

Appendix H

Mitigation Monitoring and Reporting Program (MMRP)

MITIGATION MONITORING AND REPORTING PROGRAM

RALEY BOULEVARD TRUCK SERVICE AND PARKING FACILITY PROJECT

Purpose of Mitigation Monitoring and Reporting Program: The California Environmental Quality Act (CEQA), Public Resources Code Section 21081.6, requires that a Mitigation Monitoring and Reporting Program (MMRP) be established upon completing findings. CEQA stipulates that “the public agency shall adopt a reporting or monitoring program for the changes to the project which it has adopted or made a condition of project approval in order to mitigate or avoid significant effects on the environment. The reporting or monitoring program shall be designed to ensure compliance during project implementation.”

This MMRP has been prepared in compliance with Section 21081.6 of CEQA to ensure that all required mitigation measures are implemented and completed according to schedule and maintained in a satisfactory manner during the construction and operation of the project, as required. A table (attached) has been prepared to assist the responsible parties in implementing the MMRP. The table identifies individual mitigation measures, monitoring/mitigation timing, the responsible person/agency for implementing the measure, and space to confirm the implementation of the mitigation measures. The numbering of mitigation measures follows the numbering sequence found in the Initial Study and Mitigated Negative Declaration.

The City of Sacramento is the lead agency for the project under CEQA and shall administer and implement the MMRP. The City is responsible for reviewing all monitoring reports, enforcement actions, and document disposition. The City shall rely on information provided by the project site observers/monitors (e.g., construction manager, project manager, biologist, archaeologist, etc.) as accurate and up-to-date and shall provide personnel to field check mitigation measure status, as required.

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**MITIGATION MONITORING AND REPORTING PROGRAM
Raley Boulevard Truck Service and Parking**

Mitigation Measure	Monitoring / Mitigation Timing	Reporting / Responsible Party	Verification of Compliance	
			Initials	Date
BIOLOGICAL RESOURCES				
<p>BIO-1: Special-Status Plant Species The Study Area contains suitable habitat for dwarf downingia, stinkbells, Boggs Lake hedge-hyssop, and legenera within the seasonal wetlands. To avoid potential impacts to these species, the following measures are recommended:</p> <ul style="list-style-type: none"> • A qualified botanist should conduct a special-status plant survey within the appropriate identification (blooming) period prior to the initiation of any ground-disturbing activities. A survey conducted in May will satisfy the blooming period for all potential species. If no special-status plants are observed, then a letter report documenting the survey results should be prepared and submitted to the project proponent and no further measures are recommended. • If special-status plants are observed within the Study Area, the location of the special-status plants should be marked with pin flags or other highly visible markers and may also be marked by GPS. The project proponent should determine if the special-status plant(s) onsite can be avoided by project design or utilize construction techniques to avoid impacts to the special-status plant species. All special-status plants to be avoided should have exclusion fencing or other highly visible material marking the avoidance area and the avoidance area should remain in place throughout the entire construction period. • If special-status plants are found within the Study Area and cannot be avoided, the project proponent should consult with the CDFW and/or the USFWS as appropriate and depending on the status of the plant species in question and determine appropriate measures to mitigate for the loss of special-status plant populations. These measures may include gathering seed from impacted populations for planting within nearby appropriate habitat, preserving or enhancing existing offsite populations of the plant species affected by the 	Prior to the start of construction activities.	Qualified Biologist.		

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project, or restoring suitable habitat for special-status plant species habitat as directed by the regulatory agencies.				
<p>BIO-2: Vernal Pool Branchiopods</p> <p>The Study Area contains potentially suitable habitat for vernal pool fairy shrimp and vernal pool tadpole shrimp within the seasonal wetlands. Listed invertebrate species are assumed to be present in suitable habitat within their range unless a complete protocol-level survey, consisting of one wet-season survey and one dry-season survey, results in no evidence of the listed species. If protocol surveys are conducted, surveys should follow the (2017) USFWS Survey Guidelines for the Listed Large Branchiopods and be conducted by a USFWS-approved biologist.</p> <ul style="list-style-type: none"> • If the species are found to be absent with survey results and the USFWS accepts the survey findings, then no mitigation for listed vernal pool invertebrates is likely required. If the species are present, or if the project proponent decides to assume presence without conducting the surveys, then mitigation for listed vernal pool invertebrates would be required for project-related impacts to suitable habitat. Assumed presence may be decided by the project proponent prior to construction and mitigation for assumed presence would be determined by the USFWS and CDFW. • If mitigation for vernal pool invertebrates is required and the project has a federal nexus (e.g., is pursuant to a USACE permit, is federally funded, or occurs on federal land), impacts can be addressed through Section 7 consultation with the USFWS. If the project does not have a federal nexus, the project proponent, through coordination with the USFWS, can prepare a Habitat Conservation Plan under Section 10 of FESA. Possible mitigation opportunities include offsite preservation of occupied offsite habitat or purchase of habitat credits at a qualified mitigation bank. 	Prior to the start of construction activities.	Qualified Biologist; City of Sacramento		

