidelines throughout the construction process.

Findings Concerning Impact and Adopted Mitigation Measures

Significance with Mitigation Measure: The 24-hour and annual PM10 emissions would still exceed the significance thresholds, and would result in a **significant and unavoidable** localized construction impact. No feasible mitigation can be implemented.

Facts and Reasoning to Support Finding: The project would cause PM10 emissions through construction activities such as demolition, clearing, grading, excavation, use of heavy equipment or trucks on unpaved surfaces, and loading/unloading trucks create large quantities of fugitive dust. Mitigation measures would not be sufficient to reduce air quality impacts to a less-than-significant level and PM10 emissions would remain an unavoidable adverse impact.

3. Operational Impacts: The project would reduce automobile VMT and increase light rail VMT in the transportation system. The Project would increase emissions by 1.1 ppd for ROG and reduce emissions by 0.03 ppd for NOX. Emissions associated with the project would not exceed the ROG and NOX significance thresholds of 65 ppd. The project would result in a **less-than-significant** regional operational air quality impact.

Mitigation Measure adopted by RT: None required.

Finding: Under CEQA, no mitigation measures are required for impacts that are considered **less-than-significant** or beneficial (PRC 21002; CEQA Guidelines 15126.4 and 15091).

4. CO Hotspot Impacts: Based on the CO hotspot analysis, the Project would result in a **less-than-significant** localized CO hotspot impact. CO concentrations in 2010 are expected to be lower than existing conditions due to stringent State and federal mandates for lowering vehicle emissions. Although traffic volumes would be higher in the future both without and with the implementation of the Project, CO emissions from mobile sources are expected to be much lower due to technological advances in vehicle emissions systems, as well as from normal turnover in the vehicle fleet. Accordingly, increases in traffic volumes are expected to be offset by increases in cleaner-running cars as a percentage of the entire vehicle fleet on the road.[1]

The State one- and eight-hour CO standards may potentially be exceeded at congested intersections with high traffic volumes. An exceedance of the State CO standards at an intersection is referred to as a CO hotspot. SCAQMD recommends a CO hotspot evaluation of potential localized CO impacts when V/C ratios are increased by two percent at intersections with a LOS of D or worse. SCAQMD also recommends a CO hotspot evaluation when an intersection decreases in LOS by one level beginning when LOS changes from C to D.

[1]California Air Resources Board, EMFAC2007, Version 2.3, November 1, 2006.

Based on the traffic study, the selected intersections are as follows:

1. 7th and B Streets – PM Peak Hour
2. 7th and F Streets – PM Peak Hour
3. 7th Street and Richards Boulevard – AM Peak Hour
4. 8th and G Streets – AM Peak Hour

The USEPA CAL3QHC micro-scale dispersion model was used to calculate CO concentrations for 2010 "no project" and "project" conditions. CO concentrations at the analyzed intersections are shown for the AM and PM peak hours in Tables 3-4. As indicated, one-hour CO concentrations under "project" conditions would be approximately 9 ppm at worst-case sidewalk receptors. Eight-hour CO concentrations under "project" conditions would range from approximately 5.3 to 5.5 ppm. The State one- and eight-hour standards of 20 and 9.0 ppm, respectively, would not be exceeded at the analyzed intersections. Thus, a **less-than-significant** impact is anticipated.

CO is a gas that disperses quickly. Thus, CO concentrations at sensitive receptor locations are expected to be much lower than CO concentrations adjacent to the roadway intersections. Additionally, the intersections were selected based on poor LOS and high traffic volumes. Sensitive receptors that are located away from congested intersections or are located near roadway intersections with better LOS are expected to be exposed to lower CO concentrations. As shown in Table 3-4, CO concentrations would not exceed the State one- and eight-hour standards. No significant increase in CO concentrations at sensitive receptor locations is expected, resulting in a **less-than-significant** impact.

Mitigation Measure adopted by RT: None required.

Finding: Under CEQA, no mitigation measures are required for impacts that are considered **less-than-significant** or beneficial (PRC 21002; CEQA Guidelines 15126.4 and 15091).

5. Toxic Air Contaminant Impacts

Construction (TAC) Impacts

The greatest potential for TAC emissions during construction would be diesel particulate emissions associated with heavy equipment operations. Typically, health effects from carcinogenic air toxics are usually described in terms of individual cancer risk. "Individual Cancer Risk" is the likelihood that a person continuously exposed to concentrations of TACs over a 70-year lifetime will contract cancer based on the use of standard risk assessment methodology. Given the short-term construction schedule of approximately 12 months, the Project would not result in a long-term (i.e., 70 years) source of TAC emissions. No residual emissions and corresponding individual cancer risk are anticipated after construction. Because there is such a short-term exposure period (12 out of 840 months), project-related construction TAC emissions would result in a **less-than-significant** impact.

Asbestos Containing Materials

Demolition of structures and earth disturbances may result in airborne entrainment of asbestos, particularly where structures include asbestos containing materials (ACMs) (e.g., insulated pipes, ducts, stacks, beams, ceiling tiles, walls, etc.) or in areas where soil contains naturally-

occurring deposits of ACMs. This is of particular concern because of asbestos' known association with long-term toxic and chronic hazard risks. Approximately three acres of land would be graded during the construction process with the potential to disturb naturally occurring ACMs. This would result in a **significant impact without mitigation**.

Operational Toxic Air Contaminant Impacts

The Project provides for new light rail transit service in the corridor. The new services would be operated by electrically-powered vehicles operating along a combination of new exclusive and semi-exclusive rights-of-way. The Project would reduce regional VMT and associated TACs, and increase light rail VMT in the transportation system. The light rail would be electrically powered from existing utilities and would not emit diesel particulate matter. Project-related operational emissions would result in a **less-than-significant** TAC impact.

Mitigation Measure adopted by RT:

The following mitigation is recommended

- **AQ-20** - In the event that the project site is identified as containing ACMs, either naturally-occurring or those found within structures, the construction contractor shall consult with the SMAQMD to ensure the proper handling and removal of ACMs.

Findings Concerning Impact and Adopted Mitigation Measures

Significance with Mitigation Measure: RT finds that the above-stated mitigation measures are expressly incorporated into the Project approval, are feasible, and will reduce the impact to a **less-than-significant** level.

Facts and Reasoning to Support Finding: The Project could generate TACs from diesel particulate emissions associated with heavy equipment operations but given the short-time frame of construction, these impacts would be less-than-significant. The Project may generate asbestos containing materials (ACMs) from demolition of structures and earth disturbances which may result in airborne entrainment of asbestos, particularly where structures include ACMs. With the proper handling of the ACMs, impacts would be reduced to a less-than-significant level.

6. Odor Impacts

Construction Odor Impacts

Potential sources that may emit odors during construction activities include equipment exhaust and architectural coatings. Odors from these sources would be localized and generally confined to the immediate area surrounding the project site. The Project would utilize typical construction techniques, and the odors would be typical of most construction sites and temporary in nature. The Project construction activity would not cause an odor nuisance, and construction odors would result in a **less-than-significant** impact.

Operational Odor Impacts

Land uses and industrial operations that are associated with odor complaints include agricultural uses, wastewater treatment plants, food processing plants, chemical plants, composting, refineries, landfills, dairies and fiberglass molding. The Project would not include any land use

or activity that typically generates adverse odors. The Project operational activity would not cause an odor nuisance, and construction odors would result in a **less-than-significant** impact.

Mitigation Measure adopted by RT: None required.

Finding: Under CEQA, no mitigation measures are required for impacts that are considered **less-than-significant** or beneficial (PRC 21002; CEQA Guidelines 15126.4 and 15091).

7. Impacts to Climate

The area surrounding the project site consists of typical urban development. The Project would not result in the alteration of air movement, moisture, or temperature, or in any change in climate, either locally or regionally over and above what is currently experienced in that area. The Project would result in a **less-than-significant** impact.

Mitigation Measure adopted by RT: None required.

Finding: Under CEQA, no mitigation measures are required for impacts that are considered **less-than-significant** or beneficial (PRC 21002; CEQA Guidelines 15126.4 and 15091).

8. Greenhouse Gas Emissions and Global Warming

Construction activity would generate GHG emissions from the operation of heavy-duty equipment, truck travel, and worker commute. The SMAQMD Road Construction Emissions Model was used to calculate construction GHG emissions. The entire construction process would generate approximately 587 tons of GHG emissions.

The Project would extend the existing light rail system by an additional mile of track into the region. This would reduce automobile VMT and increase light rail VMT in the transportation system. Based on information obtained from the traffic consultant, the Project would reduce regional automobile VMT by 40,525 miles per year. GHG-related pollutants would include methane and nitrous oxide. However, carbon dioxide would account for more than 99 percent of project-related operational GHG emissions. The automobile carbon dioxide emission rate of 461.361 grams per mile was obtained from the CARB EMFAC2007 emissions mode. This emission rate was multiplied by the VMT to obtain the grams per year of GHG emissions. The Project would decrease GHG emissions compared to "no project" conditions by approximately 20 tons per year. The Project would result in less GHG emissions than "no project" conditions. This would result in a **less-than-significant** and **long-term beneficial** global warming impact.

Mitigation Measure adopted by RT: None required.

Finding: Under CEQA, no mitigation measures are required for impacts that are considered **less-than-significant** or beneficial (PRC 21002; CEQA Guidelines 15126.4 and 15091).

9. Cumulative Air Quality Impacts

Based on the SMAQMD methodology, a project would have a significant cumulative air quality impact if the project requires a change in the existing land use designation (i.e., general plan amendment, rezone), and projected emissions (ROG, NOX, or PM10) of the Project are greater than the emissions anticipated for the site if developed under the existing land use designation. The Project would be developed within the right-of-way of an existing transportation corridor (7th

and 8th Streets), and would not require a change in land use designation or rezoning prior to construction. This would result in a **less-than-significant** cumulative impact.

Mitigation Measures Adopted by RT: None required.

Finding: Under CEQA, no mitigation measures are required for impacts that are considered **less-than-significant** or beneficial (PRC 21002; CEQA Guidelines 15126.4 and 15091).

Chapter 5.2 Transportation and Circulation

10. Intersections

The City of Sacramento would like to convert 7th Street to two-way operation between G and H Streets. The conversion requires the southbound LRT track to be an exclusive LRT-only lane rather than a shared southbound lane, requiring the removal of 10 on-street parking spaces on the west side of the street.

Additional level of service analyses were conducted at four intersections assuming the conversion of 7th Street from one-way to two-way operation between H Street and G Street. Intersection analysis with the conversion were not prepared for the Railyards alternative, since the subject segment would be the only block converted in what is otherwise a one-way street from Richards Boulevard to the CBD (Central Business District).

No significant impacts or mitigation measures are created or required due to an assumption of the conversion of 7th Street to two-way operations between G Street and H Street.

The City of Sacramento has requested that RT move the light rail tracks to the number two travel lanes from the number one travel lanes from B Street to Richards Boulevard.

The traffic signal phasing at 7th and North B Streets, and at 7th Street and Richards Boulevard does not change, and therefore the traffic analysis is unchanged.

The changes in intersection operating conditions do not exceed the standards of significance for impacts to intersections. The impacts of the project would be **less-than-significant**.

Mitigation Measure adopted by RT: None required.

Finding: Under CEQA, no mitigation measures are required for impacts that are considered **less-than-significant** or beneficial (PRC 21002; CEQA Guidelines 15126.4 and 15091).

11. Pedestrian and Bicycle Circulation Impacts

The Light Rail Alternatives include a single-track within the right-of-way of 7th Street where 7th Street passes under the Union Pacific Rail Road, and assumes relocation of existing pedestrian and existing designated bikeways from 7th Street to a new underpass west of 7th Street by others. Due to uncertainties regarding the timing for construction of a new Ped/Bike Path underpass by others, pedestrian and bikeway impacts are considered as a **significant impact** requiring mitigation.

Mitigation Measure adopted by RT: The separate bike and pedestrian underpass west of the existing 7th Street underpass would not be constructed coincident with the DNA MOS-1 Project, and that provisions would need to be made for bicycles and pedestrians within the existing

underpass during construction. Therefore, the existing sidewalk would be widened as much as possible while providing a southbound traffic lane. The widened sidewalk would mitigate impacts to a less-than-significant level. This mitigation measure would reduce the impact of the project to a **less-than-significant** level.

Findings Concerning Impact and Adopted Mitigation Measures

Significance with Mitigation Measure: RT finds that the above-stated mitigation measures are expressly incorporated into the Project approval, are feasible, and will reduce the impact to a **less-than-significant** level.

Facts and Reasoning to Support Finding: Given the status of the improvement project by others that would construct a new underpass west of 7th Street for a Pedestrian/Bike path, and the information available at this time, there is currently insufficient information and certainty on which to conclude it would be constructed before the Light Rail Alternative opening day. Therefore, the mitigation measure would be included in the MOS-1 project to protect bikes and pedestrians during construction. The mitigation will reduce these impacts to a less-than-significant level.

12. Transit Services

The Light Rail Alternative would increase demand for transit services. It would result in the addition of employees, residents, patrons, and visitors to the study area, some of whom would travel by transit. Although particular transit vehicles operate at or near capacity during the peak commuter periods, a review of existing transit operations and plans for future transit services indicate that there is ample capacity on the RT system to support the anticipated increase in transit utilization. Therefore, the impact on the transit system is considered **less-than-significant**.

Mitigation Measure adopted by RT: None required.

Finding: Under CEQA, no mitigation measures are required for impacts that are considered **less-than-significant** or beneficial (PRC 21002; CEQA Guidelines 15126.4 and 15091).

13. Parking

7th Street - F Street to H Street

Funding constraints could prevent construction of new track on 8th Street between G Street and H Street and on G Street between 7th and 8th Streets. If funding is insufficient, NB trains would travel west on H Street then north on 7th Street instead of traveling north on 8th Street then west on G Street. Without the 8th Street to G Street connection, 7th Street track between G and H Streets would operate in both north and south directions. Two-way operations would require the displacement of additional on-street parking: All on-street spaces on both sides of 7th Street from F Street to G Street, 3 additional spaces on the west side between G Street and F Street, and all the spaces on the east side between G Street and F Street would be displaced.

DKS conducted on-street parking surveys for the City of Sacramento on 7th Street between F and H Streets. Based on April 2008 parking surveys conducted for the City of Sacramento, the existing supply is 27 spaces and the existing midday (10 a.m. to 2 p.m.) occupancy is 20 vehicles. Some parking is designated for police only, and would likely need to be relocated.

Within approximately three blocks, the surveys indicated the midday availability of 109 on-street spaces. Therefore, the 20 potentially displaced vehicles could be accommodated nearby. There are also ample opportunities for off-street parking in the vicinity, including, in the short term, the lot located along the west side of 7th Street - this lot is property owned by Railyards and is planed for development during initial phases of their development.

8th Street – H Street to I Street

The proposed Light Rail Alternative includes a station platform for northbound trains on 8th Street between H and I Streets and would require elimination of additional spaces. The subject block has 11 parking / loading spaces along the west curb, and 7 spaces along the east curb. All of them were occupied during midday (10 a.m. to 2 p.m.) parking surveys conducted in April 2008 for the City of Sacramento.

Within three blocks of the subject block, there are about 1,058 other on-street spaces. 946 of these other spaces were occupied during the midday surveys, or about 89 percent. While there are available on-street spaces to accommodate parking space elimination in the subject block, the overall occupancy in the area is very high (about 90 percent).

Richards Boulevard Area

The proposed Light Rail Alternative in the DEIR would go into the existing 2-lane section on 7th Street between Richards Boulevard and North B Street and would not eliminate parking.

However, the City of Sacramento has requested that RT move the light rail tracks to the number two travel lanes from the number one travel lanes from B Street to Richards Boulevard, which requires the elimination of all on-street parking on both sides of the street from B Street to Richards Boulevard.

At this time, no decisions have been made by the City regarding the supply, regulation, and potential cost of on-street parking in the vicinity of the Richards Boulevard Station. A potential exists for off-street station parking, although such plans are indefinite at this time. As noted in the response to 6-2, Regional Transit will coordinate with the City of Sacramento Parking Division regarding future parking options.

Occupancy surveys conducted in March 2009 show overall occupancy in the area is very low. While moving track from the number one to the number two travel lanes would eliminate on-street parking, adequate additional parking is available within one block.

On-street parking could be restricted in the future in the area around the Township 9 light rail station. However, the extent of where parking would be restricted or removed is not known. Most business and industry have available off-street parking lots that are not full - on-street parking appears to be occurring for convenience, and could be accommodated off-street. No parking is required as part of the Light Rail Alternative. Parking impacts are considered **less-than-significant**.

Mitigation Measure adopted by RT: Prior to beginning of construction, a construction traffic and parking management plan would be prepared by Regional Transit to the satisfaction of the City traffic engineer and subject to review by all affected agencies. The plan would ensure that

acceptable operating conditions on local roadways and freeway facilities are maintained. The plan would include:

- The number of truck trips, time, and day of street closures;
- Time of day of arrival and departure of trucks;
- Limitations on the size and type of trucks, provision of a staging area with a limitation on the number of trucks that can be waiting;
- Provision of a truck circulation pattern;
- Provision of driveway access plan so that safe vehicular, pedestrian, and bicycle movements are maintained (e.g., steel plates, minimum distances of open trenches, and private vehicle pick up and drop off areas);
- Maintain safe and efficient access routes for emergency vehicles;
- Manual traffic control when necessary;
- Proper advance warning and Construction posted signage concerning street closures; and
- Provisions for pedestrian safety.