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<p>BIO-3: Special Status Reptiles Suitable aquatic habitat for northwestern pond turtle and giant garter snake is present in Magpie Creek and the unnamed canal immediately adjacent to the Study Area. These species may occur in the features and may utilize the Study Area as upland habitat. To avoid potential impacts to these species, the following measures are recommended:</p> <ul style="list-style-type: none"> • Ground-disturbing work should take place during the active season of these species, if feasible, while northwestern pond turtle and giant garter snake are more likely to avoid potential disturbances. The general active season window for both species is May 1 – October 1 but seasonal weather patterns should be considered during construction to provide flexibility. • A qualified biologist should conduct a pre-construction survey within 24 hours prior to the start of grading or land disturbing activities. If the survey shows that there is no evidence of these species, then a letter report should be prepared to document the survey and be provided to the project proponent and no additional measures are recommended. If development does not commence within 24 hours of the survey, or halts for more than seven days, then an additional survey is required prior to starting or resuming work. <p>If any of these species are observed during the survey, no work shall occur until the appropriate agency has been consulted to determine appropriate mitigation and avoidance measures.</p> <ul style="list-style-type: none"> • Wildlife exclusion fencing should be installed around the project area prior to construction, especially along Magpie Creek and the unnamed canal. General silt fencing or other solid fencing is recommended. Fencing should be trenched into the soil at least six inches and the soil must be carefully compacted against both sides of the fence for its entire length to prevent animals from entering the construction area. Exclusion fencing should be inspected daily for the duration of construction to ensure it remains intact and any holes, tears, or gaps should be repaired immediately. Fencing should be removed upon construction completion. 	<p>Within 24 hours prior to the start of construction activities.</p>	<p>City of Sacramento; Qualified Biologist.</p>		

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<ul style="list-style-type: none"> If any of these species are observed within the project area during work, specifically within the construction zone, all work shall immediately halt in the vicinity of the animal and the animal will be allowed to leave the area of its own will. If the animal is in immediate danger, an agency approved biologist will relocate the animal outside of the construction zone, at a safe distance from all construction-related activities, and within suitable habitat. No one other than an approved biologist shall handle, take, or otherwise harass the animal. No work shall resume until the animal has moved or been removed from areas of potential disturbance. A qualified biologist should conduct an environmental awareness training for all project-related personnel prior to the initiation of work. The training should include identification of these species, required practices before the start of construction, general measures that are being implemented to protect the species as they relate to the project, penalties for non-compliance, and boundaries of the permitted disturbance zones. Upon completion of the training, all construction personnel should sign a form stating that they have attended the training and understand all the measures. Proof of this instruction should be kept on file on site and a copy kept with the project proponent. 				
<p>BIO-4: Swainson’s Hawk The Study Area provides potential foraging habitat for this species and suitable nest trees are present in the vicinity of the Study Area. To avoid potential impacts to Swainson’s hawk, the following measures are recommended:</p> <ul style="list-style-type: none"> If construction activities will begin during the Swainson’s hawk nesting season (March 20 to September 15), a qualified biologist should conduct at least the minimum number of surveys called for within at least two survey periods prior to the initiation of construction in accordance with the <i>Recommended Timing and Methodology for Swainson’s Hawk Nesting Surveys in California’s Central Valley</i> (Swainson’s Hawk Technical Advisory Committee 2000) or the current CDFW-approved protocol. Current survey periods specified by the Guidelines are March 20 to April 5, April 5 to April 20, April 21 to June 10, and June 10 to July 30. All potential nest trees within 0.25-mile of the proposed Project footprint should be visually examined for potential Swainson’s hawk nests, as accessible. 	Within at least two survey periods prior to the start of construction activities.	Applicant; Qualified Biologist; City of Sacramento		