A copy of the construction traffic management plan would be submitted to local emergency response agencies and these agencies should be notified at least 14 days before the commencement of construction that would partially or fully obstruct roadways. This mitigation measure would reduce the impact of the project to a **less-than-significant** level.

Findings Concerning Impact and Adopted Mitigation Measures

Significance with Mitigation Measure: RT finds that the above-stated mitigation measures are expressly incorporated into the Project approval, are feasible, and will reduce the impact to a **less-than-significant** level.

Facts and Reasoning to Support Finding: The Project would generate construction traffic and parking impacts and the implementation of the construction traffic and parking plan would be reduced to a **less-than-significant level.**

14. Cumulative Impacts to Intersections

The project would increase traffic volumes in the study area. Peak hour intersection volumes and geometry are illustrated in the appendix. Tables 5.2-9 – 5.2-14 summarize the resultant conditions. The changes in intersection operating conditions with the addition of the project exceed the standards of significance (described in Section 5.2.5.1) for impacts to intersections at the following three locations: The impacts at the three locations were triggered by an increase in delay of more than five seconds where the LOS was below C without the project.

1. 8th Street / G Street – In the a.m. peak hour, the intersection level of service remains at LOS "D" with an increase in delay from 42.3 to 51.1, an increase of 8.8 seconds under the Cumulative Plus Light Rail Alternative - Railyards EIR Option.
2. 7th Street / H Street – In the p.m. peak hour, the intersection level of service remains at LOS "F" with an increase in delay from 114.3 to 132.0, an increase of 17.7 seconds under the Cumulative Plus Light Rail Alternative - Railyards EIR Option.

3. 7th Street design option: 7th Street / H Street – In the p.m. peak hour, the intersection level of service remains at LOS "F" with an increase in delay from114.3 to 162.4, an increase of 48.1 seconds under the Cumulative Plus Light Rail Alternative - Railyards EIR Option (with the 7th Street design option.) There is a relatively large increase under the 7th Street option at this location because if funding is insufficient for NB trains to travel north on 8th Street to G Street to 7th Street, all NB trains would travel west on H Street to 7th Street, through the 7th Street and H Street intersection. Under the 7th Street option, all NB and SB MOS-1 trains, as well as all existing EB and WB Gold Line trains would preempt this signal.
4. 7th Street / G Street – In the p.m. peak hour, the intersection level of service remains at LOS "F" with an increase in delay from 204.4 to 211.2, an increase of 6.8 seconds under the Cumulative Plus Light Rail Alternative - Network 1 Option.

Changes in intersection operating conditions under either the Cumulative Plus Light Rail Alternative - Railyards EIR Option (with or without the 7th Street design option) or under the Cumulative Plus Light Rail Alternative - Network 1 Option are **considered significant**.

Mitigation Measures adopted by RT:

1. Intersection of 8th Street and G Street – Modify the traffic signal cycle length during the a.m. peak hour by increasing the signal cycle length from 50 seconds to 100 seconds. This mitigation measure would improve traffic operations to LOS "D" with 40.5 seconds of delay, less than the Cumulative No project Alternative - Railyards EIR Option. The Cumulative Plus Light Rail Alternative - Railyards EIR Option would be reduced to **less-than-significant.**

2. Intersection of 7th Street and H Street – Modify the traffic signal cycle length during the p.m. peak hour by increasing the signal cycle length from 50 seconds to 100 seconds. This mitigation measure would improve traffic operations to LOS "E" with 65.8 seconds of delay, less than the Cumulative No project Alternative - Railyards EIR Option. The Cumulative Plus Light Rail Alternative - Railyards EIR Option would be reduced **to less-than-significant.**

2a Intersection of 7th Street and H Street – Modify the traffic signal cycle length during the p.m. peak hour by increasing the signal cycle length from 50 seconds to 100 seconds. This mitigation measure would improve traffic operations to LOS "E" with 75.0 seconds of delay, less than the Cumulative No project Alternative - Railyards EIR Option. The Cumulative Plus Light Rail Alternative - Railyards EIR Option (with the 7th Street design option) would be reduced to **less-than-significant**.

3. Intersection of 7th Street and G Street – Modify the traffic signal cycle length during the p.m. peak hour by increasing the signal cycle length from 50 seconds to 100 seconds. This mitigation measure would improve traffic operations to LOS "F" with 185.0 seconds of delay, less than the Cumulative No project Alternative - Network 1 Option. The Cumulative Plus Light Rail Alternative - Network 1 Option would be reduced **to less-than-significant.**

Findings Concerning Impact and Adopted Mitigation Measures

Significance with Mitigation Measure: RT finds that the above-stated mitigation measures are expressly incorporated into the Project approval, are feasible, and will reduce the impact to a **less-than-significant** level.

Facts and Reasoning to Support Finding: The Project would cause the intersection operating condition to deteriorate by causing delay increases of between 9 and 48 seconds of delay in affected intersections in the AM and PM peak hours. By modifying the traffic signal cycle lengths at the affected intersections, the impacts would be reduced to a less-than-significant level.

Chapter 5.3 Noise and Vibration

15. Construction noise

The Sacramento Municipal Code, Title 8 - Health and Safety, Chapter 8.68 – Noise Control, limits construction activity to the period between the hours of 7:00 a.m. and 6:00 p.m. Monday through Saturday. Construction is also limited to the hours between 9:00 a.m. and 6:00 p.m. on Sunday. However, the Codes do not mandate maximum allowable construction noise levels. Provided that the proposed construction activities occur during the allowed hours specified above, no significant construction noise impacts are anticipated.

Mitigation Measure adopted by RT:

1. Noise control devices, such as equipment mufflers, enclosures, and barriers can be used to reduce construction noise. Natural and artificial barriers such as ground elevation and existing buildings can shield construction noise. Staging areas should be kept as far from sensitive noise receptors as possible. noise barriers, such as temporary walls or piles of excavated material, should be constructed between noisy activities and noise-sensitive receivers.
2. Avoid residential areas when planning haul truck routes.
3. Replace noisy equipment with quieter equipment, such as vibratory pile driver instead of a conventional pile driver, enclosed air compressors, and mufflers on all engines.

Findings Concerning Impact and Adopted Mitigation Measures

Significance with Mitigation Measure: RT finds that the above-stated mitigation measures are expressly incorporated into the Project approval, are feasible, and will reduce the impact to a **less-than-significant** level.

Facts and Reasoning to Support Finding: Noise levels during construction would be minimized to a less-than-significant level by limiting construction hours, using noise control devices, avoiding sensitive receptor areas, and using quieter equipment. These mitigation measures would reduce construction noise to a less-than-significant level.

16. Ground-borne Vibration from Construction Activities

Construction activity can result in varying degrees of ground vibration, depending on the equipment and methods employed. The operation of construction equipment causes ground vibrations that spread through the ground and diminish in strength with distance. Buildings founded on the soil in the vicinity of the construction site respond to these vibrations with

varying results ranging from no perceptible effects at the lowest levels, low rumbling sounds, and perceptible vibrations at moderate levels and slight damage at the highest levels. Heaviest pieces of equipment such as a vibratory roller would be the most dominant source of overall construction vibration. The vibration levels created by the normal movement of vehicles including graders, front loaders, and backhoes are the same order-of-magnitude as the ground-borne vibration created by heavy trucks traveling on streets and highways. A vibratory roller, the highest vibration-generating equipment for this project, would create ground-borne vibration levels up to 0.21 in/sec as PPV at 25 feet from the center of activity (FTA, 2006). The closest distance between any susceptible building structures and the new alignment is at least 40 ft away. Therefore, construction vibration levels at the adjacent structures would be less than 0.25 in/sec for fragile buildings. No significant vibration impacts are anticipated during the construction activities.

Mitigation Measure adopted by RT: None required.

Finding: Under CEQA, no mitigation measures are required for impacts that are considered **less-than-significant** or beneficial (PRC 21002; CEQA Guidelines 15126.4 and 15091).

17. Operational Noise

Noise-sensitive land uses that might be affected by the operation of the Project include two single-family residences shown on Figure 5.3-1. The interior noise level criterion of 45 dBA is applied to assess future noise impact according to the City's 1998 and 2030 General Plans. The interior noise level criterion of 45 dBA is applicable to residential uses and transient lodgings where people normally sleep. Noise sensitive sites are determined to be impacted by the future project if either incremental exterior noise criteria or the interior noise level criterion of 45 dBA is exceeded

According to the calculations, two single-family residences on 7th Street north of G Street would receive operational noise impacts because of the new LRT operation. The transit operational noise resulting from the Project are similar to that of the ambient noise at this location Table 5.3-4. As stated in "Exterior Incremental Noise Impact Standards for Noise Sensitive Uses" of the City's 2030 General Plan, the cumulative noise including both ambient and project noise levels cannot constitute more than 1-dB incremental noise when the ambient noise levels exceed 65 dBA.

The LRT vehicles have warning devices that are sounded as the vehicles enter the stations and at-grade crossings. The City does not impose a quantitative noise limit specifically on warning devices. A noise criterion for warning devices recommended by American Association of Railroads' Signal Manual specifies that the noise levels of a warning bell should not be more than 105 dBA and not less than 75 dBA at a point 10 feet from the source. The warning device must be clearly audible to alert pedestrians or drivers on the roadways of imminent train pass-bys.

Mitigation Measure adopted by RT: At locations along the alignment where there are tight-turn radii in the tracks, wheel squeal may become a source of noise complaints. To avoid wheel squeal, it is recommended that the track turn radius be kept above 1,000 feet at all locations. However RT is aware that one turning radius would be 82 feet. Rail lubrication on sharp turns would be used to reduce or minimize squeal.

As rails wear, both noise levels may increase. Grinding down or replacing worn rail will assist with maintaining operating levels of noise and vibration. Also, wheel truing, the grinding down of flat spots on the rails' wheels that occur due to braking, will reduce noise and vibration effects. Overall vehicle maintenance will help reduce the likelihood of increased noise and vibration.

In regards to the warning device, transit gongs are designed to be clearly audible for safety reasons. Various gong sounding treatment options or mounting modifications can be applicable for noise reduction.

Findings Concerning Impact and Adopted Mitigation Measures

Significance with Mitigation Measure: RT finds that the above-stated mitigation measures are expressly incorporated into the Project approval, are feasible, and will reduce the impact to a **less-than-significant** level.

Facts and Reasoning to Support Finding: The ongoing maintenance of the light rail tracks would reduce operational train noise. The implementation of mitigation measures would reduce the impacts to a less-than-significant level.

18. Operational Vibration

The proposed LRT vehicles for this project would be similar to the vehicles in existing service for the Blue and Gold lines. The current revenue vehicles are manufactured by Siemens Transportation Systems and Construcciones y Auxiliar de Ferrocarriles. As a result, future pass-by vibration levels would closely resemble the levels currently experienced by the adjacent sensitive receptors. For sensitive receptors north of H Street, the new proposed LRT service would be a new source of ground-borne vibration.

For the new construction segment of the proposed alignment north of H Street, the closest residential structure is at least 50 feet away from the proposed tracks. Measured vibration levels were recorded at approximately 50 feet away from existing tracks. These measured vibration levels can be used to estimate future operational vibration impacts at the residences north of H Street due to their comparable distances to the source. According to the measured levels, these residences would experience LRT pass-by vibration levels in the range of 0.008 and 0.048 in/sec that are well below the City's mandated vibration levels of 0.5 in/sec for residential structures and 0.25 in/sec for historical buildings. No operational vibration impacts are anticipated for these residences north of H Street.

Mitigation Measure adopted by RT: None required.

Finding: Under CEQA, no mitigation measures are required for impacts that are considered **less-than-significant** or beneficial (PRC 21002; CEQA Guidelines 15126.4 and 15091).

19. Cumulative Noise Impacts

Overall noise increase due to the proposed LRT operation would be perceived at nearby sensitive locations in various levels. Along the new alignment north of H Street, the project would result in an approximate increase of 3-dB of cumulative noise levels at nearby sensitive locations including two single-family residences..

Mitigation Measure adopted by RT: None required.

Finding: Under CEQA, no mitigation measures are required for impacts that are considered **less-than-significant** or beneficial (PRC 21002; CEQA Guidelines 15126.4 and 15091).

Chapter 5.4 Aesthetics

20. Visual Intrusion into Historic Areas:

Mitigation Measure adopted by RT: There will be opportunity for the community during preliminary through final design to review Aesthetic and Design Guidelines for the project improvements to allow for community input to the visual aspects of the Project.

Findings Concerning Impact and Adopted Mitigation Measures

Significance with Mitigation Measure: RT finds that the above-stated mitigation measures are expressly incorporated into the Project approval, are feasible, and will reduce the impact to a **less-than-significant** level.

Facts and Reasoning to Support Finding: The Project would result in visual intrusion into a historic area and community input into the Project visual improvements would be sufficient to reduce visual impacts to a less-than-significant level.

21. Removal of Existing Mature Street Trees along 7th Street

Mitigation Measures Adopted by RT: Design the OCS to preserve the existing mature street trees along 7th Street in the Alkali Flat Neighborhood area. If trees are impacted, replacement trees would be planted to partially restore the Alkali Flat view shed.

Findings Concerning Impact and Adopted Mitigation Measures

Significance with Mitigation Measure: It is anticipated that with these mitigation measures in place the impacts to the visual environment in the Alkali Flat Neighborhood would be **less-than-significant.**

Facts and Reasoning to Support Finding: The Project would be constructed in an area along 7th Street where mature trees provide a visual screening for homes in Alkali Flat. Although these trees would be avoided during construction and operation of the Project, root systems and branches may be affected. Mitigation measures to replace impacted trees would reduce this impact to a less-than-significant level.

22. Visual Intrusion of OCS Elements.

Previous Visual and Aesthetic Resource analysis (DNA Corridor Draft PEIR, July 2007) have identified the inclusion of the OCS as a significant visual impact (Impact VIS-3). The poles and associated overhead lines would add a significant element of visual clutter to the views, particularly along 7th Street, south of the underpass, where there are currently no overhead lines, such as power and telephone lines.

Mitigation Measures Adopted by RT: Work with the community during preliminary through final design to develop Aesthetic and Design Guidelines for the project improvements through a formalized structure that allows for community input (Context Sensitive Solutions).

Findings Concerning Impact and Adopted Mitigation Measures

Significance with Mitigation Measure: After mitigation, visual intrusion of the OCS element would likely be **significant and unavoidable** in areas of the project corridor where existing overhead lines are not currently present.

Facts and Reasoning to Support Finding: The project would result in visual intrusion of the OCS element and mitigation measures would not be sufficient to reduce visual impacts to a less-than-significant level and would remain an unavoidable adverse impact.

Appendix A: Cultural Resources

23. Impact to Undiscovered Subsurface Cultural Resources.

Downtown Sacramento has many subsurface cultural resources that are under paved and disturbed areas. The location of many of these cultural resource sites are unknown and cannot be identified through pre-construction activities. Therefore, it is possible excavation during construction could disturb unknown archaeological or paleontological resources beneath the surface.

Mitigation Measures Adopted by RT:

CR-1 Implement preconstruction training for construction employees to familiarize them with cultural resources and to explain the protocols on how to proceed if subsurface cultural resources are encountered during construction. The legal ramifications of impacting cultural resources will also be explained.

CR-2 A qualified archaeologist, who is certified by the Society of Professional Archeologists (SOPA) and/or meet the federal standards as stated in the Code of Federal Regulations (36 CFR 61) should monitor the project site during earthmoving or excavation construction activities affecting previously undisturbed areas (deeper than 12 to 16 inches). A site-specific cultural resource monitoring plan will be developed by RT, prior to construction, once the construction activities are better defined.

CR-3 In the event that any prehistoric subsurface archeological features or deposits, including locally darkened soil ("midden"), that could conceal cultural deposits, animal bone, obsidian and/or mortars are discovered during construction-related earth-moving activities, all work within 50 yards of the resources shall be halted, and the qualified archaeologist would assess the significance of the find and monitor the site. Archeological test excavations shall be conducted by a qualified archeologist to aid in determining the nature and integrity of the find. If the find is determined to be significant by the qualified archeologist, RT representatives and the qualified archeologist shall coordinate to determine the appropriate course of action. All significant cultural materials recovered shall be subject to scientific analysis and professional museum curation. In addition, a report shall be prepared by the qualified archeologist according to current professional standards. The report will be submitted to RT.

CR-4 If a Native American site is discovered, the evaluation process shall include consultation with the appropriate Native American representatives. If Native American archeological, ethnographic, or spiritual resources are involved, all identification and treatment shall be

conducted by qualified archeologists, and Native American representatives, who are approved by the local Native American community as scholars of the cultural traditions. In the event that no such Native American is available, persons who represent tribal governments and/or organizations in the locale in which resources could be affected shall be consulted. If historic archeological sites are involved, all identified treatment is to be carried out by qualified historical archeologists.

CR-5 If a human bone or bone of unknown origin is found during construction, all work shall stop in the vicinity of the find, and the County Coroner shall be contacted immediately. If the remains are determined to be Native American, the coroner shall notify the Native American Heritage Commission, who shall notify the person most likely believed to be a descendant. The most likely descendant shall work with the contractor to develop a program for re-internment of the human remains and any associated artifacts. No additional work is to take place within the immediate vicinity of the find until the appropriate actions have taken place.