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<ul style="list-style-type: none"> • If no active Swainson’s hawk nests are identified on or within 0.25-mile of the proposed project, a letter report documenting the survey methodology and findings should be submitted to the project proponent and no additional mitigation measures are recommended. • If active Swainson’s hawk nests (a nest becomes active once the first egg is laid and remains active until the fledged young are no longer dependent on the nest [USFWS 2018]) are found within 0.25-mile of the Project footprint, a survey report should be submitted to CDFW, and an avoidance and minimization plan should be developed for approval by CDFW prior to the start of construction. The avoidance plan should identify measures to minimize impacts to the active Swainson’s hawk nest depending on the location of the nest relative to the project footprint. These measures may include: <ul style="list-style-type: none"> ○ Conduct a worker awareness training program prior to the start of construction; ○ Establish a buffer zone and work schedule to avoid impacting the nest during critical periods. If possible, no work will occur within 200 yards of the nest while it is in active use. If work will occur within 200 yards of the nest, then construction will be monitored by a qualified biologist to ensure that no work occurs within 50 yards of the nest during incubation or within 10 days after hatching (Swainson’s Hawk Technical Advisory Committee 2000); ○ Have a biological monitor conduct regular monitoring of the nest during construction activities; and ○ Should the project biologist determine that the construction activities are disturbing the nest; the biologist should halt construction activities until the CDFW is consulted. 				

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<ul style="list-style-type: none"> • The Study Area contains grassland habitat which provides suitable foraging habitat for Swainson’s hawks although the Study Area’s relatively small size and surrounding development reduce the potential for this species to utilize the Study Area. CDFW has provided guidelines for mitigating impacts to Swainson’s hawk foraging habitat as summarized below (CDFW 1994). The City of Sacramento would make a final determination if mitigation were required for Swainson’s hawk foraging habitat. <ul style="list-style-type: none"> ○ Projects within 1 mile of an active nest shall provide: <ul style="list-style-type: none"> ▪ One acre of foraging habitat for each acre of development at a ratio of 1:1. Mitigated lands shall consist of 10 percent of the land requirements met by fee title acquisition or a conservation easement allowing for the active management of the habitat, and the remaining 90 percent of the land protected by a conservation easement on agricultural lands or other suitable habitats which provide foraging habitat for Swainson's hawk (grasslands, rangeland, etc.) and no requirements for active management of the habitat; or ▪ One-half acre of foraging habitat for each acre of development authorized at a ratio of 0.5:1. All the land requirements shall be met by fee title acquisition or a conservation easement, which allows for the active management of the habitat for prey production on the land. Prey abundance and availability is determined by land and farming patterns including crop types, agricultural practices, and harvesting regimes. Actively managed land for prey production may result in the land becoming less valuable for crop production due to management limitations but increases the value for Swainson’s hawk through functional lift. • Projects within 5 miles of an active nest tree but greater than 1 mile from the nest tree shall provide 0.75 acre of foraging habitat for each acre of urban development at a ratio of 0.75:1. All foraging habitat may be protected through fee title acquisition or conservation easement on agricultural lands or other suitable habitats. 				

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<ul style="list-style-type: none"> Projects within 10 miles of an active nest tree but greater than 5 miles from an active nest tree shall provide 0.5 acre of Habitat Management land for each acre of urban development at a ratio of 0.5:1. All foraging habitat may be protected through fee title acquisition or a conservation easement on agricultural lands or other suitable habitat. <p>The CEQA lead agency (in this case the City of Sacramento) will make the final determination as to the extent of the proposed project’s impacts to Swainson’s hawk foraging habitat and any appropriate mitigation that might be necessary associated with project development. Mitigation bank credits could also be used to satisfy Swainson’s hawk mitigation requirements as approved by the lead agency, as necessary.</p>				
<p>BIO-5: Tricolored Blackbird, Grasshopper Sparrow, White-Tailed Kite, Song Sparrow “Modesto Population” and Other Special-Status Birds and Nesting Migratory Birds and Raptors</p> <p>Special-status birds and migratory birds and raptors protected under federal, State, and/or local laws and policies have potential to nest and forage within the Study Area including tricolored blackbird, grasshopper sparrow, white-tailed kite, and song sparrow “Modesto Population.” Although no active nests were observed during the field survey, the Study Area and adjacent land contain suitable habitat to support a variety of nesting birds within trees, shrubs, structures, and on bare ground.</p> <p>Active nests and nesting birds are protected by the California Fish and Game Code Sections 3503 and 3503.5, 3513 and the MBTA. Ground-disturbing and other development activities including grading, vegetation clearing, tree removal/trim, and construction could impact nesting birds if these activities occur during the nesting season (generally February 1 to August 31). To avoid impacts to nesting birds, all ground disturbing activity should be completed between September 1 and January 31, if feasible. If construction cannot occur outside of the nesting season, the following measures are recommended:</p> <ul style="list-style-type: none"> If construction activities occur during the nesting season, a qualified biologist should conduct a nesting bird survey to determine the presence of any active nests within the Study Area. Additionally, the surrounding 500 feet of the Study 	<p>Within 14 days prior to the start of construction activities.</p>	<p>Applicant; Qualified Biologist; City of Sacramento</p>		

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<p>Area should be surveyed for active raptor nests, and up to 0.25 mile for Swainson’s hawk nests where accessible. The nesting bird survey should be conducted within 14 days prior to commencement of ground-disturbing or other development activities. If the nesting bird survey shows that there is no evidence of active nests, then a letter report should be prepared to document the survey and be provided to the project proponent and no additional measures are recommended. If development does not commence within 14 days of the nesting bird survey, or halts for more than 14 days, then an additional survey is required prior to starting or resuming work within the nesting season.</p> <ul style="list-style-type: none"> • If active nests are found, then the qualified biologist should establish a species-specific buffer to prohibit development activities near the nest to and minimize nest disturbance until the young have successfully fledged or the biologist determines that the nest is no longer active. Buffer distances may range from 30 feet for some songbirds up to 0.25 mile for Swainson’s hawk. Nest monitoring may also be warranted during certain phases of construction to ensure nesting birds are not adversely impacted. If active nests are found within any trees slated for removal, then an appropriate buffer should be established around the tree and all trees within the buffer should not be removed until a qualified biologist determines that the nest has successfully fledged and/or is no longer active. • A qualified biologist should conduct environmental awareness training that is given to all onsite personnel prior to the initiation of work. <p>If construction occurs outside of the nesting bird season (September 1 to January 31) a nesting bird survey and environmental training for nesting birds would not be required.</p>				
<p>BIO-6: Aquatic Resources A total of 0.19 acre of aquatic features were mapped within the Study Area. Prior to initiation of any construction activities which could result in impacts to potentially regulated aquatic features, the extent of the features within the Study Area should be verified by the USACE and applicable permits should be prepared and submitted to the appropriate regulatory agencies for any project-related impacts to these features. Any conditions included in the final permits, including prescribed mitigation measures, would be required to be implemented prior to filling or impacting these features.</p>	<p>Prior to the start of construction.</p>	<p>Qualified Biologist; City of Sacramento.</p>		

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<p>Section 404 authorization from the USACE and a Section 401 Water Quality Certification from the RWQCB may be required prior to the start of construction that will impact any waters of the U.S. Any waters of the U.S. or jurisdictional wetlands that would be lost or disturbed should be replaced or rehabilitated on a “no-net-loss” basis in accordance with the USACE mitigation guidelines and City of Sacramento requirements. Habitat restoration, rehabilitation, and/or replacement should be at a location and by methods agreeable to the agencies.</p> <p>If a 404 permit is required for the proposed project, then water quality concerns during construction would be addressed in the Section 401 water quality certification from the Regional Water Quality Control Board. A Storm Water Pollution Prevention Plan (SWPPP) would also be required during construction activities. SWPPPs are required in issuance of a National Pollutant Discharge Elimination System (NPDES) construction discharge permit by the U.S. Environmental Protection Agency. Implementation of Best Management Practices (BMPs) during construction is standard in most SWPPPs and water quality certifications. Examples of BMPs include stockpiling of debris away from regulated wetlands and waterways; immediate removal of debris piles from the site during the rainy season; use of silt fencing and construction fencing around regulated waterways; and use of drip pans under work vehicles and containment of fuel waste throughout the site during construction.</p> <p>If the aquatic features are determined to not be subject to federal jurisdiction, then these features may still be subject to waste discharge requirements under the Porter-Cologne Water Quality Control Act. Section 13260(a) of the Porter-Cologne Water Quality Control Act (contained in the California Water Code) requires any person discharging waste or proposing to discharge waste, other than to a community sewer system, within any region that could affect the quality of the waters of the State (all surface and subsurface waters) to file a report of waste discharge. The discharge of dredged or fill material into the ditches may constitute a discharge of waste that could affect the quality of waters of the State. A report of waste discharge will be filed for impacts to non-federal waters, if required.</p>				