Findings Concerning Impact and Adopted Mitigation Measures

Significance with Mitigation Measure: With the incorporation of the above mitigation measures, the project is determined to have a **less-than-significant** impact on cultural resources.

Facts and Reasoning to Support Finding: The Project could result in impacts to undiscovered subsurface cultural resources. Mitigation measures would be sufficient to reduce cultural resource impacts to a less-than-significant level.

Appendix A: Water

24. Impact to Groundwater

The relocation of utilities and project-related excavations may be up to 60 inches deep and some of the OCS foundations may be 10 to 15 feet deep. Groundwater depths range from 14 to 33 feet, with an average of approximately 20 feet. The contractor would follow Central Valley Regional Water Quality Control Board requirements to ensure that such activities would not result in substantial changes in groundwater flow or quality.

Mitigation Measures Adopted by RT:

W-1 In the event that groundwater is encountered during construction, dewatering would be conducted locally. Dewatering effluent would be tested for contamination. Contaminated effluent would be disposed of in accordance with applicable federal, state, and local regulations.

Findings Concerning Impact and Adopted Mitigation Measures

Significance with Mitigation Measure: With the incorporation of the above mitigation measures, the project is determined to have a **less-than-significant** impact on water resources.

Facts and Reasoning to Support Finding: Depending on the depth and location of project-related excavation, the Project could result in impacts to groundwater. Mitigation measures would be sufficient to reduce groundwater impacts to a less-than-significant level.

Appendix A: Hazardous Materials

25. Impacts to Hazardous Materal Sites

Construction of the proposed project may involve the relocation of utilities and project-related excavations up to 60 inches deep and some of the OCS foundations may be 10 to 15 feet deep. If any of the excavations occur within 10 potential hazardous substance sites, these sites may be disrupted.

Mitigation Measures Adopted by RT:

HM-1 Confirming the Status of Remediation Activities. If any of the excavations occur within the Railroads area, a review will be conducted of the remediation status of the site. If remediation activities will be complete before construction of the project, then no further mitigation will be necessary. If remediation would not be completed prior to project construction, then an alternate mitigation plan will be prepared and implemented.

HM-2 Site Evaluation. If any of the excavations occur within the other nine potential hazardous substance sites in the project area (see Table 9-1), a Phase 2 Site Specific Evaluation will be made of any known and suspected contaminated sites that would be disturbed by construction operations before any soil is removed from affected areas for construction, using the following procedure: 1) implementation of a Worker Health and Safety Plan; 2) preparation of a site-specific work plan specifying the proposed location for surface samples or soil borings or trenches; 3) soil boring or trenching and sample collection; 4) laboratory analysis of samples; and 5) preparation of a findings and recommendations report. If the site-specific evaluations determine that contaminants are present, RT will determine the type and extent of contamination and will prepare and implement a remediation plan to avoid risks to public health and safety.

HM-3 Worker Health and Safety Plan & Training. To avoid health effects on construction personnel, all personnel who may come in contact with contaminated soil or groundwater would be trained in accordance with the OSHA Hazardous Waste Operations and Emergency Response (HAZWOPER) standard (29CFR 1910. 120). A site-specific worker health and safety plan defining potential contaminants and, where appropriate, proper personnel protective equipment would be employed. Proper decontamination procedures for workers and equipment would be followed.

HM-4 Notify Appropriate Regulatory Agencies and Enact Specific Mitigation Plans. RT will notify the State Department or Toxic Substances Control, Sacramento County Environmental Health Department and the local fire department of any contaminants encountered during construction.

Findings Concerning Impact and Adopted Mitigation Measures

Significance with Mitigation Measure: With the incorporation of the above mitigation measures, the project is determined to have a **less-than-significant** impact to hazardous materials.

Facts and Reasoning to Support Finding: Depending on the depth and location of project-related excavation, the Project could result in impacts to hazardous material sites. Mitigation measures would be sufficient to reduce hazardous material impacts to a less-than-significant level.

EXHIBIT B

STATEMENT OF OVERRIDING CONSIDERATIONS

In determining whether to approve the Project, CEQA requires a public agency to balance the benefits of a project against its unavoidable environmental risks. (Cal. Code Regs., tit. 14, § 15093). In accordance with Public Resources Code section 21081(b) and CEQA Guidelines section 15093, RT has, in determining whether or not to approve the proposed Project, balanced the economic, social, technological, academic, and other benefits of the Project against its unavoidable environmental effects, and has found that the benefits of the Project outweigh the significant adverse environmental effects that are not mitigated to less-than-significant levels, for the reasons set forth below. This statement of overriding considerations is based on RT's review of the DEIR and other information in the administrative record. RT finds that each of the following individual benefits is an overriding consideration, independent of the other benefits, that warrants approval of the Project, notwithstanding the Project's significant unavoidable impacts.

Implementation of the mitigation measures discussed in the DEIR will avoid or substantially lessen all but two of the Project's specific significant impacts to less-than-significant levels. The Project's two significant and unavoidable impacts (Construction-related PM10 Emissions and Visual Intrusion of the OCS Element) are discussed in Chapter 8.1 of the DEIR.

RT recognizes that the Project will cause the two significant Project-specific impacts listed above. RT has carefully balanced the benefits of the proposed Project against the unavoidable adverse impacts identified in the DEIR and the CEQA Findings of Fact. Notwithstanding the disclosure of impacts identified as significant and which have not been eliminated or mitigated to a less-than-significant level, RT, acting pursuant to Section 15093 of the CEQA Guidelines, hereby determines that the benefits of the Project outweigh the significant unmitigated adverse impacts.

Specific Findings

A. Project Benefits Outweigh Unavoidable Impacts

The remaining significant and unavoidable impact of the proposed Project is acceptable in light of the social, planning, land use and other considerations set forth herein because the benefits of the proposed Project outweigh the significant and unavoidable adverse environmental impacts of the proposed Project. The considerations and benefits of the Project are listed below.

Travel and Mobility

The Project will promote the goal of better travel and mobility by providing a transportation system that is safe, efficient, and coordinated. It provides a balanced set of travel alternatives by:

- Providing a transit travel option in a high travel demand corridor in the rapidly growing study area;

- Providing mobility improvements in the project corridor;
- Improving system-wide operating efficiencies; and
- Providing transportation improvements that are enhanced by transit-supportive land use plans and policies.

Land Use

The Project will ensure compatibility between land use policies and transportation policies by:

- Encouraging high-density, multi-use development in the proximity of transit stations to increase transit use;
- Encouraging infill development and discouraging the trend toward urban sprawl; and
- Developing and implementing transportation policies and services that reinforce local and regional land use plans and policies.

Financial and Economic Goal

The Project will meet financial and economic goals by:

- Improving system-wide operating efficiencies; and
- Providing cost-effective transportation solutions.

Environmental

The Project will provide a transportation system that enhances the physical and natural environment by:

- Providing environmental benefits in the project corridor;
- Minimizing air pollution and facilitating the attainment of air quality standards;
- Minimizing and mitigating noise pollution; and
- Conserving energy.

Community Considerations

The Project will provide a transportation system that is consistent with the needs of corridor residents by:

- Minimizing the disruption of neighborhood cohesiveness and quality of life;
- Maximizing the service to, and mobility of, the transit-dependent and transportation disadvantaged; and
- Encouraging the economic revitalization of low-income areas.

B. Balance of Competing Goals

RT finds it imperative to balance competing goals in approving the proposed Project and the environmental documentation for the proposed Project. Not every policy or environmental concern has been fully satisfied because of the need to satisfy competing concerns to a certain extent. Accordingly, in one instance RT has chosen to accept an environmental impact because to eliminate it would unduly compromise important economic, technological or other goals. RT finds and determines that the text of the proposed Project approval document and the

supporting environmental documentation provide for a positive balance of the competing goals and that the social, planning, land use and other benefits to be obtained by the proposed Project outweigh the environmental and related potential impacts of the proposed Project.

Overriding Considerations

Substantial evidence is included in the record of these proceedings and in documents relating to the Project demonstrating the travel and mobility, land use, financial, environmental, and community benefits which RT and Sacramento County residents would derive from the implementation of the proposed Project. RT has balanced the considerations of the proposed Project against the two unavoidable environmental impacts (Construction-related PM10 Emissions and Visual Intrusion of the OCS Element) identified in the DEIR and concludes that the travel and mobility, land use, financial, environmental, and community benefits that will be derived from the implementation of the proposed Project outweigh the environmental impacts. These are addressed in RT's CEQA Findings of Fact.