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CULTURAL RESOURCES				
<p>CUL-1: Cultural Resources Sensitivity and Awareness Training</p> <p>The City shall require the applicant/contractor to provide a cultural resources and tribal cultural resources sensitivity and awareness training program (Worker Environmental Awareness Program [WEAP]) for all personnel involved in project construction, including field consultants and construction workers. The WEAP will be developed in coordination with an archaeologist meeting the Secretary of the Interior’s Professional Qualifications Standards for Archeology. The WEAP shall be conducted before any project-related construction activities begin at the project site. The WEAP will include relevant information regarding sensitive cultural resources, including applicable regulations, protocols for avoidance, and consequences of violating State laws and regulations.</p> <p>The WEAP will also describe appropriate avoidance and impact minimization measures for cultural resources that could be located at the project site and will outline what to do and who to contact if any potential cultural resources are encountered. The WEAP will emphasize the requirement for confidentiality and culturally appropriate treatment of any discovery of significance.</p>	Prior to project construction.	Applicant; Qualified Archaeologist		
<p>CUL-2: Archaeological Monitoring</p> <p>A focused archaeological monitoring shall be conducted after initial grading has occurred within a 100-foot buffer around a polygon that encompasses all four of the historic-era archaeological features. The reviewing archaeologist shall review the exposed subsurface soils for any indication of hollow/fill features or any other such features or deposits that may constitute intact archaeological phenomena. The reviewing archaeologist shall meet the Secretary of the Interior’s <i>Professional Qualifications Standards</i> for Archeology (36 CFR Part 61) and shall document their observations (if the review is negative) in a brief memorandum for the City’s administrative records. If archaeological cultural resources are encountered during the focused monitoring review:</p> <ol style="list-style-type: none"> 1. The on-site archaeologist is authorized to stop work in the vicinity of the find immediately. 2. The on-site archaeologist will notify the Resident Engineer and establish a 60-foot buffer area to prevent further impacts to the resource. 	During ground-disturbing activities.	Qualified Archaeologist		

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<p>3. SHK Group, LLC will have a qualified archaeologist assess the findings.</p> <p>Further ground disturbances in the immediate area of the find will remain stopped while the qualified archaeologist assesses the findings and coordinates recommendations for treatment of the discovery in consultation with the appropriate Native American tribal representatives, historical societies, and/or the City.</p>				
<p>CUL-3: In the Event that Cultural Resources are Discovered During Construction, Implement Procedures to Evaluate Cultural Resources and Implement Avoidance and Minimization Measures to Avoid Significant Impact</p> <p>If cultural resources (such as structural features, unusual amounts of bone or shell, artifacts, or human remains) are encountered at the project site during construction, work shall be suspended within 100 feet of the find (based on the apparent distribution of cultural materials), and the construction contractor shall immediately notify the project's City representative. Avoidance and preservation in place is the preferred manner of mitigating impacts to cultural resources. This will be accomplished, if feasible, by several alternative means, including:</p> <ul style="list-style-type: none"> • Planning construction to avoid archaeological sites and/or other cultural resources; incorporating cultural resources within parks, green-space or other open space; covering archaeological resources; deeding a cultural resource to a permanent conservation easement; or other preservation and protection methods agreeable to consulting parties and regulatory authorities with jurisdiction over the activity. • Recommendations for avoidance of cultural resources will be reviewed by the City representative and other appropriate agencies, in light of factors such as costs, logistics, feasibility, design, technology and social, cultural and environmental considerations, and the extent to which avoidance is consistent with project objectives. Avoidance and design alternatives may include realignment within the project site to avoid cultural resources, modification of the design to eliminate or reduce impacts to cultural resources or modification or realignment to avoid highly significant features within a cultural resource. 	Immediately upon discovery.	City of Sacramento; Qualified Archaeologist		