In particular, RT considered whether there would be any impacts related to: air quality, transportation and circulation, noise and vibration, aesthetics, cultural resources, water, and hazardous materials. These categories were analyzed for both project impacts and construction phase impacts. Upon balancing the environmental risks and countervailing benefits, RT concludes that the travel and mobility, land use, financial, environmental, and community benefits which RT and Sacramento County residents will derive from the implementation of the Project outweigh those environmental risks.

RT finds that the above described benefits which will be derived from implementing the Project, when weighed against the absence of the Project, override the significant and unavoidable environmental impacts of the proposed Project.

Incorporation by Reference

The DEIR is hereby incorporated into these findings in their entirety.

Without limitation, this incorporation is intended to elaborate on the scope and nature of mitigation measures, the basis for determining the significance of impacts, the comparative analysis of alternatives, and the reasons for approving the Project in spite of the potential for associated significant unavoidable adverse impacts.

Summary

Based on the foregoing findings and the information contained in the Record, RT has made one or more of the following findings with respect to each of the significant environmental effects of the Project:

1. Changes or alterations have been required in, or incorporated into, the Project which mitigate or avoid the significant effects on the environment.

2. Those changes or alterations are within the responsibility and jurisdiction of another public agency and have been, or can and should be, adopted by that other agency.

3. Specific economic, legal, social, technological, or other considerations make infeasible the mitigation measures or alternatives identified in the environmental impact report.

Based on the foregoing findings and the information contained in the record, it is determined that:

1. All significant effects on the environment due to the approval of the Project have been eliminated or substantially lessened where feasible.

2. Any remaining significant effects on the environment found to be unavoidable are acceptable due to the factors described in the Statement of Overriding Considerations above.

Conclusion

RT has balanced the specific economic, legal, social, technological and other benefits against the unavoidable environmental risks identified in the DEIR and has concluded that the benefits of the proposed Project outweigh those unavoidable environmental risks. RT has determined that any remaining environmental effects attributable to the proposed Project that are found to be unavoidable in the CEQA Findings of Fact, are acceptable due to the overriding concerns set forth in this Statement of Overriding Considerations. As a result, RT finds that the remaining significant adverse impacts are acceptable to RT and that the proposed Project with mitigation should be approved.

RT further finds that each of the benefits or reasons described above in this Statement of Overriding Considerations is individually sufficient by itself to outweigh and override the environmental risks and support the approval of the proposed Project.

In conclusion, RT finds that any remaining significant adverse impacts attributable to the Project are acceptable to RT due to the overriding concerns set forth in this Statement of Overriding Considerations. RT has concluded that with the unavoidable environmental risks, the proposed Project with feasible mitigation should be approved.

EXHIBIT C
MITIGATION MONITORING/REPORTING PROGRAM

The California Environmental Quality Act requires that a lead agency adopt a mitigation monitoring and reporting program (MMRP) to ensure that project revisions and mitigation measures, which were identified in an EIR to mitigate or avoid significant environmental effects, are implemented (CEQA Guidelines §15097). The lead agency can delegate reporting and monitoring responsibilities, but remains responsible for ensuring implementation of the mitigation measures until they have been completed. The MMRP identifies responsible parties and timing for implementation.

The mitigation measures and other project features that the Sacramento Regional Transit District (RT) committed to in the DEIR to reduce adverse impacts are summarized in Table 1. This summary table is provided as part of the Final EIR to facilitate the monitoring of the implementation of the mitigation measures. However, the DEIR provides the full description of all mitigation measures that are included in the project. RT will establish a program for monitoring the implementation of the mitigation measures as part of its Project Management Plan.

EXHIBIT C
MITIGATION MONITORING/REPORTING PROGRAM

TABLE 1: DNA LIGHT RAIL TRANSIT MOS-1 PROJECT MITIGATION MEASURES SUMMARY

Chapter/ Section	Measure/Description	DEIR Location (Page #)	Party Responsible for Implementation	Party Responsible for Verification	Timing
Section 5.1 Air Quality	**Mitigation Measures AQ-1:** The construction contractor shall provide a plan, for approval by the lead agency and SMAQMD, demonstrating that the heavy-duty (> 50 horsepower) self-propelled off-road vehicles to be used in the construction project, including owned, leased and subcontractor vehicles, will achieve a project wide fleet-average 20 percent NOx reduction and 45 percent particulate reduction compared to the most recent CARB fleet average at time of construction.	Revised page 5.1-13	Contractor	RT	Pre-Construction
	Mitigation Measures AQ-2: The construction contractor shall submit to the lead agency and SMAQMD a comprehensive inventory of all off-road construction equipment, equal to or greater than 50 horsepower, that will be used an aggregate of 40 or more hours during any portion of the construction project. The inventory shall include the horsepower rating, engine production year, and projected hours of use 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	Revised page 5.1-13	Contractor	RT	Pre-Construction and Construction

Chapter/ Section	Measure/Description	DEIR Location (Page #)	Party Responsible for Implementation	Party Responsible for Verification	Timing
Section 5.1 Air Quality (continued)	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.				
	Mitigation Measures AQ-3: The construction contractor 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 (or Ringelmann 2.0) shall be repaired immediately, and the lead agency 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.	Revised page 5.1-13	Contractor	RT	Construction

Chapter/ Section	Measure/Description	DEIR Location (Page #)	Party Responsible for Implementation	Party Responsible for Verification	Timing
	Nothing in this section shall supercede other SMAQMD or State rules or regulations.				
Section 5.1 Air Quality (continued)	**Mitigation Measures AQ-4:** The construction contractor 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.	Revised page 5.1-13	Contractor	RT	Construction
	Mitigation Measures AQ-5: The construction contractor shall ensure that active grading and parking areas are watered at least twice daily.	Revised page 5.1-13	Contractor	RT	Construction
	Mitigation Measures AQ-6: The construction contractor shall ensure that exposed stockpiles are enclosed, covered, watered twice daily.	Revised page 5.1-13	Contractor	RT	Construction

EXHIBIT C
MITIGATION MONITORING/REPORTING PROGRAM

Chapter/ Section	Measure/Description	DEIR Location (Page #)	Party Responsible for Implementation	Party Responsible for Verification	Timing
Section 5.1 Air Quality (continued)	**Mitigation Measures AQ-7:** The construction contractor shall ensure that all trucks hauling dirt, sand, silt, or other loose materials are covered or maintain at least two feet of freeboard.	Revised page 5.1-13	Contractor	RT	Construction
	Mitigation Measures AQ-8: The construction contractor shall utilize ultra-low sulfur fuel (< 15 parts per million) at an incremental cost of $0.20 to $0.50 per gallon. Locations where ultra-low sulfur fuel is available in California are available at: http://ecdiesel.com/business/locator.	Revised page 5.1-13	Contractor	RT	Construction
	Mitigation Measures AQ-9: The construction contractor shall establish an idling limit (e.g., 5 minutes per hour).	Revised page 5.1-13	Contractor	RT	Construction
	Mitigation Measures AQ-10: The construction contractor shall ensure that equipment is tuned to manufacturers' specifications at the manufacturers' recommended frequency.	Revised page 5.1-13	Contractor	RT	Contractor

EXHIBIT C
MITIGATION MONITORING/REPORTING PROGRAM

Chapter/ Section	Measure/Description	DEIR Location (Page #)	Party Responsible for Implementation	Party Responsible for Verification	Timing
Section 5.1 Air Quality (continued)	**Mitigation Measures AQ-11:** The construction contractor shall prohibit any tampering with engines and continuing adherence to manufacturer's recommendations will be required.	Revised page 5.1-13	Contractor	RT	Construction
	Mitigation Measures AQ-12: If necessary, additional emissions limits shall be established within 1,000 feet of any K-12 school, based on CARB proposals.	Revised page 5.1-13	Contractor	RT	Construction
	Mitigation Measures AQ-13: Notification shall be provided to all schools within 1,000 feet of a construction site.	Revised page 5.1-13	Contractor	RT	Pre-Construction
	Mitigation Measures AQ-14: Truck trips shall be reduced and/or hours of driving shall be restricted through residential communities.	Revised page 5.1-13	Contractor	RT	Construction

EXHIBIT C
MITIGATION MONITORING/REPORTING PROGRAM

Chapter/ Section	Measure/Description	DEIR Location (Page #)	Party Responsible for Implementation	Party Responsible for Verification	Timing
Section 5.1 Air Quality (continued)	**Mitigation Measures AQ-15:** Receipts of ultra-low sulfur fuel purchase and equipment tuning/repair shall be kept and made available upon request.	Revised page 5.1-13	Contractor	RT	Construction
	Mitigation Measures AQ-16: The construction contractor's Project Manager shall conduct spot checks for compliance with committed measures.	Revised page 5.1-13	Contractor	RT	Construction
	Mitigation Measures AQ-17: The construction contractor shall water exposed soil with adequate frequency to ensure that soil is continually moist per SMAQMD guidelines throughout the construction process	Revised page 5.1-14	Contractor	RT	Construction
	Mitigation Measures AQ-18: In the event that the project site is identified as containing ACMs, either naturally-occurring or those found within structures, the construction contractor shall consult with the SMAQMD to ensure the proper handling and removal of ACMs.	Revised page 5.1-17	Contractor	RT	Construction