Mitigation Measure	Monitoring / Mitigation Timing	Reporting / Responsible Party	Verification of Compliance	
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<ul style="list-style-type: none"> If the discovered cultural resource can be avoided, the construction contractor(s), will install protective fencing outside the site boundary, including a 100-foot of protective fencing will be determined in consultation with Native American representatives from interested culturally affiliated Native American tribes. The construction contractor(s) will maintain the protective fencing throughout construction to avoid the site during all remaining phases of construction. The area will be demarcated as an “Environmentally Sensitive Area”. <p>If a cultural resource cannot be avoided, the following performance standard shall be met prior to continuance of construction and associated activities that may result in damage to or destruction of cultural resources:</p> <ul style="list-style-type: none"> Each resource will be evaluated for California Register of Historical Resources- (CRHR) eligibility through application of established eligibility criteria (California Code of Regulations 15064.636), in consultation with consulting Native American Tribes, as applicable. <p>If a cultural resource is determined to be eligible for listing in the CRHR, the City will avoid damaging effects to the resource in accordance with California PRC Section 21084.3, if feasible. The City shall coordinate the investigation of the find with a qualified archaeologist (meeting the Secretary of the Interior’s Professional Qualifications Standards for Archeology) approved by the City. As part of the site investigation and resource assessment, the City and the archaeologist shall assess the significance of the find, make recommendations for further evaluation and treatment as necessary and provide proper management recommendations should potential impacts to the resources be determined by the City to be significant. A written report detailing the site assessment, coordination activities, and management recommendations shall be provided to the City representative by the qualified archaeologist. These recommendations will be documented in the project record.</p>				

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<p>CUL-3: Implement Procedures in the Event of the Inadvertent Discovery of Human Remains.</p> <p>If an inadvertent discovery of human remains is made at any time during project-related construction activities or project planning, the City the following performance standards shall be met prior to implementing or continuing actions such as construction, which may result in damage to or destruction of human remains. In accordance with the California Health and Safety Code (HSC), if human remains are encountered during ground-disturbing activities, the City shall immediately halt potentially damaging excavation in the area of the remains and notify the Sacramento County Coroner and a professional archaeologist to determine the nature of the remains. The Coroner is required to examine all discoveries of human remains within 48 hours of receiving notice of a discovery on private or State lands (HSC Section 7050.5[b]).</p> <p>If the human remains are of historic age and are determined to be not of Native American origin, the City will follow the provisions of the HSC Section 7000 (et seq.) regarding the disinterment and removal of non-Native American human remains.</p> <p>If the Coroner determines that the remains are those of a Native American, he or she must contact the Native American Heritage Commission (NAHC) by phone within 24 hours of making that determination (HSC Section 7050[c]). After the Coroner’s findings have been made, the archaeologist and the NAHC-designated Most Likely Descendant (MLD), in consultation with the landowner, shall determine the ultimate treatment and disposition of the remains. The responsibilities of the City for acting upon notification of a discovery of Native American human remains are identified in California PRC Section 5097.9 et seq.</p>	<p>Immediately upon discovery.</p>	<p>City of Sacramento; Qualified Archaeologist</p>		

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NOISE				
<p>NOI-1: Construction Noise The following measure shall be implemented by all construction contractors to reduce the effects of noise levels generated from construction activities:</p> <ul style="list-style-type: none"> • Construction hours shall be limited to 7:00 a.m. to 6:00 p.m. Monday through Saturday and between 9:00 a.m. and 6:00 p.m. on Sunday. Construction outside of these hours may be approved through a development permit based on a site-specific “construction noise mitigation plan” and a finding by the Director of Community Development or their designee that the construction noise mitigation plan is adequate to prevent excessive noise disturbance of affected residential uses. Because it is anticipated that certain construction activities (such as continuous pours of concrete foundations) may require work outside normally permitted construction hours (e.g., overnight), the project’s Development Permit would allow for such construction activities, subject to conditions of approval, including performance standards, imposed by the City to limit noise impacts. • Construction equipment and vehicles shall be fitted with efficient, properly operating noise suppression devices (e.g., mufflers, silencers, wraps) that meet or exceed manufacture specifications. Mufflers and noise suppressors shall be properly maintained and tuned to ensure proper fit, function and minimization of noise. • Impact tools and equipment that is particularly loud (e.g., concrete saws) shall have the working area/impact area shrouded or shielded, with intake and exhaust ports on power equipment muffled or suppressed. The use of temporary or portable, application-specific noise shields or barriers, or temporary construction barriers adjacent to or at the boundary of the construction area may be necessary to reduce associated noise levels. 	During construction activities.	Project applicant.		