EXHIBIT C
MITIGATION MONITORING/REPORTING PROGRAM

Chapter/ Section	Measure/Description	DEIR Location (Page #)	Party Responsible for Implementation	Party Responsible for Verification	Timing
Section 5.2 Transportation	Mitigation Measures TC-2: Provisions would need to be made for bicycles and pedestrians within the existing underpass during construction. The existing sidewalk would be widened as much as possible while providing a southbound traffic lane.	Page 5.2-16	Contractor	RT	Construction
Section 5.2 Transportation (continued)	**Mitigation Measures TC-4:** Prior to beginning of construction, a construction traffic and parking management plan would be prepared by Regional Transit to the satisfaction of the City traffic engineer and subject to review by all affected agencies. The plan would ensure that acceptable operating conditions on local roadways and freeway facilities are maintained. The plan would include: • The number of truck trips, time, and day of street closures. • Time of day of arrival and departure of trucks. • Limitations on the size and type of trucks, provision of a staging area with a limitation on the number of trucks that can be waiting. • Provision of a truck circulation pattern • Provision of driveway access plan so that	Page 5.2-22	City of Sacramento, DOT	RT	Operation

Chapter/ Section	Measure/Description	DEIR Location (Page #)	Party Responsible for Implementation	Party Responsible for Verification	Timing
Section 5.2 Transportation (continued)	safe vehicular, pedestrian, and bicycle movements are maintained (e.g., steel plates, minimum distances of open trenches, and private vehicle pick up and drop off areas). • Maintain safe and efficient access routes for emergency vehicles. • Manual traffic control when necessary. • Proper advance warning and Construction posted signage concerning street closures. • Provisions for pedestrian safety. A copy of the construction traffic management plan would be submitted to local emergency response agencies and these agencies should be notified at least 14 days before the commencement of construction that would partially or fully obstruct roadways.				
	Mitigation Measures TC-5: Intersection of 8th Street and G Street – Modify the traffic signal cycle length during the a.m. peak hour by increasing the signal cycle length from 50 seconds to 100 seconds. This mitigation measure would improve traffic operations to level of service (LOS) "D" with 40.5 seconds of delay, less than the Cumulative No project Alternative - Railyards EIR Option. Intersection of 7th Street and H Street –	Revised page 5.2-19	RT	RT City Traffic Engineer	Pre-Construction

EXHIBIT C
MITIGATION MONITORING/REPORTING PROGRAM

Chapter/ Section	Measure/Description	DEIR Location (Page #)	Party Responsible for Implementation	Party Responsible for Verification	Timing
Section 5.2 Transportation (continued)	Modify the traffic signal cycle length during the p.m. peak hour by increasing the signal cycle length from 50 seconds to 100 seconds. This mitigation measure would improve traffic operations to LOS "E" with 65.8 seconds of delay, less than the Cumulative No project Alternative - Railyards EIR Option. Intersection of 7th Street and H Street – Modify the traffic signal cycle length during the p.m. peak hour by increasing the signal cycle length from 50 seconds to 100 seconds. This mitigation measure would improve traffic operations to LOS "E" with 75.0 seconds of delay, less than the Cumulative No project Alternative - Railyards EIR Option. Intersection of 7th Street and G Street – Modify the traffic signal cycle length during the p.m. peak hour by increasing the signal cycle length from 50 seconds to 100 seconds. This mitigation measure would improve traffic operations to LOS "F" with 185.0 seconds of delay, less than the Cumulative No project Alternative - Network 1 Option				
Section 5.3 Noise/Vibration	**Mitigation Measures NV-1:** Noise control devices, such as equipment mufflers, enclosures, and barriers can be used to reduce construction noise. Natural and artificial barriers such as ground elevation and existing buildings can shield construction noise. Staging areas should be kept as far	Page 5.3-7	Contractor	RT	Construction

Chapter/ Section	Measure/Description	DEIR Location (Page #)	Party Responsible for Implementation	Party Responsible for Verification	Timing
	from sensitive noise receptors as possible. Noise barriers, such as temporary walls or piles of excavated material, should be constructed between noisy activities and noise-sensitive receivers. Avoid residential areas when planning haul truck routes. Replace noisy equipment with quieter equipment, such as vibratory pile driver instead of a conventional pile driver, enclosed air compressors, and mufflers on all engines.				
Section 5.3 Noise/Vibration (continued)	**Mitigation Measures NV-3:** At locations along the alignment where there are tight-turn radii in the tracks, wheel squeal may become a source of noise complaints. To avoid wheel squeals, it is recommended that the track turn radius be kept above 1,000 feet at all locations. However, RT is aware that one turning radius would be 82 feet. Rail lubrication on sharp turns would be used to reduce or minimize squeals. As rails wear, both noise levels may increase. Grinding down or replacing worn rail will assist with maintaining operating levels of noise and vibration. Also, wheel truing, the grinding down of flat spots on the rails' wheels that occur due to braking, will reduce noise and vibration effects. Overall vehicle	Page 5.3-11	RT	RT	Operations

Chapter/ Section	Measure/Description	DEIR Location (Page #)	Party Responsible for Implementation	Party Responsible for Verification	Timing
	maintenance will help reduce the likelihood of increased noise and vibration. In regards to the warning device, transit gongs are designed to be clearly audible for safety reasons. Various gong sounding treatment options or mounting modifications can be applicable for noise reduction.				
Section 5.4 Aesthetics	**Mitigation Measures VIS-1:** Work with the community during preliminary through final design to develop Aesthetic and Design Guidelines for the project improvements through a formalized structure that allows for community input (Context Sensitive Solutions). Design the overhead contact systems (OCS) to preserve the existing mature street trees along 7th Street in the Alkali Flat Neighborhood area.	Page 5.4-12	RT	RT	Pre-Construction
	Mitigation Measures VIS-2: Design the OCS to preserve the existing mature street trees along 7th Street in the Alkali Flat Neighborhood area. If trees are impacted, replacement trees would be planted to restore the Alkali Flat view shed.	Page 5.4-12	Designer	RT	Pre-Construction and Operation

EXHIBIT C
MITIGATION MONITORING/REPORTING PROGRAM

Chapter/ Section	Measure/Description	DEIR Location (Page #)	Party Responsible for Implementation	Party Responsible for Verification	Timing
	Mitigation Measures VIS-3: Work with the community during preliminary through final design to develop Aesthetic and Design Guidelines for the project improvements through a formalized structure that allows for community input (Context Sensitive Solutions).	Page 5.4-12	RT	RT	Pre-Construction
Appendix A: Cultural Resources	**Mitigation Measures CUL:** **CR-1** - Implement preconstruction training for construction employees to familiarize them with cultural resources and to explain the protocols on how to proceed if subsurface cultural resources are encountered during construction. The legal ramifications of impacting cultural resources will also be explained. **CR-2** - A qualified archaeologist, who is certified by the Society of Professional Archeologists (SOPA) and/or meet the federal standards as stated in the Code of Federal Regulations (36 CFR 61) should monitor the project site during earthmoving or excavation construction activities (deeper than 12 to 18 inches). A site-specific cultural resource monitoring plan will be developed by Regional Transit, prior to construction, once the construction activities are better defined.	Page 38 Page 38	Cultural Resource Specialist (Working for RT) Cultural Resource Specialist (Working for RT)	RT RT	Pre-Construction Construction Construction

EXHIBIT C
MITIGATION MONITORING/REPORTING PROGRAM

Chapter/ Section	Measure/Description	DEIR Location (Page #)	Party Responsible for Implementation	Party Responsible for Verification	Timing
Appendix A: Cultural Resources (continued)	**CR-3** - In the event that any prehistoric subsurface archeological features or deposits, including locally darkened soil ("midden"), that could conceal cultural deposits, animal bone, obsidian and/or mortars are discovered during construction-related earth-moving activities, all work within 50 yards of the resources shall be halted, and the qualified archaeologist would assess the significance of the find and monitor the site. Archeological test excavations shall be conducted by a qualified archeologist to aid in determining the nature and integrity of the find. If the find is determined to be significant by the qualified archeologist, RT representatives and the qualified archeologist shall coordinate to determine the appropriate course of action. All significant cultural materials recovered shall be subject to scientific analysis and professional museum curation. In addition, a report shall be prepared by the qualified archeologist according to current professional standards. The report will be submitted to RT.	Page 38	Cultural Resource Specialist (Working for RT)	RT	Construction
	CR-4 - If a Native American site is discovered, the evaluation process shall include consultation with the appropriate Native American representatives. If Native American archeological, ethnographic, or spiritual resources are involved, all identification and treatment shall be conducted by qualified archeologists, and Native American representatives, who are	Page 38	Cultural Resource Specialist (Working for RT)	RT	

Chapter/ Section	Measure/Description	DEIR Location (Page #)	Party Responsible for Implementation	Party Responsible for Verification	Timing
Appendix A: Cultural Resources (continued)	approved by the local Native American community as scholars of the cultural traditions. In the event that no such Native American is available, persons who represent tribal governments and/or organizations in the locale in which resources could be affected shall be consulted. If historic archeological sites are involved, all identified treatment is to be carried out by qualified historical archeologists. **CR-5** - If a human bone or bone of unknown origin is found during construction, all work shall stop in the vicinity of the find, and the County Coroner shall be contacted immediately. If the remains are determined to be Native American, the coroner shall notify the Native American Heritage Commission, who shall notify the person most likely believed to be a descendant. The most likely descendant shall work with the contractor to develop a program for re-internment of the human remains and any associated artifacts. No additional work is to take place within the immediate vicinity of the find until the appropriate actions have taken.	Page 38	Cultural Resource Specialist (Working for RT) Contractor County Corner	RT RT	Construction

EXHIBIT C
MITIGATION MONITORING/REPORTING PROGRAM

Chapter/ Section	Measure/Description	DEIR Location (Page #)	Party Responsible for Implementation	Party Responsible for Verification	Timing
Appendix A: Water	**Mitigation Measures WAT:** In the event that groundwater is encountered during construction, dewatering would be conducted locally. Dewatering effluent would be tested for contamination. Contaminated effluent would be disposed of in accordance with applicable federal, state, and local regulations.	Page 15	Contractor	RT	Construction
Appendix A: Hazardous Waste	**Mitigation Measures HAZ:** **HM-1 - Confirming the Status of Remediation Activities**. If any of the excavations occur within the Railroads area, a review will be conducted of the remediation status of the site. If remediation activities will be complete before construction of the project, then no further mitigation will be necessary. If remediation would not be completed prior to project construction, then an alternate mitigation plan will be prepared and implemented.	Page 28	Hazmat Specialist (Working for RT)	RT	Pre-Construction
	HM-2 - Site Evaluation. If any of the excavations occur within the other nine potential hazardous substance sites in the project area (see Table 9-1), a Phase II Site Specific Evaluation will be made of any known and suspected contaminated sites that would be disturbed by construction	Page 28	Hazmat Specialist (Working for RT)	RT	Pre-Construction

EXHIBIT C
MITIGATION MONITORING/REPORTING PROGRAM

Chapter/ Section	Measure/Description	DEIR Location (Page #)	Party Responsible for Implementation	Party Responsible for Verification	Timing
Appendix A: Hazardous Waste (continued	operations before any soil is removed from affected areas for construction, using the following procedure: 1) implementation of a Worker Health and Safety Plan; 2) preparation of a site-specific work plan specifying the proposed location for surface samples or soil borings or trenches; 3) soil boring or trenching and sample collection; 4) laboratory analysis of samples; and 5) preparation of a findings and recommendations report. If the site-specific evaluations determine that contaminants are present, RT will determine the type and extent of contamination and will prepare and implement a remediation plan to avoid risks to public health and safety. **HM-3 - Worker Health and Safety Plan & Training.** To avoid health effects on construction personnel, all personnel who may come in contact with contaminated soil or groundwater would be trained in accordance with the OSHA Hazardous Waste Operations and Emergency Response (HAZWOPER) standard (29CFR 1910. 120). A site-specific worker health and safety plan defining potential contaminants and, where appropriate, proper personnel protective equipment would be employed. Proper decontamination procedures for workers and equipment would be followed.	Page 28	Hazmat Specialist (Working for RT)	RT	Pre-Construction

EXHIBIT C

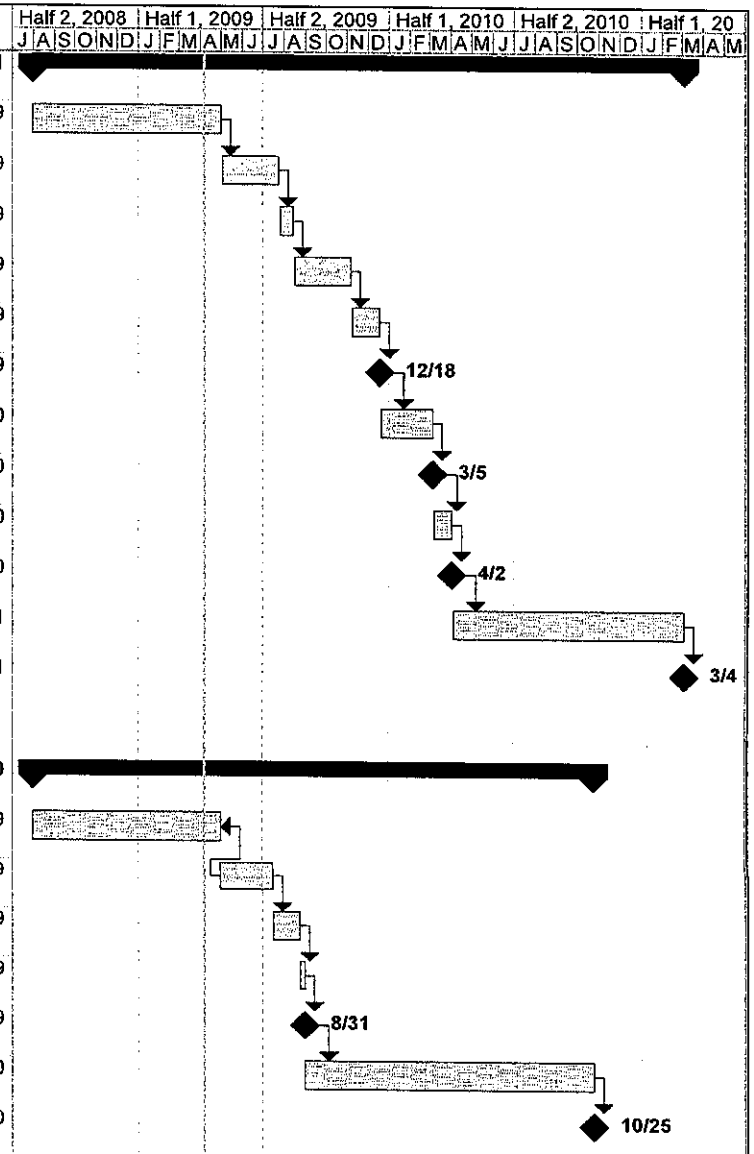
MITIGATION MONITORING/REPORTING PROGRAM

Chapter/ Section	Measure/Description	DEIR Location (Page #)	Party Responsible for Implementation	Party Responsible for Verification	Timing
	HM-4 - Notify Appropriate Regulatory Agencies and Enact Specific Mitigation Plans. RT will notify the State Department or Toxic Substances Control, Sacramento County Environmental Health Department and the local fire department of any contaminants encountered during construction.	Page 28	RT	RT	Construction

EXHIBIT D

PUBLIC CONTRACT CODE SECTION 20209.6
EVALUATION

ID	Task Name	Duration	Start	Finish
1	**Design-Bid-Build**	**676 days**	**8/1/08**	**3/4/11**
2	30% Design	196 days	8/1/08	5/1/09
3	65% Design	3 mons	5/4/09	7/24/09
4	Review	3 wks	7/27/09	8/14/09
5	95% Design	3 mons	8/17/09	11/6/09
6	Review	6 wks	11/9/09	12/18/09
7	100% Design	0 days	12/18/09	12/18/09
8	Bid Period	11 wks	12/21/09	3/5/10
9	Bid Opening	0 days	3/5/10	3/5/10
10	Review Bids, Complete Contract Documents	20 days	3/8/10	4/2/10
11	Notice to Proceed	0 days	4/2/10	4/2/10
12	Construction	12 mons	4/5/10	3/4/11
13	Completion	0 days	3/4/11	3/4/11
14				
15	**Design-Build**	**582 days**	**8/1/08**	**10/25/10**
16	30% Design	196 days	8/1/08	5/1/09
17	RFP	11 wks	5/1/09	7/16/09
18	Selection/Award	27 days	7/17/09	8/24/09
19	Final Paperwork	5 days	8/25/09	8/31/09
20	Notice to Proceed	0 days	8/31/09	8/31/09
21	Design-Build	15 mons	9/1/09	10/25/10
22	Completion	0 days	10/25/10	10/25/10



Project: dbb-db comparison
Date: 4/6/09

Task
Split
Progress
Milestone
Summary
Project Summary
External Tasks
External Milestone
Deadline