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<ul style="list-style-type: none"> Construction equipment shall not be idled for extended periods (e.g., 5 minutes or longer) of time in the immediate vicinity of noise-sensitive receptors. Stationary noise-generating equipment such as air compressors or portable power generators shall be located as far as possible from sensitive receptors. Temporary noise barriers shall be constructed, if needed, to screen stationary noise-generating equipment when located near adjoining noise-sensitive land uses. <p>For major construction projects: a designated on-site disturbance coordinator shall be designated by the general contractor and shall post contact information in a conspicuous location near the entrance(s) of the construction site, so it is clearly visible to passers-by and nearby receptors. The coordinator shall document and manage complaints resulting from the construction noise. The disturbance coordinator shall determine the cause of the noise complaint (e.g., inoperative muffler) and shall require that reasonable measures be implemented to correct the problem. Reoccurring disturbances shall be evaluated by a qualified acoustical consultant retained by the project applicant to ensure compliance with applicable standards.</p>				
TRIBAL CULTURAL RESOURCES				
<p>TCR-1a: In the Event that Tribal Cultural Resources are Discovered During Construction, Implement Avoidance and Minimization Measures to Avoid Significant Impacts and Procedures to Evaluate Resources.</p> <p>If tribal cultural resources (such as structural features, unusual amounts of bone or shell, artifacts, or human remains) are encountered at the project site during construction, work shall be suspended within 100 feet of the find (based on the apparent distribution of cultural materials), and the construction contractor shall immediately notify the project's City representative. Avoidance and preservation in place is the preferred manner of mitigating impacts to tribal cultural resources. This will be accomplished, if feasible, by several alternative means, including:</p> <ul style="list-style-type: none"> Planning construction to avoid tribal cultural resources, archaeological sites and/or other cultural resources; incorporating cultural resources within parks, green-space or other open space; covering archaeological resources; deeding a cultural resource to a permanent conservation easement; or other preservation and protection methods agreeable to consulting parties and regulatory 	Immediately upon discovery.	City of Sacramento; Qualified Archaeologist.		

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<p>authorities with jurisdiction over the activity.</p> <ul style="list-style-type: none"> Recommendations for avoidance of tribal cultural resources will be reviewed by the City representative, interested culturally affiliated Native American tribes and other appropriate agencies, in light of factors such as costs, logistics, feasibility, design, technology and social, cultural and environmental considerations, and the extent to which avoidance is consistent with project objectives. Avoidance and design alternatives may include realignment within the project site to avoid tribal cultural resources, modification of the design to eliminate or reduce impacts to tribal cultural resources or modification or realignment to avoid highly significant features within a cultural resource or tribal cultural resource. Native American representatives from interested culturally affiliated Native American tribes will be notified to review and comment on these analyses and shall have the opportunity to meet with the City representative and its representatives who have technical expertise to identify and recommend feasible avoidance and design alternatives, so that appropriate and feasible avoidance and design alternatives can be identified. <p>If the discovered tribal cultural resource can be avoided, the construction contractor(s), will install protective fencing outside the site boundary, including a 100-foot buffer area, before construction restarts. The boundary of a tribal cultural resource will be determined in consultation with interested culturally affiliated Native American tribes and tribes will be notified to monitor the installation of fencing. Use of temporary and permanent forms of protective fencing will be determined in consultation with Native American representatives from interested culturally affiliated Native American tribes.</p> <ul style="list-style-type: none"> The construction contractor(s) will maintain the protective fencing throughout construction to avoid the site during all remaining phases of construction. The area will be demarcated as an “Environmentally Sensitive Area”. 				

Mitigation Measure	Monitoring / Mitigation Timing	Reporting / Responsible Party	Verification of Compliance	
			Initials	Date
<p>If a tribal cultural resource cannot be avoided, the following performance standard shall be met prior to continuance of construction and associated activities that may result in damage to or destruction of tribal cultural resources:</p> <p>Each resource will be evaluated for California Register of Historical Resources- (CRHR) eligibility through application of established eligibility criteria (California Code of Regulations 15064.636), in consultation with consulting Native American Tribes, as applicable.</p> <p>If a tribal cultural resource is determined to be eligible for listing in the CRHR, the City will avoid damaging effects to the resource in accordance with California PRC Section 21084.3, if feasible. The City shall coordinate the investigation of the find with a qualified archaeologist (meeting the Secretary of the Interior’s Professional Qualifications Standards for Archeology) approved by the City and with interested culturally affiliated Native American tribes that respond to the City’s notification. As part of the site investigation and resource assessment, the City and the archaeologist shall consult with interested culturally affiliated Native American tribes to assess the significance of the find, make recommendations for further evaluation and treatment as necessary and provide proper management recommendations should potential impacts to the resources be determined by the City to be significant. A written report detailing the site assessment, coordination activities, and management recommendations shall be provided to the City representative by the qualified archaeologist. These recommendations will be documented in the project record. For any recommendations made by interested culturally affiliated Native American tribes that are not implemented, a justification for why the recommendation was not followed will be provided in the project record.</p>				

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<p>Native American representatives from interested culturally affiliated Native American Tribes and the City representative will also consult to develop measures for long-term management of any discovered tribal cultural resources. Consultation will be limited to actions consistent with the jurisdiction of the City and taking into account ownership of the subject property. To the extent that the City has jurisdiction, routine operation and maintenance within tribal cultural resources retaining tribal cultural integrity shall be consistent with the avoidance and minimization standards identified in this mitigation measure.</p> <p>If the City determines that the project may cause a significant impact to a tribal cultural resource, and measures are not otherwise identified in the consultation process, the following are examples of mitigation capable of avoiding or substantially lessening potential significant impacts to a tribal cultural resource or alternatives that would avoid significant impacts to the resource. These measures may be considered to avoid or minimize significant adverse impacts and constitute the standard by which an impact conclusion of less-than significant may be reached:</p> <ul style="list-style-type: none"> • Avoid and preserve resources in place, including, but not limited to, planning construction to avoid the resources and protect the cultural and natural context, or planning greenspace, parks, or other open space, to incorporate the resources with culturally appropriate protection and management criteria. • Treat the resource with culturally appropriate dignity taking into account the Tribal cultural values and meaning of the resource, including, but not limited to, the following: <ul style="list-style-type: none"> ○ Protect the cultural character and integrity of the resource. ○ Protect the traditional use of the resource. ○ Protect the confidentiality of the resource. 				

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<ul style="list-style-type: none"> ○ Establish permanent conservation easements or other interests in real property, with culturally appropriate management criteria for the purposes of preserving or using the resources or places. ○ Protect the resource. 				
<p>TCR-1b: Implement Procedures in the Event of the Inadvertent Discovery of Human Remains</p> <p>If an inadvertent discovery of human remains is made at any time during project-related construction activities or project planning, the City the following performance standards shall be met prior to implementing or continuing actions such as construction, which may result in damage to or destruction of human remains. In accordance with the California Health and Safety Code (HSC), if human remains are encountered during ground-disturbing activities, the City shall immediately halt potentially damaging excavation in the area of the remains and notify the Sacramento County Coroner and a professional archaeologist to determine the nature of the remains. The Coroner is required to examine all discoveries of human remains within 48 hours of receiving notice of a discovery on private or State lands (HSC Section 7050.5[b]).</p> <p>If the human remains are of historic age and are determined to be not of Native American origin, the City will follow the provisions of the HSC Section 7000 (et seq.) regarding the disinterment and removal of non-Native American human remains.</p> <p>If the Coroner determines that the remains are those of a Native American, he or she must contact the Native American Heritage Commission (NAHC) by phone within 24 hours of making that determination (HSC Section 7050[c]). After the Coroner’s findings have been made, the archaeologist and the NAHC-designated Most Likely Descendant (MLD), in consultation with the landowner, shall determine the ultimate treatment and disposition of the remains. The responsibilities of the City for acting upon notification of a discovery of Native American human remains are identified in California PRC Section 5097.9 et seq.</p>	Immediately upon discovery.	City of Sacramento; Qualified Archaeologist.		

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